

TOWN OF SEWALL'S POINT

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner



ROBERT DANIELS
Town Manager

APRIL STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official/PW Director

MARIA PIERCE
Finance/HR Director

**Town Commission Regular Meeting
August 15, 2023
6:00 PM**

I. CALL TO ORDER

- a. **Pledge of Allegiance to the Flag**
- b. **Roll Call**

II. PROCLAMATIONS AND PRESENTATIONS

- a. **Captain Henry Sewall Proclamation**
 - 1) [Town Clerk Memo - Sewall Proclamation.pdf](#)
 - 2) [Captain Henry E. Sewall Proclamation.pdf](#)
 - 3) [Captain Henry Edwin Sewall 1848-1925.pdf](#)
- b. **Zoe Berry - Appreciation Recognition**
[Zoe Berry - Intern CERTIFICATE.pdf](#)
- c. **Ceremonial Swearing In - Police Officer Collin Yaw**

III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.

- a. **TOSP Public Comment Guidelines**
 - 1) [TOSP Public Comment Guideline.pdf](#)

IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

V. APPROVAL OF AGENDA

VI. CONSENT AGENDA

- a. **Financials – June/July**
 - 1) [Aug 15 Commission Meeting - June & July 2023.pdf](#)
 - 2) [July 2023 Financials.pdf](#)
 - 3) [June 2023 Financials.pdf](#)
- b. **Building – June/July**

1) Building Report - June.pdf

2) Building Report - July.pdf

c. **Minutes – June 27, 2023, Regular meeting and July 18, 2023, Regular meeting**

1) 06 27 23 Regular Minutes.pdf

2) 07 18 23 Regular Minutes.pdf

d.

Updated Public Records Request Policy - Records Fee Schedule

1) Town Clerk Memo - Updated PRR.pdf

2) Public Records Request Policy.pdf

e.

Martin County Interlocal Agreement – S. Sewall’s Point Road - Water Main Replacement Project

1) 2023-0712 Interlocal for S Sewall's Point Water Main.pdf

f.

Martin County Interlocal Agreement – S. Sewall’s Point Road – Low Pressure Forcemain (LPFM) Phases 3 & 4 Project

1) 2023-0719 Interlocal for S Sewall's Point Septic.pdf

g. **Permission to Apply for Grant Funding**

1) Grant Applications Phase 3 and 2.pdf

2) Phase 2 Implementation Grants_Draft.pdf

3) Phase 3 Implementation Grants_Draft.pdf

VII. PUBLIC HEARING - ORDINANCE - SECOND READING

a.

Ordinance No. 450 - Height Regulations

1) Agenda Summary Ordinance No. 450.pdf

2) Ordinance No. 450 - Height Restriction.pdf

3) Summary of TOSP Building Height Updates_8_7_23.pdf

b. **Ordinance No. 451 – Amending Chapter 58-96 Definitions**

1) Agenda Summary Ordinance No. 451.pdf

2) Ordinance No. 451 - Second Reading Definitions.pdf

3) Summary of TOSP Building Height Updates_8_7_23.pdf

c. **Ordinance No. 452 – Update Zoning Regulations**

1) Agenda Summary Ordinance No. 452.pdf

2) Ordinance No. 452 Update Zoning Regulations.pdf

VIII. PUBLIC HEARING - ORDINANCE - FIRST READING

a. **Ordinance No. 449 – Amended Tree Ordinance**

1) Memo to Commission reference Tree Ordinance.pdf

2) Ordinance No. 449 - Tree Requirements .pdf

3) Redline - Exhibit A - Ord 449 - TSP Chapter_70___HABITAT_MANAGEMENT REVISED
per LPA comments in blue.07.21.23.pdf

IX. RESOLUTIONS

X. OLD BUSINESS

XI. NEW BUSINESS

a. Town Manager Evaluation

- 1) Memo - Town Manager's Annual Evaluation - Aug 15 2023 meeting.pdf
- 2) Town Manager Annual Review Aug 2023.pdf
- 3) Performance Goals TM.pdf

XII. DISCUSSION

a.

Budget Workshop

- 1) FY24 Budget-in-Brief.pdf
- 2) 08-15-23 Budget Report.pdf

b. Senate Bill 774 (Form 6) - Town Attorney

- 1) Town Attorney - Senate Bill 774 - Form 6.pdf

XIII.

COMMISSION AND STAFF CLOSING COMMENTS

XIV. ADJOURN

CIVILITY CLAUSE: It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. Persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road, Sewall's Point, Florida 34996 (772) 287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will 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.

TOWN OF SEWALL'S POINT



TO: Town Commission

FROM: April C. Stoncius, CMC, Town Clerk
through Robert Daniels, Town Manager

SUBJECT: Captain Henry Sewall Proclamation

DATE: August 15, 2023, Regular Meeting

On May 3, 2023, I had the wonderful opportunity to take a tour of Captain Henry Sewall's historic home located in Indian RiverSide Park. The history of the founder of our Town is so fascinating that I have requested a proclamation be brought forward in his honor. Captain Sewall will be celebrated annually on August 22nd, his birthday, in order to pass down the history of the Town to the younger generations, as well as to educate new residents.

I am beyond ecstatic that his great-grandniece, Karen Neff, will be in attendance to accept the proclamation.

Before the Mayor of the Town of Sewall's Point
Martin County, Florida

A Proclamation

Declaring Captain Henry Sewall's Day in Sewall's Point, Florida

Whereas, Henry Edwin Sewall was born in St. Augustine on August 22, 1848; and
Whereas, Captain Sewall came from a family of seafarers and sailed around the world several times on the Benjamin Sewall; and
Whereas, in 1889, Captain Sewall arrived on the peninsula to claim the Sewall's family portion of the Hanson Grant; and
Whereas, Captain Sewall established the Town's first Post Office on May 12, 1891 and served as Postmaster until 1915; and
Whereas, in 1892, Captain Sewall was among the local leaders involved in opening the St. Lucie Inlet, and continued his efforts in getting the U.S. Government to improve the depth of the access point for trades; and
Whereas, Captain Sewall, together with Hugh Willoughby, formed the Sewall's Point Land Company and was the first President that developed Port Sewall; and
Whereas, Captain Sewall served as a Dade County Commissioner in 1893, representing Sewall's Point and Potsdam, which later became the City of Stuart; and was a state representative in the Florida Legislature from 1894 to 1895; and
Whereas, without the significant contributions of Captain Henry Sewall, the Town of Sewall's Point may not have existed and become the flourishing exclusive enclave it is today.

Now, therefore, the Town Commission of Sewall's Point, Florida hereby proclaims that every August 22nd will be known as Captain Henry Sewall's Day in Sewall's Point, annually, in honor of Captain Sewall and his accomplishments in establishing the Town of Sewall's Point.

Dated this 15th day of August, 2023.





Capt. Henry Edwin Sewall
1848-1925

Capt. Henry Edwin Sewall, from a family of preachers and seafarers who came to America from England in 1634, was born in St. Augustine, Florida in 1848, but grew up in Maine. He went to sea as a youth, sailing around the world on the *Benjamin Sewall* and was aboard the *Istria* when it wrecked off Cape Hatteras in 1868. Sewall was one of only three who survived.

He married Abbie Evans Thomas of Nicolas, New York, in 1873, and three years later left the sea and became a retail coal dealer in New York City. Captain Sewall and his sisters and brothers were heirs to 1/3 of a Spanish Land Grant on the St. Lucie River through their mother who had inherited it from her first husband, John M. Hanson, who had died at sea. The 16,000 acre land grant is called the Hanson Grant and sometimes referred to as the Miles-Hanson Grant. At the age of 38, more than three decades after his mother's death, Henry Sewall decided to visit the property he and his siblings had inherited. In 1889 he moved to Florida and built the home at the tip of the peninsula that that bears his name. The home was built below the bluff so it would be convenient to the long freight dock beside it.

As soon as he moved to Florida and built his home and dock, he planted pineapples and began the work of securing clear title to his family's inheritance. The process was to take thirteen years of litigation.

Capt. Sewall established the Sewall's Point Post Office on May 12, 1891 and continued to serve as Postmaster through 1915. He was among the local leaders to open the St. Lucie Inlet in 1892 and continued efforts to get the U. S. Government to survey, deepen and improve the inlet.

Capt. Sewall was a Commissioner of Dade County, which, at the time, came as far north as the St. Lucie River. He also represented Dade County in the Florida Legislature. He was Commodore of the Gilbert's Bar Yacht Club for its entire existence and President of the Sewall's Point Land Company that developed Port Sewall. He died on August 1, 1925 and is buried in All Saints Cemetery, not far from Indian RiverSide Park where his former home now stands.

Sandra Thurlow, 2015



Captain Henry Sewall's Home

Located in Indian RiverSide Park

1707 NE Indian River Dr, Jensen Beach, Florida 34957.

Although the frame vernacular house that has been preserved in Indian RiverSide Park is called "Captain Henry Sewall's Home," it was, of course, also the home of his wife, Abbie. The house was constructed in 1889 against the bluff at the tip of the peninsula that became Sewall's Point when the Sewall Point Post Office was established on May 12, 1891. The house is often referred to as a post office because, as postmaster, Henry Sewall performed postal duties when he lived in the house.

Capt. Sewall and his wife Abbie, were in their house, built precariously above the water and against the bank, during the hurricane of October 16 and 17, 1904 that wrecked the *Georges Valentine* and *Cosme Colzado* on Hutchinson Island. Their harrowing experience was recording in a newspaper article that also suggested they build on high land so their friends would not have to worry about them.

In 1911, Capt. and Mrs. Sewall followed the article's suggestion and moved into a new house built above the bluff. Capt. Sewall, his brother-in-law, James Hanson Rogers, and Hugh Willoughby were developing Port Sewall, a huge subdivision on the Sewalls' portion of the Hanson Grant. Capt. Sewall's nephew, Maxwell Smith, Sr., the son of his sister, Elizabeth (Mrs. James Hanson Rogers), was moving to the area to help with the development of Port Sewall and needed a home. The former Sewall residence was loaded on a barge and placed on a building lot overlooking Willoughby Creek. The Smiths added a fireplace and chimney, an interior staircase and indoor plumbing

The house had a succession of owners through the years. It was rented to a wholesale bootlegger during the 1920s and a Naval officer assigned to Witham Field during WWII. It was on two historic home tours during the 15 years Bud and Sandra Schock were owners. The last private owner, Joe Lehner, offered the house for preservation in 2006 and the Martin County Commission voted unanimously to accept his offer. Restaurateur Fred Ayers pitched in \$50,000 toward the cause.

The house was moved to the U. S. Sailing Center by Brownie Movers in 2006 and put in place in 2008. Its restoration was celebrated in 2012 with a Designer Showcase benefiting the Children's Home Society. The beautifully restored home can be rented for special events.

Sandra Thurlow, 2015

CERTIFICATE of ACHIEVEMENT

THIS ACKNOWLEDGES THAT

Zoe Berry

HAS SUCCESSFULLY COMPLETED THE

2023 Internship at Town Hall

August 15, 2023

Robert Daniels, Town Manager





Guidelines for Public Comments

- Everyone will have 3 minutes
- When recognized step forward to the podium and state your name for the record
- All remarks should be addressed to the Commission as a body
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input
- Any person addressing the Commission who disrupts the orderly and efficient conduct of the meeting, uses profane or obscene language may be removed from the meeting

TOWN OF SEWALL'S POINT



TO: Town of Sewall's Point Commission
FROM: Maria Pierce, Finance Director
SUBJECT: June/July 2023 Financial Statements
DATE: Regular Commission Meeting – August 15, 2023

Attached are the monthly financial statements for June and July 2023. The town is at 83.3% of the fiscal year completed. The monthly financials are broken out by funds.

Balance Sheet

The two columns shown on the Balance Sheet contains the ending balances for the fiscal year 2022 (first column) and the ending balances as of July 2023. The consolidated cash balance through July 2023 is \$1,258,848.79. The investment account balance as of July 2023 is \$4,368,829.80 (interest statements for July have not been received at the time of this report). The net revenue by fund for the current fiscal year through July is:

Fund	Net Revenue
General Fund	\$646,340.72
Building Fund	\$144,558.44
Capital Projects	\$113,726.29
Total	\$904,625.45

Revenue and Expenditure Report

The columns on the Revenue and Expenditure Statements are the 2023 Adopted Budget, the YTD revenue and expenditures, the variance of actual to budget and the percent of budget used through July 2023.

General Fund

Total revenue collected in the General Fund through July 2023 was \$5,298,435. This amount reflects \$2.615 million or 101.67% of the budgeted Ad Valorem Taxes and it is not estimated the Town will receive additional Ad Valorem taxes through year end. Looking at the total revenues received excluding the \$2,000,000 bank note and the Ad Valorem Taxes of \$2.615 million, revenues are at 77.5% of the budgeted amount for the fiscal year, but anticipated to finish the year at 95% based on historical data.

The actual amount of the budgeted funds used in the General Fund through July 2023 excluding the transfer of \$2,314,660 to the capital fund is \$2,337,434, or 74.4% of the budgeted expenditures.

Building Fund

Total revenue collected in the Building Fund through July 2023 was \$453,116, which is 105.38% of the budgeted revenue. Total expenditures for this fund through July 2023 are at \$308,558, 71.8% of the budgeted expenditures.

Capital Fund

As of July 2023, revenue received was \$2,732,134, which includes a transfer of \$2,314,660 from the General Fund. Other revenue received in the Capital Fund through July 2023 totaled \$417,474. Total expenditures in the Capital fund total \$2,618,407, of which \$2,170,805 was to purchase the property to be used in S. Sewall's Point Rd. (SSPR) Phase 3 project. Payments have started on the Commercial Septic to Sewer project and should be completed by the fiscal year end.

Recommendation:

Staff recommends approval.

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 07/31/2023

Fund 001 GENERAL FUND

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
CASH			
001-000-101.501	SEACOAST OPERATING 6501	(281,236.47)	(133,507.49)
001-000-101.771	SEACOAST SWEEP 6771	2,065,345.41	(742,940.36)
	CASH	1,784,108.94	(876,447.85)
INVESTMENTS			
001-000-104.000	FL STATE 272201 LGIP	1,245,319.70	4,358,557.10
001-000-104.001	FL STATE 272202 LGIP	9,928.17	10,272.70
	INVESTMENTS	1,255,247.87	4,368,829.80
ACCOUNTS RECEIVABLE			
001-000-115.000	ACCOUNTS RECEIVABLE	13,050.00	13,050.00
001-000-115.006	ACCRUED RECEIVABLE - FPL	46,938.32	23,819.00
	ACCOUNTS RECEIVABLE	59,988.32	36,869.00
DUE FROM OTHER GOVT			
001-000-133.000	INTERGOVERNMENT REVENUE REC	337,464.97	284,901.19
	DUE FROM OTHER GOVT	337,464.97	284,901.19
PREPAID ITEMS			
001-000-155.000	PREPAID EXPENSES	276.50	2,493.30
	PREPAID ITEMS	276.50	2,493.30
FIXED ASSETS			
	FIXED ASSETS	0.00	0.00
	Total Assets	3,437,086.60	3,816,645.44
*** Liabilities ***			
ACCOUNTS PAYABLE			
001-000-202.000	ACCOUNTS PAYABLE	279,407.20	135.32
001-000-208.001	STATE FEES PAYABLE	11,069.62	17,304.24
001-000-217.000	PAYROLL LIABILITIES	51,520.49	50,012.94
001-000-217.001	FEDERAL W/H TAX	0.00	2,775.63
001-000-217.210	FICA W/H TAX	0.00	3,834.10
001-000-217.211	MEDICARE W/H TAX	0.00	896.68
001-000-217.220	457 DEDUCTION	0.00	1,197.30
001-000-217.221	ACCRUED RETIREMENT PLAN EXPS	0.00	13,618.29
001-000-217.223	RETIREMENT PLAN LOAN REPAYMENTS	0.00	582.74
001-000-217.230	BLUE CROSS BLUE SHIELD	0.00	(13,508.90)
001-000-217.231	DENTAL AND VISION	0.00	(1,608.48)
001-000-217.232	AFLAC	0.00	(514.99)
001-000-217.233	LIFE INSURANCE	0.00	490.56
001-000-223.000	DEFERRED REVENUE	(557,449.80)	(557,449.80)
001-000-223.000.004	DEFERRED REVENUE	1,117,319.00	1,117,319.00
	ACCOUNTS PAYABLE	901,866.51	635,084.63
ACCRUED LIABILITIES			
	ACCRUED LIABILITIES	0.00	0.00
Unclassified			
001-000-229.000	UNAVAILABLE REVENUE	245,679.00	245,679.00
	Unclassified	245,679.00	245,679.00

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 07/31/2023

Fund 001 GENERAL FUND

GL Number	Description	Current Year Beg. Balance	Balance
*** Liabilities ***			
	Total Liabilities	1,147,545.51	880,763.63
*** Fund Balance ***			
Unclassified			
001-000-283.000	DISASTER RESERVE	1,000,000.00	1,000,000.00
001-000-283.001	OPERATING RESERVE	500,000.00	500,000.00
001-000-284.000	OPERATING FUND UNRESTRICTED	789,541.09	789,541.09
	Unclassified	2,289,541.09	2,289,541.09
	Total Fund Balance	2,289,541.09	2,289,541.09
	Beginning Fund Balance		2,289,541.09
	Net of Revenues VS Expenditures		646,340.72
	Ending Fund Balance		2,935,881.81
	Total Liabilities And Fund Balance		3,816,645.44

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 07/31/2023

Fund 101 BUILDING PERMIT FUND

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
CASH			
101-000-101.501	SEACOAST OPERATING 6501	0.00	154,592.32
101-000-101.771	SEACOAST SWEEP 6771	436,651.53	436,651.53
	CASH	436,651.53	591,243.85
	Total Assets	436,651.53	591,243.85
*** Liabilities ***			
ACCOUNTS PAYABLE			
101-000-217.001	FEDERAL W/H TAX	0.00	603.50
101-000-217.210	FICA W/H TAX	0.00	1,152.66
101-000-217.211	MEDICARE W/H TAX	0.00	269.60
101-000-217.220	457 DEDUCTION	0.00	454.34
101-000-217.221	ACCRUED RETIREMENT PLAN EXPS	0.00	5,459.87
101-000-217.223	RETIREMENT PLAN LOAN REPAYMENTS	0.00	116.72
101-000-217.230	BLUE CROSS BLUE SHIELD	0.00	1,767.98
101-000-217.231	DENTAL AND VISION	0.00	32.62
101-000-217.233	LIFE INSURANCE	0.00	176.59
	ACCOUNTS PAYABLE	0.00	10,033.88
	Total Liabilities	0.00	10,033.88
*** Fund Balance ***			
Unclassified			
101-000-281.000	FUND BALANCE - RESTRICTED	436,651.53	436,651.53
	Unclassified	436,651.53	436,651.53
	Total Fund Balance	436,651.53	436,651.53
	Beginning Fund Balance		436,651.53
	Net of Revenues VS Expenditures		144,558.44
	Ending Fund Balance		581,209.97
	Total Liabilities And Fund Balance		591,243.85

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 07/31/2023

Fund 301 CAPITAL PROJECTS

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
CASH			
301-000-101.501	SEACOAST OPERATING 6501	30,583.00	271,660.79
301-000-101.771	SEACOAST SWEEP 6771	1,272,392.00	1,272,392.00
CASH		1,302,975.00	1,544,052.79
Total Assets		1,302,975.00	1,544,052.79
*** Liabilities ***			
ACCOUNTS PAYABLE			
301-000-223.000.017	DEFERRED REVENUE	30,583.00	157,934.50
ACCOUNTS PAYABLE		30,583.00	157,934.50
Total Liabilities		30,583.00	157,934.50
*** Fund Balance ***			
Unclassified			
301-000-281.000	FUND BALANCE - RESTRICTED	1,272,392.00	1,272,392.00
Unclassified		1,272,392.00	1,272,392.00
Total Fund Balance		1,272,392.00	1,272,392.00
Beginning Fund Balance			1,272,392.00
Net of Revenues VS Expenditures			113,726.29
Ending Fund Balance			1,386,118.29
Total Liabilities And Fund Balance			1,544,052.79

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 07/31/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Revenues					
Dept 000 - RESERVES					
TAXES					
001-000-311.000	AD VALOREM TAXES	2,572,340.00	2,615,267.47	(42,927.47)	101.67
001-000-315.000	COMMUNICATIONS SERVICES TAX	55,000.00	38,953.22	16,046.78	70.82
001-000-316.000	LOCAL BUSINESS TAX	5,000.00	2,445.16	2,554.84	48.90
TAXES		2,632,340.00	2,656,665.85	(24,325.85)	100.92
FRANCHISE FEE					
001-000-323.100	ELECTRIC FRANCHISE FEES	210,000.00	160,361.82	49,638.18	76.36
FRANCHISE FEE		210,000.00	160,361.82	49,638.18	76.36
BUILDING PERMITS AND FEES					
001-000-329.001	PLANNING & ZONING FEES	22,000.00	6,975.00	15,025.00	31.70
BUILDING PERMITS AND FEES		22,000.00	6,975.00	15,025.00	31.70
INTERGOVERNMENTAL					
001-000-335.120	STATE REVENUE SHARING	78,000.00	56,937.34	21,062.66	73.00
001-000-335.150	STATE REVENUE SHARING - ALCOHOLIC BEVER	1,200.00	0.00	1,200.00	0.00
001-000-335.180	SALES TAX	257,000.00	224,030.28	32,969.72	87.17
INTERGOVERNMENTAL		336,200.00	280,967.62	55,232.38	83.57
FINES					
001-000-351.500	TRAFFIC FINES	15,000.00	10,788.14	4,211.86	71.92
001-000-351.501	POLICE EDUCATION - TRAFFIC FINES	1,500.00	1,278.82	221.18	85.25
001-000-351.901	CODE ENFORCEMENT VIOLATIONS	2,000.00	5,450.00	(3,450.00)	272.50
001-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS TREE MI	1,000.00	0.00	1,000.00	0.00
FINES		19,500.00	17,516.96	1,983.04	89.83
MISCELLANEOUS					
001-000-361.100	INTEREST	125,000.00	114,203.54	10,796.46	91.36
001-000-366.003	CONTRIBUTIONS - TOWN EVENTS	500.00	2,500.00	(2,000.00)	500.00
001-000-366.004	CONTRIBUTIONS - POLICE DEPARTMENT	50,000.00	50,000.00	0.00	100.00
001-000-367.000	TOWN LICENSES	6,500.00	6,060.21	439.79	93.23
001-000-369.900	MISCELLANEOUS REVENUE	6,500.00	1,940.95	4,559.05	29.86
001-000-369.901	MISCELLANEOUS REVENUE POLICE	250.00	242.68	7.32	97.07
001-000-369.902	MISC REVENUE - PARK	1,200.00	1,000.00	200.00	83.33
001-000-384.001.012	SEACOAST BANK NOTE	2,000,000.00	2,000,000.00	0.00	100.00
MISCELLANEOUS		2,189,950.00	2,175,947.38	14,002.62	99.36
TRANSFERS					
001-000-381.000	RESERVE UTILIZATION	42,735.00	0.00	42,735.00	0.00
TRANSFERS		42,735.00	0.00	42,735.00	0.00
Total Dept 000 - RESERVES					
		5,452,725.00	5,298,434.63	154,290.37	97.17
TOTAL REVENUES					
		5,452,725.00	5,298,434.63	154,290.37	97.17
Expenditures					
Dept 000 - RESERVES					
RESERVES					
001-000-582.000	RESERVE ADDITION	212,110.00	0.00	212,110.00	0.00
RESERVES		212,110.00	0.00	212,110.00	0.00
Total Dept 000 - RESERVES					
		212,110.00	0.00	212,110.00	0.00
Dept 512 - EXECUTIVE					
PAYROLL					

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT Page: 2/7
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 07/31/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Expenditures					
001-512-512.000	SALARIES & WAGES	87,500.00	67,953.76	19,546.24	77.66
001-512-521.000	FICA	6,700.00	4,866.18	1,833.82	72.63
001-512-522.000	RETIREMENT	13,125.00	10,193.06	2,931.94	77.66
001-512-523.000	HEALTH INSURANCE	25,570.00	16,974.85	8,595.15	66.39
001-512-523.003	LIFE & DISABILITY INSURANCE	600.00	495.41	104.59	82.57
PAYROLL		133,495.00	100,483.26	33,011.74	75.27
OPERATING					
001-512-531.000	PROFESSIONAL SERVICES	93,000.00	45,000.00	48,000.00	48.39
001-512-531.004	PLANNING SERVICES	20,000.00	1,135.00	18,865.00	5.68
001-512-531.100	COMPREHENSIVE PLANNING SERVICES	10,000.00	11,280.22	(1,280.22)	112.80
001-512-532.000	AUDIT SERVICES	28,000.00	26,250.00	1,750.00	93.75
001-512-541.000	COMMUNICATION NETWORK	3,520.00	3,703.92	(183.92)	105.23
001-512-548.000	TOWN EVENTS	10,000.00	11,448.13	(1,448.13)	114.48
001-512-549.001	OTHER GENERAL GOVERNMENT	20,000.00	952.15	19,047.85	4.76
001-512-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	2,150.00	1,934.05	215.95	89.96
OPERATING		186,670.00	101,703.47	84,966.53	54.48
TRANSFERS					
001-512-591.301	TRANSFER TO CAPITAL PROJECTS	2,314,660.00	2,314,660.00	0.00	100.00
TRANSFERS		2,314,660.00	2,314,660.00	0.00	100.00
Total Dept 512 - EXECUTIVE		2,634,825.00	2,516,846.73	117,978.27	95.52
Dept 513 - FINANCE					
PAYROLL					
001-513-512.000	SALARIES & WAGES	59,000.00	45,924.12	13,075.88	77.84
001-513-521.000	FICA	4,640.00	3,347.16	1,292.84	72.14
001-513-522.000	RETIREMENT	8,550.00	6,699.00	1,851.00	78.35
001-513-523.000	HEALTH INSURANCE	13,100.00	10,068.49	3,031.51	76.86
001-513-523.003	LIFE & DISABILITY INSURANCE	650.00	470.68	179.32	72.41
PAYROLL		85,940.00	66,509.45	19,430.55	77.39
OPERATING					
001-513-531.000	PROFESSIONAL SERVICES	24,000.00	8,730.00	15,270.00	36.38
001-513-549.000	BANK FEES	480.00	0.00	480.00	0.00
001-513-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	240.00	50.00	190.00	20.83
001-513-555.000	TRAINING/EDUCATION	1,500.00	1,813.55	(313.55)	120.90
OPERATING		26,220.00	10,593.55	15,626.45	40.40
Total Dept 513 - FINANCE		112,160.00	77,103.00	35,057.00	68.74
Dept 514 - LEGAL					
OPERATING					
001-514-531.301	LEGAL COUNSEL - GENERAL	84,000.00	45,955.50	38,044.50	54.71
001-514-531.302	LEGAL COUNSEL - BZA	3,000.00	3,945.39	(945.39)	131.51
001-514-531.303	LEGAL COUNSEL - CEB	12,000.00	15,528.98	(3,528.98)	129.41
001-514-531.304	LEGAL COUNSEL - LITIGATION	10,000.00	0.00	10,000.00	0.00
001-514-531.306	LEGAL SERVICES - POLICE UNION MATTERS	15,000.00	10,449.00	4,551.00	69.66
OPERATING		124,000.00	75,878.87	48,121.13	61.19
Total Dept 514 - LEGAL		124,000.00	75,878.87	48,121.13	61.19
Dept 517 - DEBT SERVICE					
OPERATING					
001-517-571.000	DEBT SERVICE - PRINCIPAL	32,013.33	32,013.33	0.00	100.00
001-517-572.000	DEBT SERVICE - INTEREST	43,376.67	43,376.67	0.00	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 07/31/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Expenditures					
OPERATING		75,390.00	75,390.00	0.00	100.00
Total Dept 517 - DEBT SERVICE					
		75,390.00	75,390.00	0.00	100.00
Dept 519 - GOVERNMENTAL SERVICES					
PAYROLL					
001-519-512.000	SALARIES & WAGES	69,270.00	56,366.00	12,904.00	81.37
001-519-514.002	OVERTIME - STORM	1,250.00	1,223.79	26.21	97.90
001-519-517.000	SICK LEAVE INCENTIVE	1,000.00	0.00	1,000.00	0.00
001-519-521.000	FICA	5,070.00	4,172.76	897.24	82.30
001-519-522.000	RETIREMENT	12,000.00	8,301.30	3,698.70	69.18
001-519-523.000	HEALTH INSURANCE	25,650.00	20,666.36	4,983.64	80.57
001-519-523.003	LIFE & DISABILITY INSURANCE	600.00	432.31	167.69	72.05
001-519-524.000	WORKERS' COMPENSATION INSURANCE	20,000.00	18,358.00	1,642.00	91.79
PAYROLL		134,840.00	109,520.52	25,319.48	81.22
OPERATING					
001-519-541.000	COMMUNICATION NETWORK	4,240.00	2,797.69	1,442.31	65.98
001-519-541.002	COMMUNICATIONS WEB HOSTING	8,000.00	8,426.36	(426.36)	105.33
001-519-541.003	IT SERVICE LEVEL AGREEMENTS MC	28,580.00	15,146.00	13,434.00	53.00
001-519-542.000	POSTAGE	3,000.00	1,718.50	1,281.50	57.28
001-519-543.000	UTILITIES	60,000.00	45,012.85	14,987.15	75.02
001-519-545.000	INSURANCE - PROPERTY & LIABILITY	77,000.00	80,079.00	(3,079.00)	104.00
001-519-546.003	LANDSCAPING MAINTENANCE	48,000.00	37,365.00	10,635.00	77.84
001-519-546.004	VEHICLE MAINTENANCE	4,500.00	4,040.06	459.94	89.78
001-519-546.005	BUILDING & FACILITIES MAINTENANCE	19,200.00	21,953.30	(2,753.30)	114.34
001-519-546.006	PARKS MAINTENANCE	20,400.00	17,282.13	3,117.87	84.72
001-519-546.007	TREE MAINTENANCE	24,000.00	19,817.99	4,182.01	82.57
001-519-546.008	STREET MAINTENANCE	24,000.00	22,080.47	1,919.53	92.00
001-519-547.000	PRINTING	12,400.00	10,513.36	1,886.64	84.79
001-519-549.001	OTHER GENERAL GOVERNMENT	0.00	797.51	(797.51)	100.00
001-519-551.000	OFFICE SUPPLIES	7,200.00	7,649.11	(449.11)	106.24
001-519-552.000	FUEL AND OIL	960.00	859.20	100.80	89.50
001-519-552.001	ARCHIVES AND STORAGE	8,250.00	8,885.03	(635.03)	107.70
001-519-552.003	ORDINANCE CODIFICATION	3,000.00	2,705.84	294.16	90.19
001-519-552.004	SOFTWARE/LICENSING	10,000.00	9,360.00	640.00	93.60
001-519-552.005	OPERATING SUPPLIES	1,400.00	686.58	713.42	49.04
001-519-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	350.00	1,294.41	(944.41)	369.83
001-519-555.000	TRAINING/EDUCATION	3,000.00	2,868.06	131.94	95.60
OPERATING		367,480.00	321,338.45	46,141.55	87.44
Total Dept 519 - GOVERNMENTAL SERVICES					
		502,320.00	430,858.97	71,461.03	85.77
Dept 521 - POLICE					
PAYROLL					
001-521-512.000	SALARIES & WAGES	727,730.00	556,039.55	171,690.45	76.41
001-521-514.000	OVERTIME	13,500.00	7,115.89	6,384.11	52.71
001-521-514.001	OVERTIME - COURT TIME	3,000.00	2,633.00	367.00	87.77
001-521-514.002	OVERTIME - STORM	6,100.00	6,021.61	78.39	98.71
001-521-514.014	OVERTIME - SSPR PHASE 3 TRAFFIC CONTROL	10,000.00	0.00	10,000.00	0.00
001-521-515.001	SPECIAL PAY - FTO/BOOTS	2,500.00	1,660.00	840.00	66.40
001-521-515.003	PD STATUTORY INCENTIVE	10,000.00	4,405.00	5,595.00	44.05
001-521-517.000	SICK LEAVE INCENTIVE	5,000.00	3,832.55	1,167.45	76.65
001-521-521.000	FICA	56,700.00	42,769.30	13,930.70	75.43
001-521-522.000	RETIREMENT	97,090.00	83,683.17	13,406.83	86.19
001-521-523.000	HEALTH INSURANCE	166,780.00	132,943.26	33,836.74	79.71
001-521-523.003	LIFE & DISABILITY INSURANCE	6,500.00	3,932.43	2,567.57	60.50
PAYROLL		1,104,900.00	845,035.76	259,864.24	76.48

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	YTD BALANCE		AVAILABLE	% BDGT USED
		2022-23 AMENDED BUDG	07/31/2023	BALANCE NORMAL (ABNOR	
Fund 001 - GENERAL FUND					
Expenditures					
OPERATING					
001-521-515.002	PD MILEAGE	12,000.00	8,960.00	3,040.00	74.67
001-521-531.000	PROFESSIONAL SERVICES	12,500.00	11,745.26	754.74	93.96
001-521-534.002	CONTRACTED SERVICES	17,080.00	80.00	17,000.00	0.47
001-521-541.000	COMMUNICATION NETWORK	6,600.00	2,598.10	4,001.90	39.37
001-521-542.000	POSTAGE	200.00	56.48	143.52	28.24
001-521-545.000	INSURANCE - PROPERTY & LIABILITY	700.00	694.00	6.00	99.14
001-521-546.002	EQUIPMENT MAINTENANCE	6,005.00	5,848.16	156.84	97.39
001-521-546.004	VEHICLE MAINTENANCE	11,000.00	16,425.98	(5,425.98)	149.33
001-521-547.000	PRINTING	2,570.00	886.56	1,683.44	34.50
001-521-551.000	OFFICE SUPPLIES	400.00	57.85	342.15	14.46
001-521-552.000	FUEL AND OIL	37,500.00	21,780.87	15,719.13	58.08
001-521-552.005	OPERATING SUPPLIES	10,000.00	1,561.56	8,438.44	15.62
001-521-552.006	ENFORCEMENT SUPPLIES	15,380.00	6,337.38	9,042.62	41.21
001-521-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	1,790.00	1,778.80	11.20	99.37
001-521-555.000	TRAINING/EDUCATION	4,525.00	3,014.80	1,510.20	66.63
OPERATING		138,250.00	81,825.80	56,424.20	59.19
CAPITAL					
001-521-564.000	MACHINERY & EQUIPMENT	0.00	387.78	(387.78)	100.00
CAPITAL		0.00	387.78	(387.78)	100.00
Total Dept 521 - POLICE					
		1,243,150.00	927,249.34	315,900.66	74.59
Dept 522 - FIRE					
OPERATING					
001-522-534.001	FIRE RESCUE CONTRACTED	548,770.00	548,767.00	3.00	100.00
OPERATING		548,770.00	548,767.00	3.00	100.00
Total Dept 522 - FIRE					
		548,770.00	548,767.00	3.00	100.00
TOTAL EXPENDITURES					
		5,452,725.00	4,652,093.91	800,631.09	85.32
Fund 001 - GENERAL FUND:					
TOTAL REVENUES		5,452,725.00	5,298,434.63	154,290.37	97.17
TOTAL EXPENDITURES		5,452,725.00	4,652,093.91	800,631.09	85.32
NET OF REVENUES & EXPENDITURES		0.00	646,340.72	(646,340.72)	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 07/31/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 101 - BUILDING PERMIT FUND					
Revenues					
Dept 000 - RESERVES					
BUILDING PERMITS AND FEES					
101-000-322.000	BUILDING PERMIT FEES	400,000.00	433,503.94	(33,503.94)	108.38
101-000-322.001	TECHNOLOGY FEE	30,000.00	19,612.06	10,387.94	65.37
	BUILDING PERMITS AND FEES	430,000.00	453,116.00	(23,116.00)	105.38
Total Dept 000 - RESERVES					
		430,000.00	453,116.00	(23,116.00)	105.38
TOTAL REVENUES					
		430,000.00	453,116.00	(23,116.00)	105.38
Expenditures					
Dept 000 - RESERVES					
RESERVES					
101-000-582.000	RESERVE ADDITION	50,080.00	0.00	50,080.00	0.00
	RESERVES	50,080.00	0.00	50,080.00	0.00
Total Dept 000 - RESERVES					
		50,080.00	0.00	50,080.00	0.00
Dept 524 - BUILDING					
PAYROLL					
101-524-512.000	SALARIES & WAGES	250,140.00	210,003.13	40,136.87	83.95
101-524-517.000	SICK LEAVE INCENTIVE	1,000.00	0.00	1,000.00	0.00
101-524-521.000	FICA	18,530.00	15,551.07	2,978.93	83.92
101-524-522.000	RETIREMENT	36,350.00	30,775.58	5,574.42	84.66
101-524-523.000	HEALTH INSURANCE	36,500.00	29,469.32	7,030.68	80.74
101-524-523.003	LIFE & DISABILITY INSURANCE	2,000.00	1,656.22	343.78	82.81
	PAYROLL	344,520.00	287,455.32	57,064.68	83.44
OPERATING					
101-524-531.002	BUILDING INSPECTOR SERVICES	7,000.00	6,062.50	937.50	86.61
101-524-534.002	CONTRACTED SERVICES	0.00	800.00	(800.00)	100.00
101-524-541.000	COMMUNICATION NETWORK	0.00	108.21	(108.21)	100.00
101-524-541.004	TECHNOLOGY EXPENSE	6,000.00	1,906.46	4,093.54	31.77
101-524-542.000	POSTAGE	500.00	175.18	324.82	35.04
101-524-545.000	INSURANCE - PROPERTY & LIABILITY	7,000.00	6,885.00	115.00	98.36
101-524-546.004	VEHICLE MAINTENANCE	7,000.00	3,790.58	3,209.42	54.15
101-524-551.000	OFFICE SUPPLIES	1,000.00	614.50	385.50	61.45
101-524-552.000	FUEL AND OIL	1,200.00	559.81	640.19	46.65
101-524-552.004	SOFTWARE/LICENSING	5,700.00	200.00	5,500.00	3.51
	OPERATING	35,400.00	21,102.24	14,297.76	59.61
Total Dept 524 - BUILDING					
		379,920.00	308,557.56	71,362.44	81.22
TOTAL EXPENDITURES					
		430,000.00	308,557.56	121,442.44	71.76
Fund 101 - BUILDING PERMIT FUND:					
	TOTAL REVENUES	430,000.00	453,116.00	(23,116.00)	105.38
	TOTAL EXPENDITURES	430,000.00	308,557.56	121,442.44	71.76
	NET OF REVENUES & EXPENDITURES	0.00	144,558.44	(144,558.44)	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 07/31/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 301 - CAPITAL PROJECTS					
Revenues					
Dept 000 - RESERVES					
TAXES					
301-000-312.410	GAS TAX	89,000.00	101,943.32	(12,943.32)	114.54
301-000-312.420	GAS TAX SECOND LOCAL OPTION	100,000.00	73,592.00	26,408.00	73.59
	TAXES	189,000.00	175,535.32	13,464.68	92.88
BUILDING PERMITS AND FEES					
301-000-325.200	BUILDING DEPT ROAD IMPROVEMENT FEE	200,000.00	241,938.23	(41,938.23)	120.97
	BUILDING PERMITS AND FEES	200,000.00	241,938.23	(41,938.23)	120.97
FINES					
301-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS TREE MI	20,000.00	0.00	20,000.00	0.00
	FINES	20,000.00	0.00	20,000.00	0.00
MISCELLANEOUS					
301-000-366.001	CONTRIBUTIONS - SEPTIC TO SEWER	120,000.00	0.00	120,000.00	0.00
	MISCELLANEOUS	120,000.00	0.00	120,000.00	0.00
TRANSFERS					
301-000-381.000	RESERVE UTILIZATION	331,796.00	0.00	331,796.00	0.00
301-000-381.001	TRANSFER FROM GENERAL FUND	2,314,660.00	2,314,660.00	0.00	100.00
	TRANSFERS	2,646,456.00	2,314,660.00	331,796.00	87.46
GRANTS					
301-000-331.100	AMERICAN RESCUE GRANT	557,450.00	0.00	557,450.00	0.00
301-000-331.353	HMPG GRANT	1,854,500.00	0.00	1,854,500.00	0.00
301-000-334.362	RESILIENT FLORIDA GRANT	3,400,000.00	0.00	3,400,000.00	0.00
301-000-334.364	FDEP LPA 0217	185,000.00	0.00	185,000.00	0.00
	GRANTS	5,996,950.00	0.00	5,996,950.00	0.00
Total Dept 000 - RESERVES		9,172,406.00	2,732,133.55	6,440,272.45	29.79
TOTAL REVENUES		9,172,406.00	2,732,133.55	6,440,272.45	29.79
Expenditures					
Dept 519 - GOVERNMENTAL SERVICES					
OPERATING					
301-519-531.400	ENGINEERING SERVICES	60,000.00	16,190.00	43,810.00	26.98
301-519-531.400.006	ENGINEERING SERVICES	0.00	65,615.00	(65,615.00)	100.00
301-519-531.400.014	ENGINEERING SERVICES	0.00	2,815.00	(2,815.00)	100.00
301-519-531.400.017	ENGINEERING SERVICES	0.00	40,475.00	(40,475.00)	100.00
301-519-531.401	ENGINEERING SERVICES - GRANT RELATED	0.00	12,855.00	(12,855.00)	100.00
301-519-531.401.005	ENGINEERING SERVICES - GRANT RELATED	0.00	615.00	(615.00)	100.00
301-519-531.401.020	ENGINEERING SERVICES - GRANT RELATED	0.00	467.50	(467.50)	100.00
301-519-546.003	LANDSCAPING MAINTENANCE	41,500.00	11,930.50	29,569.50	28.75
301-519-546.003.018	LANDSCAPING MAINTENANCE	0.00	4,035.00	(4,035.00)	100.00
	OPERATING	101,500.00	154,998.00	(53,498.00)	152.71
Total Dept 519 - GOVERNMENTAL SERVICES		101,500.00	154,998.00	(53,498.00)	152.71
Dept 538 - STORMWATER					
OPERATING					
301-538-531.307.003	LEGAL - BOND COUNSEL	18,600.00	18,600.00	0.00	100.00
301-538-531.400	ENGINEERING SERVICES	0.00	6,250.00	(6,250.00)	100.00
301-538-531.400.003	ENGINEERING SERVICES	0.00	142,888.00	(142,888.00)	100.00
301-538-531.400.006	ENGINEERING SERVICES	0.00	19,627.75	(19,627.75)	100.00
301-538-531.400.014	ENGINEERING SERVICES	0.00	1,785.00	(1,785.00)	100.00
301-538-531.400.017	ENGINEERING SERVICES	0.00	14,065.00	(14,065.00)	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 07/31/2023
 % Fiscal Year Completed: 83.29

GL NUMBER	DESCRIPTION	2022-23	YTD BALANCE	AVAILABLE	% BDGT USED
		AMENDED BUDG	07/31/2023 NORMAL (ABNOR	BALANCE NORMAL (ABNOR	
Fund 301 - CAPITAL PROJECTS					
Expenditures					
301-538-531.400.019	ENGINEERING SERVICES	0.00	3,072.41	(3,072.41)	100.00
301-538-531.400.020	ENGINEERING SERVICES	0.00	1,027.50	(1,027.50)	100.00
301-538-531.400.021	ENGINEERING SERVICES	0.00	1,005.00	(1,005.00)	100.00
301-538-531.401.002	ENGINEERING SERVICES - GRANT RELATED	0.00	17,879.88	(17,879.88)	100.00
301-538-531.401.017	ENGINEERING SERVICES - GRANT RELATED	0.00	540.00	(540.00)	100.00
301-538-531.401.020	ENGINEERING SERVICES - GRANT RELATED	0.00	508.75	(508.75)	100.00
301-538-546.001	STORMWATER-INLET-OUTFALL MAINTENANCE	80,000.00	14,039.95	65,960.05	17.55
301-538-546.001.014	LANDSCAPING MAINTENANCE	0.00	3,354.63	(3,354.63)	100.00
301-538-546.001.019	STORMWATER-INLET-OUTFALL MAINTENANCE	0.00	250.00	(250.00)	100.00
OPERATING		98,600.00	244,893.87	(146,293.87)	248.37
CAPITAL					
301-538-561.000.012	CAPITAL - LAND	1,029,000.00	1,029,000.00	0.00	100.00
301-538-562.000.012	BUILDING IMPROVEMENTS	1,141,806.00	1,141,805.04	0.96	100.00
301-538-563.002	STORMWATER IMPROVEMENTS	575,000.00	0.00	575,000.00	0.00
301-538-563.002.002	STORMWATER IMPROVEMENTS	0.00	1,424.98	(1,424.98)	100.00
301-538-563.002.017	STORMWATER IMPROVEMENTS	0.00	22,113.15	(22,113.15)	100.00
CAPITAL		2,745,806.00	2,194,343.17	551,462.83	79.92
Total Dept 538 - STORMWATER		2,844,406.00	2,439,237.04	405,168.96	85.76
Dept 541 - STREETS AND BRIDGES					
OPERATING					
301-541-546.000	STREETLIGHT & SIGN MAINTENANCE	15,000.00	19,034.24	(4,034.24)	126.89
301-541-546.007	TREE MAINTENANCE	1,500.00	1,825.00	(325.00)	121.67
301-541-546.008	STREET MAINTENANCE	75,000.00	3,312.98	71,687.02	4.42
301-541-546.009	BRIDGE MAINTENANCE	75,000.00	0.00	75,000.00	0.00
OPERATING		166,500.00	24,172.22	142,327.78	14.52
CAPITAL					
301-541-563.030	ROAD & BRIDGE CAPITAL PROJECTS	6,060,000.00	0.00	6,060,000.00	0.00
CAPITAL		6,060,000.00	0.00	6,060,000.00	0.00
Total Dept 541 - STREETS AND BRIDGES		6,226,500.00	24,172.22	6,202,327.78	0.39
TOTAL EXPENDITURES		9,172,406.00	2,618,407.26	6,553,998.74	28.55
Fund 301 - CAPITAL PROJECTS:					
TOTAL REVENUES		9,172,406.00	2,732,133.55	6,440,272.45	29.79
TOTAL EXPENDITURES		9,172,406.00	2,618,407.26	6,553,998.74	28.55
NET OF REVENUES & EXPENDITURES		0.00	113,726.29	(113,726.29)	100.00
TOTAL REVENUES - ALL FUNDS		15,055,131.00	8,483,684.18	6,571,446.82	56.35
TOTAL EXPENDITURES - ALL FUNDS		15,055,131.00	7,579,058.73	7,476,072.27	50.34
NET OF REVENUES & EXPENDITURES		0.00	904,625.45	(904,625.45)	100.00

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 06/30/2023

Fund 001 GENERAL FUND

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
CASH			
001-000-101.501	SEACOAST OPERATING 6501	(281,236.47)	4,915.42
001-000-101.771	SEACOAST SWEEP 6771	2,065,345.41	(742,940.36)
	CASH	1,784,108.94	(738,024.94)
INVESTMENTS			
001-000-104.000	FL STATE 272201 LGIP	1,245,319.70	4,358,557.10
001-000-104.001	FL STATE 272202 LGIP	9,928.17	10,272.70
	INVESTMENTS	1,255,247.87	4,368,829.80
ACCOUNTS RECEIVABLE			
001-000-115.000	ACCOUNTS RECEIVABLE	13,050.00	13,050.00
001-000-115.006	ACCRUED RECEIVABLE - FPL	46,938.32	23,819.00
	ACCOUNTS RECEIVABLE	59,988.32	36,869.00
DUE FROM OTHER GOVT			
001-000-133.000	INTERGOVERNMENT REVENUE REC	337,464.97	284,901.19
	DUE FROM OTHER GOVT	337,464.97	284,901.19
PREPAID ITEMS			
001-000-155.000	PREPAID EXPENSES	276.50	9,524.22
	PREPAID ITEMS	276.50	9,524.22
FIXED ASSETS			
	FIXED ASSETS	0.00	0.00
	Total Assets	3,437,086.60	3,962,099.27
*** Liabilities ***			
ACCOUNTS PAYABLE			
001-000-202.000	ACCOUNTS PAYABLE	279,407.20	135.32
001-000-208.001	STATE FEES PAYABLE	11,069.62	17,158.73
001-000-208.002	MARTIN COUNTY IMPACT FEES PAYABLE	0.00	31,940.64
001-000-217.000	PAYROLL LIABILITIES	51,520.49	50,012.94
001-000-217.001	FEDERAL W/H TAX	0.00	3,105.00
001-000-217.210	FICA W/H TAX	0.00	4,251.00
001-000-217.211	MEDICARE W/H TAX	0.00	994.10
001-000-217.220	457 DEDUCTION	0.00	1,211.29
001-000-217.221	ACCRUED RETIREMENT PLAN EXPS	0.00	13,104.02
001-000-217.223	RETIREMENT PLAN LOAN REPAYMENTS	0.00	593.81
001-000-217.230	BLUE CROSS BLUE SHIELD	0.00	(12,842.18)
001-000-217.231	DENTAL AND VISION	0.00	(444.36)
001-000-217.232	AFLAC	0.00	(10.86)
001-000-217.233	LIFE INSURANCE	0.00	572.18
001-000-223.000	DEFERRED REVENUE	(557,449.80)	(557,449.80)
001-000-223.000.004	DEFERRED REVENUE	1,117,319.00	1,117,319.00
	ACCOUNTS PAYABLE	901,866.51	669,650.83
ACCRUED LIABILITIES			
	ACCRUED LIABILITIES	0.00	0.00
Unclassified			
001-000-229.000	UNAVAILABLE REVENUE	245,679.00	245,679.00

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 06/30/2023

Fund 001 GENERAL FUND

GL Number	Description	Current Year Beg. Balance	Balance
*** Liabilities ***			
Unclassified		245,679.00	245,679.00
Total Liabilities		1,147,545.51	915,329.83
*** Fund Balance ***			
Unclassified			
001-000-283.000	DISASTER RESERVE	1,000,000.00	1,000,000.00
001-000-283.001	OPERATING RESERVE	500,000.00	500,000.00
001-000-284.000	OPERATING FUND UNRESTRICTED	789,541.09	789,541.09
Unclassified		2,289,541.09	2,289,541.09
Total Fund Balance		2,289,541.09	2,289,541.09
Beginning Fund Balance			2,289,541.09
Net of Revenues VS Expenditures			757,228.35
Ending Fund Balance			3,046,769.44
Total Liabilities And Fund Balance			3,962,099.27

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 06/30/2023

Fund 101 BUILDING PERMIT FUND

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
CASH			
101-000-101.501	SEACOAST OPERATING 6501	0.00	160,662.44
101-000-101.771	SEACOAST SWEEP 6771	436,651.53	436,651.53
	CASH	<u>436,651.53</u>	<u>597,313.97</u>
	Total Assets	<u>436,651.53</u>	<u>597,313.97</u>
*** Liabilities ***			
ACCOUNTS PAYABLE			
101-000-217.001	FEDERAL W/H TAX	0.00	612.62
101-000-217.210	FICA W/H TAX	0.00	1,162.02
101-000-217.211	MEDICARE W/H TAX	0.00	271.78
101-000-217.220	457 DEDUCTION	0.00	434.35
101-000-217.221	ACCRUED RETIREMENT PLAN EXPS	0.00	6,316.95
101-000-217.223	RETIREMENT PLAN LOAN REPAYMENTS	0.00	99.88
101-000-217.230	BLUE CROSS BLUE SHIELD	0.00	2,512.76
101-000-217.231	DENTAL AND VISION	0.00	53.62
101-000-217.232	AFLAC	0.00	12.37
101-000-217.233	LIFE INSURANCE	0.00	158.67
	ACCOUNTS PAYABLE	<u>0.00</u>	<u>11,635.02</u>
	Total Liabilities	<u>0.00</u>	<u>11,635.02</u>
*** Fund Balance ***			
Unclassified			
101-000-281.000	FUND BALANCE - RESTRICTED	436,651.53	436,651.53
	Unclassified	<u>436,651.53</u>	<u>436,651.53</u>
	Total Fund Balance	<u>436,651.53</u>	<u>436,651.53</u>
	Beginning Fund Balance		436,651.53
	Net of Revenues VS Expenditures		149,027.42
	Ending Fund Balance		585,678.95
	Total Liabilities And Fund Balance		597,313.97

BALANCE SHEET FOR TOWN OF SEWALL'S POINT
 Period Ending 06/30/2023

Fund 301 CAPITAL PROJECTS

GL Number	Description	Current Year Beg. Balance	Balance
*** Assets ***			
CASH			
301-000-101.501	SEACOAST OPERATING 6501	30,583.00	260,395.23
301-000-101.771	SEACOAST SWEEP 6771	1,272,392.00	1,272,392.00
	CASH	<u>1,302,975.00</u>	<u>1,532,787.23</u>
	Total Assets	<u>1,302,975.00</u>	<u>1,532,787.23</u>
*** Liabilities ***			
ACCOUNTS PAYABLE			
301-000-223.000.017	DEFERRED REVENUE	30,583.00	157,934.50
	ACCOUNTS PAYABLE	<u>30,583.00</u>	<u>157,934.50</u>
	Total Liabilities	<u>30,583.00</u>	<u>157,934.50</u>
*** Fund Balance ***			
Unclassified			
301-000-281.000	FUND BALANCE - RESTRICTED	1,272,392.00	1,272,392.00
	Unclassified	<u>1,272,392.00</u>	<u>1,272,392.00</u>
	Total Fund Balance	<u>1,272,392.00</u>	<u>1,272,392.00</u>
	Beginning Fund Balance		1,272,392.00
	Net of Revenues VS Expenditures		102,460.73
	Ending Fund Balance		1,374,852.73
	Total Liabilities And Fund Balance		1,532,787.23

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Revenues					
Dept 000 - RESERVES					
TAXES					
001-000-311.000	AD VALOREM TAXES	2,572,340.00	2,615,267.47	(42,927.47)	101.67
001-000-315.000	COMMUNICATIONS SERVICES TAX	55,000.00	34,961.20	20,038.80	63.57
001-000-316.000	LOCAL BUSINESS TAX	5,000.00	2,445.16	2,554.84	48.90
TAXES		2,632,340.00	2,652,673.83	(20,333.83)	100.77
FRANCHISE FEE					
001-000-323.100	ELECTRIC FRANCHISE FEES	210,000.00	141,583.16	68,416.84	67.42
FRANCHISE FEE		210,000.00	141,583.16	68,416.84	67.42
BUILDING PERMITS AND FEES					
001-000-329.001	PLANNING & ZONING FEES	22,000.00	5,900.00	16,100.00	26.82
BUILDING PERMITS AND FEES		22,000.00	5,900.00	16,100.00	26.82
INTERGOVERNMENTAL					
001-000-335.120	STATE REVENUE SHARING	78,000.00	50,035.99	27,964.01	64.15
001-000-335.150	STATE REVENUE SHARING - ALCOHOLIC BEVER	1,200.00	0.00	1,200.00	0.00
001-000-335.180	SALES TAX	257,000.00	199,688.00	57,312.00	77.70
INTERGOVERNMENTAL		336,200.00	249,723.99	86,476.01	74.28
FINES					
001-000-351.500	TRAFFIC FINES	15,000.00	9,457.45	5,542.55	63.05
001-000-351.501	POLICE EDUCATION - TRAFFIC FINES	1,500.00	1,091.04	408.96	72.74
001-000-351.901	CODE ENFORCEMENT VIOLATIONS	2,000.00	5,350.00	(3,350.00)	267.50
001-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS TREE MI	1,000.00	0.00	1,000.00	0.00
FINES		19,500.00	15,898.49	3,601.51	81.53
MISCELLANEOUS					
001-000-361.100	INTEREST	125,000.00	114,203.54	10,796.46	91.36
001-000-366.003	CONTRIBUTIONS - TOWN EVENTS	500.00	500.00	0.00	100.00
001-000-366.004	CONTRIBUTIONS - POLICE DEPARTMENT	50,000.00	50,000.00	0.00	100.00
001-000-367.000	TOWN LICENSES	6,500.00	5,400.00	1,100.00	83.08
001-000-369.900	MISCELLANEOUS REVENUE	6,500.00	1,466.93	5,033.07	22.57
001-000-369.901	MISCELLANEOUS REVENUE POLICE	250.00	242.68	7.32	97.07
001-000-369.902	MISC REVENUE - PARK	1,200.00	900.00	300.00	75.00
001-000-384.001.012	SEACOAST BANK NOTE	2,000,000.00	2,000,000.00	0.00	100.00
MISCELLANEOUS		2,189,950.00	2,172,713.15	17,236.85	99.21
TRANSFERS					
001-000-381.000	RESERVE UTILIZATION	42,735.00	0.00	42,735.00	0.00
TRANSFERS		42,735.00	0.00	42,735.00	0.00
Total Dept 000 - RESERVES		5,452,725.00	5,238,492.62	214,232.38	96.07
TOTAL REVENUES		5,452,725.00	5,238,492.62	214,232.38	96.07
Expenditures					
Dept 000 - RESERVES					
RESERVES					
001-000-582.000	RESERVE ADDITION	212,110.00	0.00	212,110.00	0.00
RESERVES		212,110.00	0.00	212,110.00	0.00
Total Dept 000 - RESERVES		212,110.00	0.00	212,110.00	0.00
Dept 512 - EXECUTIVE					
PAYROLL					

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Expenditures					
001-512-512.000	SALARIES & WAGES	87,500.00	61,750.69	25,749.31	70.57
001-512-521.000	FICA	6,700.00	4,426.47	2,273.53	66.07
001-512-522.000	RETIREMENT	13,125.00	9,262.60	3,862.40	70.57
001-512-523.000	HEALTH INSURANCE	25,570.00	15,189.85	10,380.15	59.40
001-512-523.003	LIFE & DISABILITY INSURANCE	600.00	445.87	154.13	74.31
PAYROLL		133,495.00	91,075.48	42,419.52	68.22
OPERATING					
001-512-531.000	PROFESSIONAL SERVICES	93,000.00	42,500.00	50,500.00	45.70
001-512-531.004	PLANNING SERVICES	20,000.00	1,135.00	18,865.00	5.68
001-512-531.100	COMPREHENSIVE PLANNING SERVICES	10,000.00	10,054.00	(54.00)	100.54
001-512-532.000	AUDIT SERVICES	28,000.00	18,400.00	9,600.00	65.71
001-512-541.000	COMMUNICATION NETWORK	3,520.00	3,703.92	(183.92)	105.23
001-512-548.000	TOWN EVENTS	10,000.00	9,887.96	112.04	98.88
001-512-549.001	OTHER GENERAL GOVERNMENT	20,000.00	952.15	19,047.85	4.76
001-512-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	2,150.00	1,594.06	555.94	74.14
OPERATING		186,670.00	88,227.09	98,442.91	47.26
TRANSFERS					
001-512-591.301	TRANSFER TO CAPITAL PROJECTS	2,314,660.00	2,314,660.00	0.00	100.00
TRANSFERS		2,314,660.00	2,314,660.00	0.00	100.00
Total Dept 512 - EXECUTIVE		2,634,825.00	2,493,962.57	140,862.43	94.65
Dept 513 - FINANCE					
PAYROLL					
001-513-512.000	SALARIES & WAGES	59,000.00	41,444.11	17,555.89	70.24
001-513-521.000	FICA	4,640.00	3,021.04	1,618.96	65.11
001-513-522.000	RETIREMENT	8,550.00	6,027.00	2,523.00	70.49
001-513-523.000	HEALTH INSURANCE	13,100.00	9,061.64	4,038.36	69.17
001-513-523.003	LIFE & DISABILITY INSURANCE	650.00	421.14	228.86	64.79
PAYROLL		85,940.00	59,974.93	25,965.07	69.79
OPERATING					
001-513-531.000	PROFESSIONAL SERVICES	24,000.00	7,590.00	16,410.00	31.63
001-513-549.000	BANK FEES	480.00	0.00	480.00	0.00
001-513-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	240.00	50.00	190.00	20.83
001-513-555.000	TRAINING/EDUCATION	1,500.00	934.88	565.12	62.33
OPERATING		26,220.00	8,574.88	17,645.12	32.70
Total Dept 513 - FINANCE		112,160.00	68,549.81	43,610.19	61.12
Dept 514 - LEGAL					
OPERATING					
001-514-531.301	LEGAL COUNSEL - GENERAL	84,000.00	39,508.50	44,491.50	47.03
001-514-531.302	LEGAL COUNSEL - BZA	3,000.00	3,945.39	(945.39)	131.51
001-514-531.303	LEGAL COUNSEL - CEB	12,000.00	9,338.14	2,661.86	77.82
001-514-531.304	LEGAL COUNSEL - LITIGATION	10,000.00	0.00	10,000.00	0.00
001-514-531.306	LEGAL SERVICES - POLICE UNION MATTERS	15,000.00	7,866.00	7,134.00	52.44
OPERATING		124,000.00	60,658.03	63,341.97	48.92
Total Dept 514 - LEGAL		124,000.00	60,658.03	63,341.97	48.92
Dept 517 - DEBT SERVICE					
OPERATING					
001-517-571.000	DEBT SERVICE - PRINCIPAL	32,013.33	32,013.33	0.00	100.00
001-517-572.000	DEBT SERVICE - INTEREST	43,376.67	43,376.67	0.00	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Expenditures					
OPERATING		75,390.00	75,390.00	0.00	100.00
Total Dept 517 - DEBT SERVICE					
		75,390.00	75,390.00	0.00	100.00
Dept 519 - GOVERNMENTAL SERVICES					
PAYROLL					
001-519-512.000	SALARIES & WAGES	69,270.00	51,047.66	18,222.34	73.69
001-519-514.002	OVERTIME - STORM	1,250.00	1,223.79	26.21	97.90
001-519-517.000	SICK LEAVE INCENTIVE	1,000.00	0.00	1,000.00	0.00
001-519-521.000	FICA	5,070.00	3,788.77	1,281.23	74.73
001-519-522.000	RETIREMENT	12,000.00	7,525.48	4,474.52	62.71
001-519-523.000	HEALTH INSURANCE	25,650.00	18,630.28	7,019.72	72.63
001-519-523.003	LIFE & DISABILITY INSURANCE	600.00	386.26	213.74	64.38
001-519-524.000	WORKERS' COMPENSATION INSURANCE	20,000.00	18,358.00	1,642.00	91.79
PAYROLL		134,840.00	100,960.24	33,879.76	74.87
OPERATING					
001-519-541.000	COMMUNICATION NETWORK	4,240.00	2,611.15	1,628.85	61.58
001-519-541.002	COMMUNICATIONS WEB HOSTING	8,000.00	7,711.19	288.81	96.39
001-519-541.003	IT SERVICE LEVEL AGREEMENTS MC	28,580.00	15,146.00	13,434.00	53.00
001-519-542.000	POSTAGE	3,000.00	1,718.50	1,281.50	57.28
001-519-543.000	UTILITIES	60,000.00	39,552.65	20,447.35	65.92
001-519-545.000	INSURANCE - PROPERTY & LIABILITY	77,000.00	80,079.00	(3,079.00)	104.00
001-519-546.003	LANDSCAPING MAINTENANCE	48,000.00	34,065.00	13,935.00	70.97
001-519-546.004	VEHICLE MAINTENANCE	4,500.00	3,930.22	569.78	87.34
001-519-546.005	BUILDING & FACILITIES MAINTENANCE	19,200.00	20,650.42	(1,450.42)	107.55
001-519-546.006	PARKS MAINTENANCE	20,400.00	12,530.25	7,869.75	61.42
001-519-546.007	TREE MAINTENANCE	24,000.00	14,542.99	9,457.01	60.60
001-519-546.008	STREET MAINTENANCE	24,000.00	22,080.47	1,919.53	92.00
001-519-547.000	PRINTING	12,400.00	8,736.41	3,663.59	70.45
001-519-549.001	OTHER GENERAL GOVERNMENT	0.00	769.01	(769.01)	100.00
001-519-551.000	OFFICE SUPPLIES	7,200.00	6,697.23	502.77	93.02
001-519-552.000	FUEL AND OIL	960.00	746.21	213.79	77.73
001-519-552.001	ARCHIVES AND STORAGE	8,250.00	8,653.28	(403.28)	104.89
001-519-552.003	ORDINANCE CODIFICATION	3,000.00	2,705.84	294.16	90.19
001-519-552.004	SOFTWARE/LICENSING	10,000.00	9,360.00	640.00	93.60
001-519-552.005	OPERATING SUPPLIES	1,400.00	686.58	713.42	49.04
001-519-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	350.00	1,253.26	(903.26)	358.07
001-519-555.000	TRAINING/EDUCATION	3,000.00	1,893.14	1,106.86	63.10
OPERATING		367,480.00	296,118.80	71,361.20	80.58
Total Dept 519 - GOVERNMENTAL SERVICES					
		502,320.00	397,079.04	105,240.96	79.05
Dept 521 - POLICE					
PAYROLL					
001-521-512.000	SALARIES & WAGES	727,730.00	505,904.78	221,825.22	69.52
001-521-514.000	OVERTIME	13,500.00	6,517.49	6,982.51	48.28
001-521-514.001	OVERTIME - COURT TIME	3,000.00	2,405.56	594.44	80.19
001-521-514.002	OVERTIME - STORM	6,100.00	6,021.61	78.39	98.71
001-521-514.014	OVERTIME - SSPR PHASE 3 TRAFFIC CONTROL	10,000.00	0.00	10,000.00	0.00
001-521-515.001	SPECIAL PAY - FTO/BOOTS	2,500.00	1,660.00	840.00	66.40
001-521-515.003	PD STATUTORY INCENTIVE	10,000.00	3,945.00	6,055.00	39.45
001-521-517.000	SICK LEAVE INCENTIVE	5,000.00	3,832.55	1,167.45	76.65
001-521-521.000	FICA	56,700.00	38,996.48	17,703.52	68.78
001-521-522.000	RETIREMENT	97,090.00	76,396.23	20,693.77	78.69
001-521-523.000	HEALTH INSURANCE	166,780.00	120,758.50	46,021.50	72.41
001-521-523.003	LIFE & DISABILITY INSURANCE	6,500.00	3,527.52	2,972.48	54.27
PAYROLL		1,104,900.00	769,965.72	334,934.28	69.69

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 001 - GENERAL FUND					
Expenditures					
OPERATING					
001-521-515.002	PD MILEAGE	12,000.00	8,225.00	3,775.00	68.54
001-521-531.000	PROFESSIONAL SERVICES	12,500.00	3,677.00	8,823.00	29.42
001-521-534.002	CONTRACTED SERVICES	17,080.00	80.00	17,000.00	0.47
001-521-541.000	COMMUNICATION NETWORK	6,600.00	2,598.10	4,001.90	39.37
001-521-542.000	POSTAGE	200.00	56.48	143.52	28.24
001-521-545.000	INSURANCE - PROPERTY & LIABILITY	700.00	694.00	6.00	99.14
001-521-546.002	EQUIPMENT MAINTENANCE	6,005.00	5,206.16	798.84	86.70
001-521-546.004	VEHICLE MAINTENANCE	11,000.00	14,492.89	(3,492.89)	131.75
001-521-547.000	PRINTING	2,570.00	502.70	2,067.30	19.56
001-521-551.000	OFFICE SUPPLIES	400.00	57.85	342.15	14.46
001-521-552.000	FUEL AND OIL	37,500.00	18,982.28	18,517.72	50.62
001-521-552.005	OPERATING SUPPLIES	10,000.00	1,561.56	8,438.44	15.62
001-521-552.006	ENFORCEMENT SUPPLIES	15,380.00	5,576.70	9,803.30	36.26
001-521-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	1,790.00	1,778.80	11.20	99.37
001-521-555.000	TRAINING/EDUCATION	4,525.00	3,014.80	1,510.20	66.63
OPERATING		138,250.00	66,504.32	71,745.68	48.10
CAPITAL					
001-521-564.000	MACHINERY & EQUIPMENT	0.00	387.78	(387.78)	100.00
CAPITAL		0.00	387.78	(387.78)	100.00
Total Dept 521 - POLICE					
		1,243,150.00	836,857.82	406,292.18	67.32
Dept 522 - FIRE					
OPERATING					
001-522-534.001	FIRE RESCUE CONTRACTED	548,770.00	548,767.00	3.00	100.00
OPERATING		548,770.00	548,767.00	3.00	100.00
Total Dept 522 - FIRE					
		548,770.00	548,767.00	3.00	100.00
TOTAL EXPENDITURES					
		5,452,725.00	4,481,264.27	971,460.73	82.18
Fund 001 - GENERAL FUND:					
TOTAL REVENUES		5,452,725.00	5,238,492.62	214,232.38	96.07
TOTAL EXPENDITURES		5,452,725.00	4,481,264.27	971,460.73	82.18
NET OF REVENUES & EXPENDITURES		0.00	757,228.35	(757,228.35)	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 101 - BUILDING PERMIT FUND					
Revenues					
Dept 000 - RESERVES					
BUILDING PERMITS AND FEES					
101-000-322.000	BUILDING PERMIT FEES	400,000.00	410,952.54	(10,952.54)	102.74
101-000-322.001	TECHNOLOGY FEE	30,000.00	18,534.00	11,466.00	61.78
	BUILDING PERMITS AND FEES	430,000.00	429,486.54	513.46	99.88
Total Dept 000 - RESERVES		430,000.00	429,486.54	513.46	99.88
TOTAL REVENUES		430,000.00	429,486.54	513.46	99.88
Expenditures					
Dept 000 - RESERVES					
RESERVES					
101-000-582.000	RESERVE ADDITION	50,080.00	0.00	50,080.00	0.00
	RESERVES	50,080.00	0.00	50,080.00	0.00
Total Dept 000 - RESERVES		50,080.00	0.00	50,080.00	0.00
Dept 524 - BUILDING					
PAYROLL					
101-524-512.000	SALARIES & WAGES	250,140.00	190,159.00	59,981.00	76.02
101-524-517.000	SICK LEAVE INCENTIVE	1,000.00	0.00	1,000.00	0.00
101-524-521.000	FICA	18,530.00	14,085.27	4,444.73	76.01
101-524-522.000	RETIREMENT	36,350.00	27,886.71	8,463.29	76.72
101-524-523.000	HEALTH INSURANCE	36,500.00	26,470.55	10,029.45	72.52
101-524-523.003	LIFE & DISABILITY INSURANCE	2,000.00	1,488.30	511.70	74.42
	PAYROLL	344,520.00	260,089.83	84,430.17	75.49
OPERATING					
101-524-531.002	BUILDING INSPECTOR SERVICES	7,000.00	5,537.50	1,462.50	79.11
101-524-534.002	CONTRACTED SERVICES	0.00	800.00	(800.00)	100.00
101-524-541.000	COMMUNICATION NETWORK	0.00	108.21	(108.21)	100.00
101-524-541.004	TECHNOLOGY EXPENSE	6,000.00	1,786.43	4,213.57	29.77
101-524-542.000	POSTAGE	500.00	175.18	324.82	35.04
101-524-545.000	INSURANCE - PROPERTY & LIABILITY	7,000.00	6,885.00	115.00	98.36
101-524-546.004	VEHICLE MAINTENANCE	7,000.00	3,790.58	3,209.42	54.15
101-524-551.000	OFFICE SUPPLIES	1,000.00	578.43	421.57	57.84
101-524-552.000	FUEL AND OIL	1,200.00	507.96	692.04	42.33
101-524-552.004	SOFTWARE/LICENSING	5,700.00	200.00	5,500.00	3.51
	OPERATING	35,400.00	20,369.29	15,030.71	57.54
Total Dept 524 - BUILDING		379,920.00	280,459.12	99,460.88	73.82
TOTAL EXPENDITURES		430,000.00	280,459.12	149,540.88	65.22
Fund 101 - BUILDING PERMIT FUND:					
TOTAL REVENUES		430,000.00	429,486.54	513.46	99.88
TOTAL EXPENDITURES		430,000.00	280,459.12	149,540.88	65.22
NET OF REVENUES & EXPENDITURES		0.00	149,027.42	(149,027.42)	100.00

REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 301 - CAPITAL PROJECTS					
Revenues					
Dept 000 - RESERVES					
TAXES					
301-000-312.410	GAS TAX	89,000.00	88,929.12	70.88	99.92
301-000-312.420	GAS TAX SECOND LOCAL OPTION	100,000.00	64,131.56	35,868.44	64.13
	TAXES	189,000.00	153,060.68	35,939.32	80.98
BUILDING PERMITS AND FEES					
301-000-325.200	BUILDING DEPT ROAD IMPROVEMENT FEE	200,000.00	228,843.48	(28,843.48)	114.42
	BUILDING PERMITS AND FEES	200,000.00	228,843.48	(28,843.48)	114.42
FINES					
301-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS TREE MI	20,000.00	0.00	20,000.00	0.00
	FINES	20,000.00	0.00	20,000.00	0.00
MISCELLANEOUS					
301-000-366.001	CONTRIBUTIONS - SEPTIC TO SEWER	120,000.00	0.00	120,000.00	0.00
	MISCELLANEOUS	120,000.00	0.00	120,000.00	0.00
TRANSFERS					
301-000-381.000	RESERVE UTILIZATION	331,796.00	0.00	331,796.00	0.00
301-000-381.001	TRANSFER FROM GENERAL FUND	2,314,660.00	2,314,660.00	0.00	100.00
	TRANSFERS	2,646,456.00	2,314,660.00	331,796.00	87.46
GRANTS					
301-000-331.100	AMERICAN RESCUE GRANT	557,450.00	0.00	557,450.00	0.00
301-000-331.353	HMPG GRANT	1,854,500.00	0.00	1,854,500.00	0.00
301-000-334.362	RESILIENT FLORIDA GRANT	3,400,000.00	0.00	3,400,000.00	0.00
301-000-334.364	FDEP LPA 0217	185,000.00	0.00	185,000.00	0.00
	GRANTS	5,996,950.00	0.00	5,996,950.00	0.00
	Total Dept 000 - RESERVES	9,172,406.00	2,696,564.16	6,475,841.84	29.40
	TOTAL REVENUES	9,172,406.00	2,696,564.16	6,475,841.84	29.40
Expenditures					
Dept 519 - GOVERNMENTAL SERVICES					
OPERATING					
301-519-531.400	ENGINEERING SERVICES	60,000.00	16,190.00	43,810.00	26.98
301-519-531.400.006	ENGINEERING SERVICES	0.00	65,615.00	(65,615.00)	100.00
301-519-531.400.014	ENGINEERING SERVICES	0.00	2,815.00	(2,815.00)	100.00
301-519-531.400.017	ENGINEERING SERVICES	0.00	40,475.00	(40,475.00)	100.00
301-519-531.401	ENGINEERING SERVICES - GRANT RELATED	0.00	12,855.00	(12,855.00)	100.00
301-519-531.401.005	ENGINEERING SERVICES - GRANT RELATED	0.00	615.00	(615.00)	100.00
301-519-531.401.020	ENGINEERING SERVICES - GRANT RELATED	0.00	467.50	(467.50)	100.00
301-519-546.003	LANDSCAPING MAINTENANCE	41,500.00	11,930.50	29,569.50	28.75
301-519-546.003.018	LANDSCAPING MAINTENANCE	0.00	3,655.00	(3,655.00)	100.00
	OPERATING	101,500.00	154,618.00	(53,118.00)	152.33
	Total Dept 519 - GOVERNMENTAL SERVICES	101,500.00	154,618.00	(53,118.00)	152.33
Dept 538 - STORMWATER					
OPERATING					
301-538-531.307.003	LEGAL - BOND COUNSEL	18,600.00	18,600.00	0.00	100.00
301-538-531.400	ENGINEERING SERVICES	0.00	6,250.00	(6,250.00)	100.00
301-538-531.400.003	ENGINEERING SERVICES	0.00	142,888.00	(142,888.00)	100.00
301-538-531.400.006	ENGINEERING SERVICES	0.00	19,627.75	(19,627.75)	100.00
301-538-531.400.014	ENGINEERING SERVICES	0.00	1,785.00	(1,785.00)	100.00
301-538-531.400.017	ENGINEERING SERVICES	0.00	14,065.00	(14,065.00)	100.00

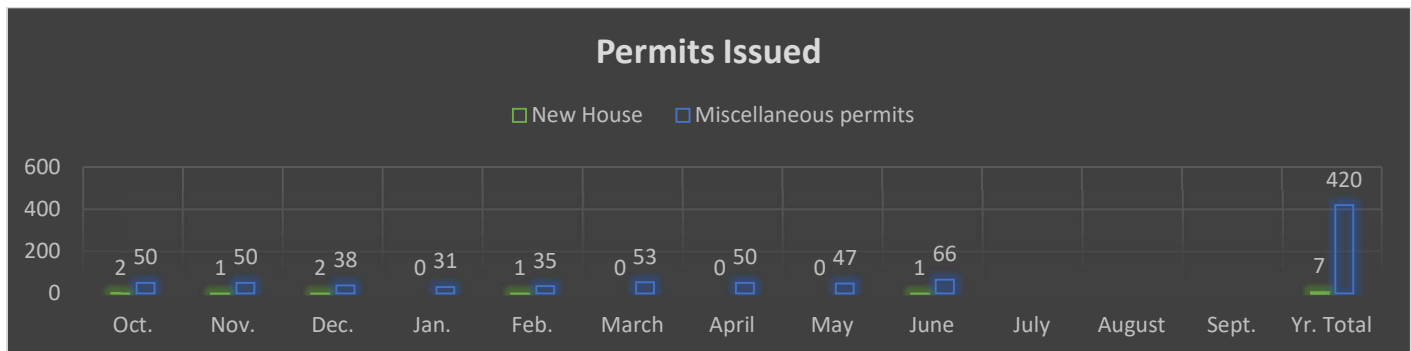
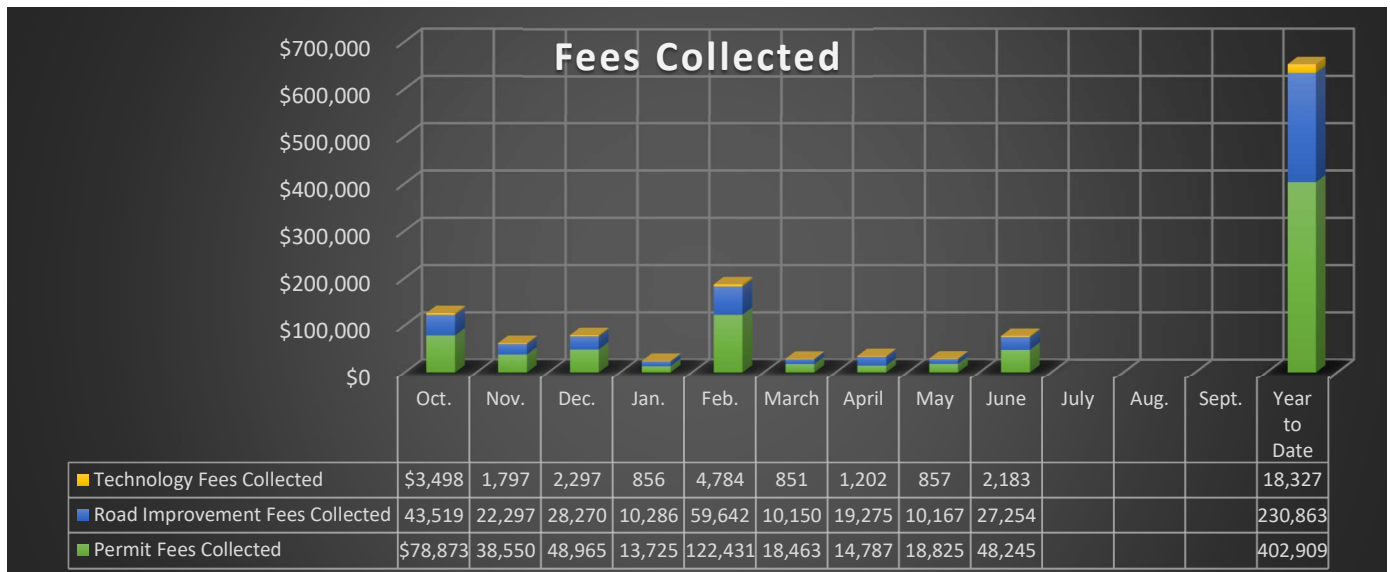
REVENUE AND EXPENDITURE REPORT FOR TOWN OF SEWALL'S POINT
 PERIOD ENDING 06/30/2023
 % Fiscal Year Completed: 74.79

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDG	YTD BALANCE 06/30/2023 NORMAL (ABNOR	AVAILABLE BALANCE NORMAL (ABNOR	% BDGT USED
Fund 301 - CAPITAL PROJECTS					
Expenditures					
301-538-531.400.019	ENGINEERING SERVICES	0.00	3,072.41	(3,072.41)	100.00
301-538-531.400.020	ENGINEERING SERVICES	0.00	1,027.50	(1,027.50)	100.00
301-538-531.400.021	ENGINEERING SERVICES	0.00	1,005.00	(1,005.00)	100.00
301-538-531.401.002	ENGINEERING SERVICES - GRANT RELATED	0.00	17,879.88	(17,879.88)	100.00
301-538-531.401.017	ENGINEERING SERVICES - GRANT RELATED	0.00	540.00	(540.00)	100.00
301-538-531.401.020	ENGINEERING SERVICES - GRANT RELATED	0.00	508.75	(508.75)	100.00
301-538-546.001	STORMWATER-INLET-OUTFALL MAINTENANCE	80,000.00	14,039.95	65,960.05	17.55
301-538-546.001.014	LANDSCAPING MAINTENANCE	0.00	3,354.63	(3,354.63)	100.00
301-538-546.001.019	STORMWATER-INLET-OUTFALL MAINTENANCE	0.00	250.00	(250.00)	100.00
OPERATING		98,600.00	244,893.87	(146,293.87)	248.37
CAPITAL					
301-538-561.000.012	CAPITAL - LAND	1,029,000.00	1,029,000.00	0.00	100.00
301-538-562.000.012	BUILDING IMPROVEMENTS	1,141,806.00	1,141,805.04	0.96	100.00
301-538-563.002	STORMWATER IMPROVEMENTS	575,000.00	0.00	575,000.00	0.00
301-538-563.002.002	STORMWATER IMPROVEMENTS	0.00	1,424.98	(1,424.98)	100.00
CAPITAL		2,745,806.00	2,172,230.02	573,575.98	79.11
Total Dept 538 - STORMWATER		2,844,406.00	2,417,123.89	427,282.11	84.98
Dept 541 - STREETS AND BRIDGES					
OPERATING					
301-541-546.000	STREETLIGHT & SIGN MAINTENANCE	15,000.00	17,223.56	(2,223.56)	114.82
301-541-546.007	TREE MAINTENANCE	1,500.00	1,825.00	(325.00)	121.67
301-541-546.008	STREET MAINTENANCE	75,000.00	3,312.98	71,687.02	4.42
301-541-546.009	BRIDGE MAINTENANCE	75,000.00	0.00	75,000.00	0.00
OPERATING		166,500.00	22,361.54	144,138.46	13.43
CAPITAL					
301-541-563.030	ROAD & BRIDGE CAPITAL PROJECTS	6,060,000.00	0.00	6,060,000.00	0.00
CAPITAL		6,060,000.00	0.00	6,060,000.00	0.00
Total Dept 541 - STREETS AND BRIDGES		6,226,500.00	22,361.54	6,204,138.46	0.36
TOTAL EXPENDITURES		9,172,406.00	2,594,103.43	6,578,302.57	28.28
Fund 301 - CAPITAL PROJECTS:					
TOTAL REVENUES		9,172,406.00	2,696,564.16	6,475,841.84	29.40
TOTAL EXPENDITURES		9,172,406.00	2,594,103.43	6,578,302.57	28.28
NET OF REVENUES & EXPENDITURES		0.00	102,460.73	(102,460.73)	100.00
TOTAL REVENUES - ALL FUNDS		15,055,131.00	8,364,543.32	6,690,587.68	55.56
TOTAL EXPENDITURES - ALL FUNDS		15,055,131.00	7,355,826.82	7,699,304.18	48.86
NET OF REVENUES & EXPENDITURES		0.00	1,008,716.50	(1,008,716.50)	100.00

TOWN OF SEWALL'S POINT



TO: Town Commission
FROM: Jack Reisinger, Building Official through Robert Daniels, Town Manager
SUBJECT: 2022-2023 Building Permitting Report
Regular Commission Meeting of August 15, 2023



Building Department Budget for 2022-2023

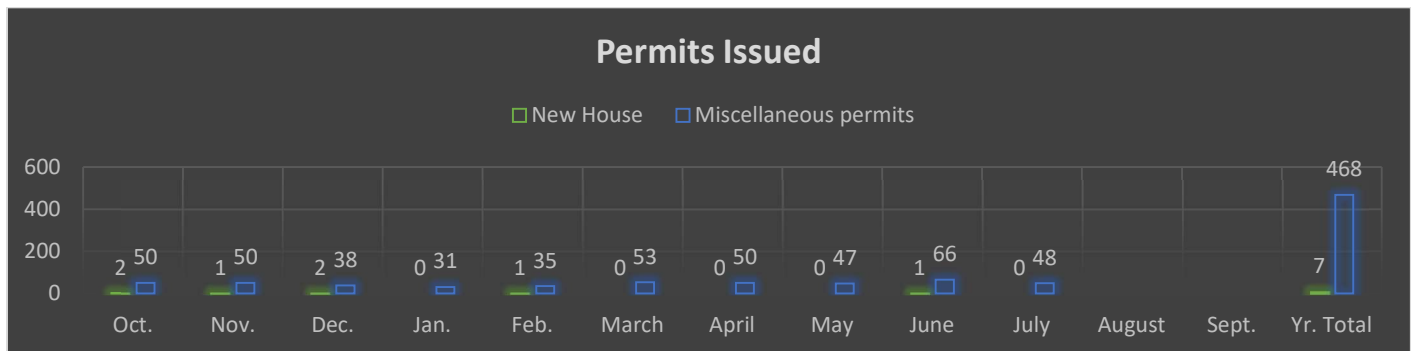
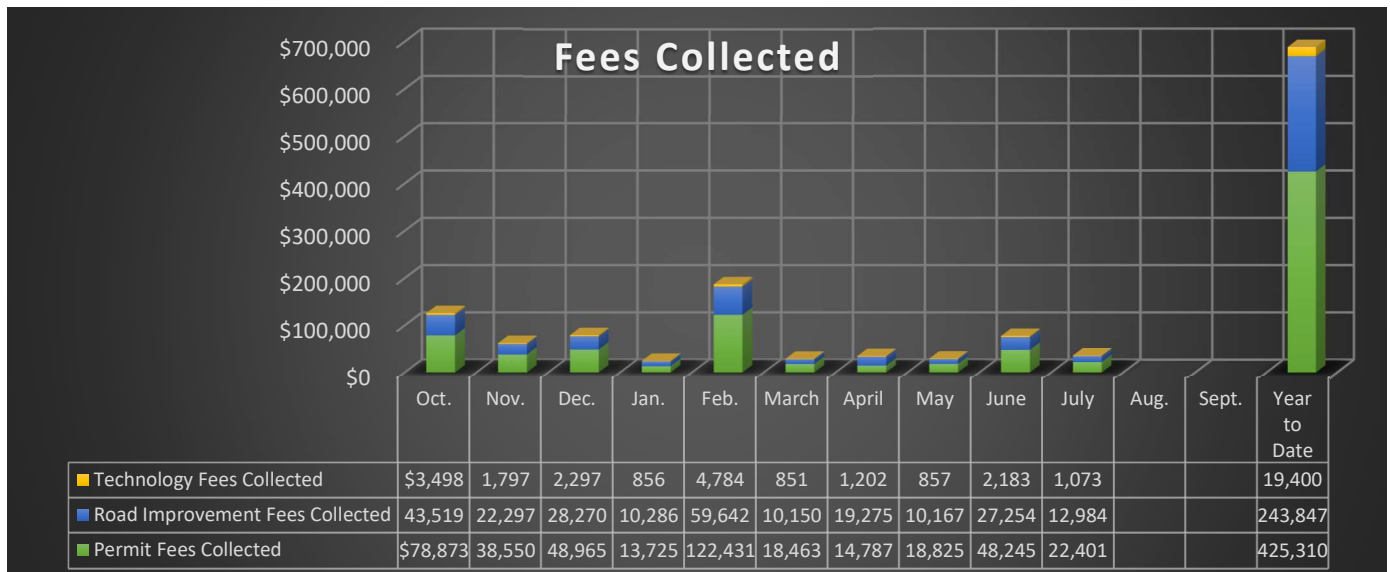
- Building Permit Fees: \$400,000 of which \$402,909 has been collected for the fiscal year to date
- Road Improvement Fees: \$162,500 of which \$230,863 has been collected for the fiscal year to date

Recommendation: Staff recommends approval of the monthly Building Reports as presented.

TOWN OF SEWALL'S POINT



TO: Town Commission
FROM: Jack Reisinger, Building Official through Robert Daniels, Town Manager
SUBJECT: 2022-2023 Building Permitting Report
Regular Commission Meeting of August 15, 2023



Building Department Budget for 2022-2023

- Building Permit Fees: \$400,000 of which \$425,310 has been collected for the fiscal year to date
- Road Improvement Fees: \$162,500 of which \$243,847 has been collected for the fiscal year to date

Recommendation: Staff recommends approval of the monthly Building Reports as presented.

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT



ROBERT DANIELS
Town Manager

APRIL C. STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official/PW Director

MARIA PIERCE
Finance/HR Director

Regular Town Commission Meeting Minutes
June 27, 2023
6:00 p.m.

I. CALL TO ORDER

Mayor Tompeck called the meeting to order at 6:00 p.m.

a. Pledge of Allegiance to the Flag

Mayor Tompeck lead the assembly in the Pledge of Allegiance.

b. Roll Call

The Town Clerk called the roll with the following Commissioners present: Mayor Tompeck, Vice Mayor Kurzman, Commissioner Campo, Commissioner Fender, and Commissioner Mayfield.

II. PROCLAMATIONS AND PRESENTATIONS

a. Audit Presentation – CRI, Christine Noll-Rhan, CPA

Ms. Noll-Rhan gave an audit presentation and stated that the Town had received a clean audit opinion. She pointed out that a Capital Projects Fund and a Building Fund had been established separately from the General Fund that was not previously in place. Ms. Noll-Rhan said that property taxes were up in the amount of \$339,000 and building permits and road improvement fees were \$480,000. She stated that under Unavailable Revenue, there was a finding in reference to the HMGP grant where funds were not approved from the state as anticipated.

Commissioner Campo stated that he was concerned with the strikes in reference to the grant receivables and requested to know what course of action to take in the future to avoid a third strike. He also asked what the consequence would be if the Town received a letter from the state. Ms. Noll-Rhan responded that staff needed to ensure that there were no pending grants that were submitted, and that if the Town received a letter from the state they would require a plan entailing how it would be rectified.

Commissioner Mayfield stated that staff did a great job, as there was an improvement noted in this year's audit findings. She pointed out that there was an omission of the .4 mills after the 2.87 tax rate that had been corrected.

There being no further discussion, Commissioner Campo **moved** to approve the 2022 Audit.

Commissioner Fender **seconded** the motion. Under discussion, Mayor Tompeck asked if the number of internal adjustments was normal, to which Ms. Noll-Rhan replied that it was primarily to adjust the prior entries that were made. Mayor Tompeck clarified that it was for administrative purposes. He asked if there were any other non-compliance issues that were not discussed, to which Ms. Noll-Rhan replied in the negative. There being no further discussion, the motion **passed unanimously** by roll call vote.

Ms. Noll-Rhan stated that the examination report in reference to the grants would be filed with the Federal Audit Clearinghouse, which was an audit on the grant funds solely.

b. Review/Presentation Proposed 5-Year Capital Improvement Plan – Public Hearing

The Town Manager provided an overview of the proposed CIP plan, and stated that the bids for the water and sewer lines were due on July 17th. He commented that he would provide an update to the Commission at the July 18, 2023 meeting. The Town Manager said that a stormwater master plan was required in order to apply for federal grants, and that the Town Engineer was working on it. He explained that the contract for the \$8.4 million had been received for the South Sewall's Point S2S conversions, which would be moving forward with 148-150 connections.

The Town Manager stated that a donation was made to the Police Department that would be used towards remodeling office space. He said that there was also a proposed resiliency project for Town Hall, as flooding could be an issue in the future with sea level rising and stronger storms. He pointed out that maintenance was being accounted for in reference to the roadways, stormwater systems, and Town Hall.

Mayor Tompeck called for any public comments, to which there were none.

Mayor Tompeck requested that the \$13,230,000 regarding Phase 3 in FY24 be adjusted to reflect in FY25, as the road construction project would take over 500 days to complete. He requested that the stormwater system maintenance backup information from the Town Manager to be provided to the Commission, in order to review how the amounts were determined in the CIP in FY25.

Beverly Jones, 18 Emarita Way, requested information regarding street lights being installed on River Road.

Commissioner Campo stated that the public should be made aware of the reoccurring revenue from the ad valorem taxes that was less than \$2.6 million, of which \$1.7 million was allocated for police and fire services. He pointed out that to employ the required Town Hall personnel, the cost was \$2.4 million. Commissioner Campo was concerned about funding the Capital Improvement Projects, and noted that the Fire Department contract would be increasing by 40% in FY25.

Commissioner Mayfield requested that the Capital Improvement Projects be listed in priority order at the next Commission meeting on July 18, 2023, when the resolution to adopt the improvement plan would be presented.

III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

Nicolas Fiero, 6 N. Sewalls Point Road, stated that the audit did not provide enough information. He inquired as to if the fire budget was part of the police budget, and why it increased every year. Mr. Fiero asked in reference to the Town Engineer, why \$75,000 was allocated for maintenance every year, and why the phases were not planned out together. He stated that bids should be advertised for other engineers, and that the grants that were obtained by the Town were not free, as they contained stipulations that the residents would end up paying for, which was not accounted for.

H.B. Barrett, 23 E. High Point Road, requested that the Town ordinance concerning floor elevation and building height limits be updated by staff, as the ordinance was not clear. He said that Ordinance No. 450 indicated the lowest living elevation area at 18 inches from the crown of road and that limited the ability to elevate a home to avoid flooding. Mr. Barrett proposed that it be changed to account for sea level rise.

Don Winer, 19 Ridgeland Drive, stated that the first and foremost duty of a Commission was to provide for the welfare of the Town, demonstrating fiscal responsibility while doing so. He stated that two multi-million dollar capital projects were being reviewed to construct, but that the Town did not have the funds to do so. Mr. Winer said that to incur debt and increase taxes to fund the road projects would not be fiscally responsible, as the costs exceeded the initial planning and that it should wait until costs were more affordable.

IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

There were no changes made to the Agenda.

V. APPROVAL OF AGENDA

There being no discussion, Commissioner Fender **moved** to approve the Agenda. Commissioner Campo **seconded** the motion, which **passed unanimously** by roll call vote.

VI. CONSENT AGENDA

- a. Financials – May**
- b. Building Report – May**

There being no discussion, Commissioner Campo **moved** to approve the Consent Agenda, with Item 6 b), May Building Report pulled for separate discussion. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

- b. Building Report – May**

Commissioner Campo stated that according to the building report, only one new home building permit had been pulled in the past six months. He pointed out that in the prior three months, there were five permits submitted. The Building Official stated that the numbers were low due to timing, but that he had received house plans and demolitions from property owners, indicating that there was no slow down presently.

There being no further discussion, Commissioner Campo **moved** to approve Item 6 b), May Building Report. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

VII. PUBLIC HEARING - ORDINANCE - SECOND READING

There was nothing scheduled under this item.

VIII. PUBLIC HEARING - ORDINANCE - FIRST READING

There was nothing scheduled under this item.

IX. RESOLUTIONS

a. Resolution No. 960 – (Public Hearing) State Revolving Fund Loan

The Town Clerk read the resolution title into the record.

The Town Manager stated that the item was intended as a backup plan, should the Town be in a position to need a loan in the future it would already be pre-approved. Mayor Tompeck called for any public comments, to which there were none.

Commissioner Campo stated that he was in favor of the item. He recommended that the Town Engineer's contract be reviewed, as he had had inquiries from residents regarding the status. Commissioner Campo said that other engineers should be given the opportunity to bid on the project, in order to see if there was any cost-savings. He requested to direct staff to prepare an engineering RFQ. Mayor Tompeck stated that the request should be discussed under 11 b).

Commissioner Mayfield stated that the item involved a pre-qualification process, which was very fiscally responsible, and **moved** to approve Resolution No. 960, authorizing staff to pursue a loan, if needed for the upcoming Capital Improvement Projects. Vice Mayor Kurzman stated that it could be considered as an insurance policy, should any emergency event occur in the future, and **seconded** the motion. There being no further discussion, the motion **passed unanimously** by roll call vote.

X. OLD BUSINESS

There was nothing scheduled under this item.

XI. NEW BUSINESS

a. RFQ 2023-001 – Professional Real Estate Services – Outcome Notification

1. One Sotheby's International Realty - 200 – Points
2. Daniel Real Estate and Marketing LLC (D.R.E.A.M.) – 105 Points

The Town Manager explained the RFQ process, and stated that One Sotheby's International Realty had won the bid. He added that a video was supplied by the realtor that could be viewed upon request taken at 7 Heritage Way.

Yara Bashoor, One Sotheby's International Realty, stated that she was a resident and had built a home at 25 S. Sewall's Point Road around an existing oak tree. She said that there were challenges with the 7 Heritage Way lot and that she was excited to work with the Town on the sale.

There being no discussion, Commissioner Fender **moved** to approve One Sotheby's International Realty to represent the Town as a professional realtor. Vice Mayor Kurzman **seconded** the motion, which **passed unanimously** by roll call vote. The Town Manager requested that Ms. Bashoor return to the July 18, 2023, Regular meeting, in order to provide a presentation to the Commission on the listing.

b. CAPTEC Engineering, Inc. - South Sewall's Point Road Improvements Phase 2 - Task Order

The Town Manager stated that in 2000, CAPTEC Engineering was awarded the RFQ for Continuing Professional Engineer Services, and that Joe Capra reviewed permits on an as-needed basis. He explained that for Capital Projects, the Town Engineer had worked to obtain grants with the Town's grant writer, as well as to design the projects. The Town Manager stated that a proposal had been submitted by the Town Engineer with the different task orders that were necessary. He said that the granting agency, HMGP, requested to see activity on the Phase 2 project and that more grants would be applied for to supplement the funds to complete the project.

Commissioner Mayfield clarified that the contract was approved in 2020, and not in the year 2000. She stated that she was not in favor of going out to bid for new engineers for the current road project phases, as the Town Engineer had the necessary knowledge to complete the project with continuity.

Commissioner Fender inquired as to if there were any increases in the hourly rate in the contract, to which the Town Manager responded not that he was aware of. Vice Mayor Kurzman concurred with Commissioner Mayfield in retaining the current engineer to complete the road project.

Mayor Tompeck stated that the amount on the task order exceeded the \$500,000 statutory requirement in the Town Engineer's contract, as \$587,000 was submitted. He recommended that a cash flow document be provided, as well as a schedule for the task order items. Mayor Tompeck pointed out that the \$587,000 did not match up in the Phase 2 documents and suggested that it be reviewed again in order to be consistent.

Commissioner Campo stated that he was not against the task order, and agreed with Mayor Tompeck that a timetable and deliverables were essential, as well as the cash flow. He recommended that staff work with the Town Engineer to provide a timetable and deliverables, so that the Commission was informed appropriately. Mayor Tompeck requested the Town Manager consult with the Town Attorney to make sure that there was no issue with the Town Engineer's statutory contract limits. The Town Attorney clarified that he would have the authority to negotiate with the Town Engineer to lower the cost below \$500,000.

Commissioner Mayfield concurred with the modifications, and stated that the task order was dated July of 2022, which should be amended. She noted that Exhibit A indicated that the phase would be completed within 1,095 calendar days from approval of the task order.

The Town Engineer stated that he had been pursuing grants since 2021, but could not obtain sufficient direction from the Commission regarding which lots to purchase for STA's. He said that it was not easy to apply a timeframe to the projects when dealing with grants and that he had to start the phases at the appropriate time, in order for the Town to receive reimbursement of his fees. Mayor Tompeck recommended that the Town Engineer identify milestone events with some durations, in order to recognize the progress. Commissioner Mayfield suggested more daily communication from the Town Engineer through the Town Manager to the Commission regarding the status moving forward.

Commissioner Fender stated that the Town Engineer had done a good job obtaining grants and reimbursements for his fees. He recommended that the Town Engineer identify what issues were holding him back, as the Commission had a fiscal responsibility and that the debt needed to be communicated to the constituents properly.

There being no further discussion, Commissioner Campo **moved** to approve staff's recommendation in reference to the Professional Engineering Services contract for Phase 2 with CAPTEC Engineering, as well as to direct the Town Attorney to confirm the contract statutory limitations, and to have the Town Engineer return to the next regular meeting with milestone events and timetable ranges, along with the cash flow associated with them. Vice Mayor Kurzman **seconded** the motion, which **passed unanimously** by roll call vote.

XII. DISCUSSION

There was nothing scheduled under this item.

XIII. COMMISSION AND STAFF CLOSING COMMENTS

a. STAFF

The Town Manager stated that Town Hall was closed on July 4, 2023, as a holiday event would be taking place at Town Commons Park.

The Town Manager stated that the next regular meeting would be held on July 18, 2023, as there was only one meeting scheduled for that month.

The Town Manager stated that he was working to make the Town a Purple Heart Town and that a proclamation would be brought forward at the July 18, 2023 Regular meeting.

The Town Manager said that he had been working on the amendments to the tree ordinance and that it had to come before the Local Planning Agency prior to approval by the Commission that would occur on July 18, 2023 at 5:00 p.m.

The Town Manager stated that the Florida League of Cities Conference was approaching and inquired as to if any of the Commissioners were interested in attending on August 10-12, 2023 in Orlando, as there was a delegate position that required casting a vote on behalf of the Town. Commissioner Campo said that he would check to see if he was available to attend.

The Town Manager said that Zoe Berry was interning at Town Hall for the summer.

The Town Manager stated that he had received comments from H.B. Barrett that were being incorporated into the ordinance regarding height elevations.

b. COMMISSIONERS

Commissioner Mayfield stated that she was on the Florida League of Cities board wherein she learned that other municipalities were struggling with bids as well.

Commissioner Fender stated that he wanted to speak with Mr. Fiero, who spoke earlier at Public to be Heard, but that he had left the meeting shortly after speaking. He said that a communication plan had been requested previously in reference to the road project and urged that it be implemented for clarity among the residents.

Commissioner Campo stated that the Town Engineer's contract was up for a 3-year renewal and asked the Town Attorney about Article 10, Successors, of the contract. He recommended that similar to Debris Removal, a few other options should be considered in order to have a backup and/or succession plan. Commissioner Campo inquired as to if there was an option to have a backup engineering firm for continuing services to help with other projects.

The Town Attorney advised that there was a 60-day notice clause for both parties if either one wanted to terminate the contract. He stated that when advertising an RFP/RFQ the scope of work was pertinent in order to attract the right engineers.

Commissioner Campo requested to add the item to the next agenda in July, and asked the Town Attorney to provide examples of succession planning. Mayor Tompeck stated that he did not object and pointed out that under the statute, there was nothing that prevented the Town from having multiple engineers.

XIV. ADJOURN

There being no further business, the meeting adjourned at 8:00 p.m.

APPROVED:

Mayor John Tompeck, Presiding Officer

ATTEST:

April C. Stoncius, CMC, Town Clerk

Minutes approved at the meeting of: August 15, 2023

ARTICLE XI. - MISCELLANEOUS

Sec. 50-176. Floor elevation and building height limits.

- (a) *Definitions.* Unless specifically defined in chapter 58, article II, or in section 82-1, words or phrases used in this section shall be interpreted so as to give them the meaning that they have in common usage and to give this section the most reasonable application.
- (b) *Floor elevation.*
- (1) *Minimum lowest habitable floor elevation.* The minimum elevation of the lowest habitable floor shall be the highest elevation of:
- The 100-year, three-day storm event, without discharge;
 - The elevation prescribed by chapter 58, article II (flood damage prevention); or
 - The elevation prescribed by the on-site sewage disposal system construction permit issued for the building.
- (2) *Maximum lowest habitable floor elevation.*
- Low lots.* Where the natural grade of a lot measured at the front line of the proposed building is below the crown of the street or private road adjacent to the front yard of the lot, the elevation of the lowest habitable floor shall not exceed 18 inches above the average grade of the crown of the street or private road, measured at the side lot lines and the center point between the side lot lines.
 - High lots.* Where the natural grade of a lot measured at the front line of the proposed building is at or above the crown of the street or private road adjacent to the front yard of the lot, the elevation of the lowest habitable floor shall not exceed 18 inches above the average natural grade of the front line of the proposed building, measured at the end points of the front line and the center point of the front line.
- (c) *Building height limits.*
- (1) *Outside V zones.* For buildings on lots where no portion of the building is in a coastal high-hazard area (V zone) flood zone, the building height shall not exceed 27 feet measured as follows:
- Waterfront or riverfront lots.* On waterfront or riverfront lots, the building height shall be measured from the surface of the highest habitable floor that is at or below the maximum elevation for the lowest habitable floor that is permitted under subsection (b)(2) of this section, to the highest point on the roof.
 - Other lots.* On other lots, the building height shall be measured from the surface of the lowest habitable floor to the highest point on the roof.
- (2) *Within V zones.* For buildings on lots where any portion of the building is in a V flood zone, the building height shall not exceed 40 feet (NGVD) measured at the highest point on the roof. See section 82-421, Town of Sewall's Point Code of Ordinances for other height exceptions.
- (d) *Exemptions.* Existing homes which are elevated to comply with applicable FEMA floor elevation requirements are exempt from these roof height limitations. However, in no case shall the proposed elevation exceed the minimum height required to comply with FEMA regulations and in no case shall the total height exceed 45 feet NGVD.

(e) *Applicability.* This section shall apply to all new construction and substantial improvements where the development permit application is filed after the effective date of the ordinance codified in this section.

(Ord. No. 298, Exh. A, 2-18-2004; Ord. No. 385, § 2, 1-14-2014)

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT



ROBERT DANIELS
Town Manager

APRIL C. STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official/PW Director

MARIA PIERCE
Finance/HR Director

Regular Town Commission Meeting Minutes
July 18, 2023
6:00 p.m.

I. CALL TO ORDER

Mayor Tompeck called the meeting to order at 6:00 p.m.

a. Pledge of Allegiance to the Flag

Mayor Tompeck lead the assembly in the Pledge of Allegiance.

b. Roll Call

The Town Clerk called the roll with the following Commissioners present: Mayor Tompeck, Vice Mayor Kurzman, Commissioner Campo, Commissioner Fender, and Commissioner Mayfield.

II. PROCLAMATIONS AND PRESENTATIONS

a. Sewall's Point Purple Heart Day Proclamation

The Town Clerk read the proclamation into the record.

Mayor Tompeck presented the proclamation to State Commander, Craig Wertheim, Army; Local Commander, Ed Sileo, Air Force; and Past Jr. Vice Commander Bill McCaw, Army.

State Commander Wertheim accepted the proclamation and thanked the Commission. He said that the Military Purple Heart Special Recognition Award was bestowed on the Town of Sewall's Point with pride for the dedication and support honoring America's combat wounded veterans becoming the Purple Heart Town presented by the patriot members Chapter 717 of the Department of Florida Military Order of the Purple Heart USA. State Commander Wertheim advised that the Town's name would go on their website and be recognized as a Purple Heart Town, along with the other cities and towns that participated.

III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

There was nothing heard under this item.

IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Mayor Tompeck requested that Item 11 b), Town Manager Evaluation, be pulled and tabled to the next meeting, as all of the information had not been submitted. The Town Manager advised that Item 8 a) Ordinance No. 449, was tabled at the prior LPA meeting, and that it should be tabled at the regular meeting as well.

V. APPROVAL OF AGENDA

There being no further discussion, Commissioner Campo **moved** to approve the Agenda with Items 8 a), Ordinance No. 449 and 11 b), Town Manager Evaluation, tabled to the next Regular Commission meeting of August 15, 2023. Commissioner Fender **seconded** the motion, which **passed unanimously** by roll call vote.

VI. CONSENT AGENDA

a. **Minutes – May 9, 2023 Regular meeting, May 23, 2023 Regular meeting, May 23, 2023, Attorney/Client Session, and June 13, 2023, Regular meeting.**

b. **Police Department Quarterly Report**

c. **Rescinding CAPTEC Engineering Contract – Phase 2**

Mayor Tompeck requested to pull Item 6 c), Rescinding CAPTEC Engineering Contract – Phase 2, for separate discussion.

Commissioner Fender **moved** to approve the Consent Agenda, with the removal of Item 6 c) for separate discussion. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

c. **Rescinding CAPTEC Engineering Contract – Phase 2**

Mayor Tompeck stated that his recollection was that the item was never approved at the previous meeting, and that direction was given to review the statutory limit requirements. He recommended that an Engineering Continuing Services RFQ be advertised, in order to retain engineers on staff, as well as an RFP for the current phase. The Town Manager said that according to his notes, the item was approved with conditions. He stated that the Town Attorney's office was working on the RFQ, to which the Assistant Town Attorney, Susan Garrett, confirmed that it was close to completion.

There being no further discussion, Commissioner Mayfield **moved** to rescind the CAPTEC Engineering Contract for Phase 2. Commissioner Campo **seconded** the motion, which **passed unanimously** by roll call vote.

VII. PUBLIC HEARING - ORDINANCE - SECOND READING

There was nothing scheduled under this item.

VIII. PUBLIC HEARING - ORDINANCE - FIRST READING

a. Ordinance No. 449 – Amended Tree Ordinance

(Clerk’s Note: This item was tabled to the next Regular Commission meeting on August 15, 2023.)

b. Ordinance No. 450 - Height Regulations

The Assistant Town Attorney read the ordinance title into the record.

Mayor Tompeck called for any public comments, to which there were none.

Commissioner Mayfield stated that she supported the next three ordinances, but was not in favor of the increase in the height limit to 32 feet. She clarified that 30 feet was adequate at this time, to which Commissioner Fender concurred.

There being no further discussion, Commissioner Campo **moved** to approve Ordinance No. 450, with the second reading to be scheduled on August 15, 2023, and with the exception of increasing the height from 30 to 32 feet. Vice Mayor Kurzman **seconded** the motion, which **passed** by roll call vote with Mayor Tompeck, Vice Mayor Kurzman, and Commissioner Campo voting in favor, and Commissioner Mayfield and Commissioner Fender voting against.

c. Ordinance No. 451 – Amending Chapter 58-96 Definitions

The Assistant Town Attorney read the ordinance title into the record.

Mayor Tompeck called for any public comments, to which there were none.

Commissioner Mayfield stated that since the height requirement was not in the definitions, she would vote in favor of the item.

There being no further discussion, Vice Mayor Kurzman **moved** to approve Ordinance No. 451, with the second reading to be scheduled on August 15, 2023. Commissioner Campo **seconded** the motion, which **passed unanimously** by roll call vote.

d. Ordinance No. 452 – Update Zoning Regulations

The Assistant Town Attorney read the ordinance title into the record.

Mayor Tompeck called for any public comments, to which there were none.

There being no discussion, Commissioner Campo **moved** to approve Ordinance No. 452 with the second reading to be scheduled on August 15, 2023, with the exception of

increasing the height from 30 to 32 feet. Vice Mayor Kurzman **seconded** the motion. Commissioner Fender was not in favor of the increased height of 32 feet, as he felt that it should be vetted by the residents first. Commissioner Campo clarified that staff indicated 70% of the building application amendments were due to height restrictions.

Scott Craft, 4 Delano Lane, stated that there was a misconception that 70% of the property owners were not building because of the height restriction, which would affect the tax base and that was not true.

There being no further discussion, the motion **passed** by roll call vote with Mayor Tompeck, Vice Mayor Kurzman, and Commissioner Campo voting in favor, and Commissioner Mayfield and Commissioner Fender voting against.

IX. RESOLUTIONS

a. Resolution No. 961 - Dedicated Millage Rate for Capital Projects

The Town Clerk read the resolution title into the record.

The Finance Director stated that two prior resolutions were adopted in reference to millage dedication for Capital Projects, and that Resolution No. 961 was being presented for approval regarding the continuation of the millage dedication for CIP's. She pointed out that the resolution had a sunset clause that referenced September of 2036.

There being no discussion, Commissioner Campo **moved** to approve Resolution No. 961. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

b. Resolution No. 962 - Adopting 5-Year Capital Improvement Plan – Public Hearing

The Town Clerk read the resolution title into the record.

Frank Tidikis, 12 Cranes Nest, stated that in reference to the 5-year plan, over the period of five years, there was a \$17,166,000 deficit, as the funding and expenses did not match. He said that in a two-year period of time for FY24-25 there was a \$3 million deficit, and urged the Commission to review the CIP.

Commissioner Campo stated that the CIP 5-year plan was a vision for the Town to work towards, in order to obtain the design and engineering for each project. Commissioner Fender concurred and stated that the Town's financial responsibility was the Commission's highest priority and that they would stay within the budget constraints set forth.

Commissioner Mayfield also agreed and **moved** to approve Resolution No. 962, adopting the 5-Year Capital Improvement Plan. Commissioner Fender **seconded** the motion, which **passed unanimously** by roll call vote.

X. OLD BUSINESS

a. One Sotheby's International Realty – 7 Heritage Listing

Yara Bashoor, One Sotheby's International, stated that Eric Boyenger was present with her to provide a presentation on the listing, and thanked the Commission for the opportunity to represent the Town during the sale of the lot. She requested an address be assigned, as well as the rezoning of the property from municipality to residential. Ms. Bashoor inquired as to the deed restriction regarding the tree on the western side of the property, as she measured the lot and found it to be problematic.

Mr. Boyenger stated that the tree cluster made the lot unbuildable, but that the value of the lot would increase if it were removed. He estimated that the asking price would begin at \$550,000 - \$600,000 with the other trees on the lot left intact.

Mayor Tompeck stated that the Commission may not be receptive to removing the oak tree, as the deed restriction was put in place to save it. Ms. Bashoor requested that the Commission re-evaluate the property or obtain a second opinion by another professional.

Commissioner Fender stated that Commissioner Campo had previously provided a an architectural diagram for the lot, to which Commissioner Campo pointed out that in retrospect, the root system was not reviewed thoroughly. He advised that the funds from the sale of the lot would be used to offset the amount of the STA. Commissioner Campo suggested offering the residents on the street an opportunity to purchase it under a conservation easement. He also proposed selling the lot without the tree and contributing 20% of the proceeds to the Tree Mitigation Fund that would be used to improve the health of the tree canopy or to plant new trees throughout the community.

Commissioner Mayfield stated that she was initially against the sale of the lot, but agreed that funds were necessary for the upcoming projects. Commissioner Fender stated that he was open to creative ideas, as he would still like to save the 100-year old Heritage oak tree. Vice Mayor Kurzman recommended moving the tree and then liquidating the lot. Commissioner Mayfield pointed out that it would cost \$100,000 - \$200,000 to move the tree.

It was the **consensus** of the Commission to direct the Town Manager to provide a list of recommendations in reference to the sale of the parcel at the next meeting.

XI. NEW BUSINESS

a. Preliminary Millage Rate Adoption and Final Budget Meeting Schedule for FY24

The Finance Director requested to adopt the preliminary millage rate of 3.27 that would be provided in the TRIM notices, as well as to schedule a Budget Workshop on August 15, 2023, a Tentative Millage Rate and Budget Hearing on September 6, 2023 at 6:00 p.m., and the Final Millage and Budget Hearing scheduled on September 19, 2023 at 6:00 p.m.

Commissioner Fender asked the Finance Director to provide a pie chart for only the Town

of Sewall's Point's portion of property taxes broken down, as well as a pie chart of the status of the Town's millage rate compared to surrounding communities.

There being no further discussion, Commissioner Campo **moved** to approve staff's recommendations as follows: the millage rate of 2.87 and the Capital millage rate of 0.40 mills; and the proposed budget date of August 15, 2023. Commissioner Fender **seconded** the motion, which **passed unanimously** by roll call vote.

b. Town Manager Evaluation

(**Clerk's Note:** This item was tabled to the August 15, 2023, Regular meeting.)

c. Bid Award – Septic to Sewer and Water Main Installation

The Town Manager stated that three bids were received on July 17, 2023, and that Jamie Underground was the winning bid at \$2,140,180. He said that out of that amount, the water main was quoted as \$1,091,600 and the low pressure force main estimate was \$1,048,580. The Town Manager advised that by going out to bid, the Town had saved roughly \$200,000 on the force main and roughly \$300,000 on the water main. He requested an increase in the connections from 148 to 169 in part 1, which was under the 350 connections that the county requested.

There being no further discussion, Commissioner Mayfield **moved** to approve staff's recommendation to accept Jamie Underground's bid and authorize the increase in the force main connections to 169. Commissioner Campo **seconded** the motion. Commissioner Fender clarified that the funds to be disbursed for the bid were accounted for in the budget, to which the Town Manager replied in the affirmative.

Commissioner Campo stated that the county would reimburse the funds for the water main and asked if they were in agreement with the amount. He inquired as to what streets would be affected with more septic to sewer connections. Town Engineer, Joe Capra, explained the direction that the sewer line would travel from A1A to South Sewall's Point Road and stated that it would be handled similar to North Sewall's Point. He introduced his associate, James Carnes P.E., who was working on the project and was well-versed in water and sewer utilities. The Town Engineer stated that there would be interlocal agreements signed with the county for the project that would contain the amount to be reimbursed to the Town.

There being no further discussion, the motion **passed unanimously** by roll call vote.

XII. DISCUSSION

a. Frank Tidikis – Presentation of House Bill 1379

Mr. Tidikis provided a PowerPoint presentation and stated that the purpose of CS/HB 1379 was to protect the state's watersheds. He said that it also prohibited the installation of septic systems in the BMAP areas, and established the Indian River Lagoon Protection Program

with DEP, who could provide grants for projects that reduced the amount of nutrients entering the water. Mr. Tidikis stated that the western side of Sewall's Point was impacted, as it was in the St. Lucie River BMAP (Basin Management Action Plan), and that it did not address the south Indian River Lagoon because there was not a water quality issue in that area.

Mr. Tidikis stated that the Indian River Lagoon Protection Program ceased at Fort Pierce, as the problem areas were north from Fort Pierce to Coca Beach. He said that according to DEP, beginning July 1, 2023, new septic tanks installed within the BMAP on lots of 1 acre or less must be installed as an enhanced nutrient-reducing septic system. Mr. Tidikis recommended passing an ordinance that required any septic systems in the Town that required replacement either connected to the grinder system or be replaced with the Enhanced Nutrient Reducing Onsite Sewage Treatment and Disposal System that was approved by the DEP.

Mayor Tompeck stated that the cost of the enhanced nutrient septic system was close to the amount to install a new septic system. Mr. Tidikis said that it was between \$10,000 and \$20,000. Mayor Tompeck pointed out that maintenance for the system would need to be considered. Mr. Tidikis commented that the cost of maintenance was \$1,000 per year. Mayor Tompeck requested that CAPTEC Engineering provide a comparison of the initial cost of a septic system and the cost of an enhanced nutrient septic system, in order to review the costs.

Vice Mayor Kurzman stated that, potentially, if there were a number of homes that had the enhanced nutrient system in the same area, the maintenance cost should be reduced as they would be serviced at the same time. He was concerned about residents that installed the enhanced nutrient system then having to be required to convert to a sewer system, to which Mr. Tidikis responded that homes in the BMAP area were not required to hook up to sewers.

Commissioner Campo thanked Mr. Tidikis for the thorough research he presented to the Commission, as it was very useful. He stated that it could be a solution to bridging the gap of the 330-350 connections in South Sewall's Point, and recommended taking a closer look at the new legislation.

XIII. COMMISSION AND STAFF CLOSING COMMENTS

a. STAFF

There was nothing heard under this item.

b. COMMISSIONERS

Commissioner Campo thanked the Town Manager for doing a great job.

Mayor Tompeck inquired as to the Tree City Day Services check that was recently dispersed in the amount of \$3,000. The Town Manager responded that it was for assistance to gather sponsors for a tree event in September.

XIV. ADJOURN

There being no further business, the meeting adjourned at 8:15 p.m.

APPROVED:

Mayor John Tompeck, Presiding Officer

ATTEST:

April C. Stoncius, CMC, Town Clerk

Minutes approved at the meeting of: August 15, 2023

CS/HB 1379

What Are The Implications of CS/HB 1379 for The Town of Sewall's Point?

CS/HB 1379

PURPOSE:

The preamble outlines the intent of the Bill and runs for six pages to line 147.

- To improve the water quality in the State's watersheds
- Prohibits the installation of new onsite sewage treatment and disposal systems (OSTDSs) within a BMAP area ...where connection to a publicly owned or investor-owned sewerage system is available.
- Establishes the Indian River Lagoon Protection Program within DEP.
- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters

1
2 An act relating to environmental protection; amending
3 s. 163.3177, F.S.; revising the required components of
4 a local government comprehensive plan capital
5 improvements element and general sanitary sewer, solid
6 waste, drainage, potable water, and natural
7 groundwater aquifer recharge element; making technical
8 changes; requiring the update of comprehensive plans
9 by a specified date; providing applicability; amending
10 s. 253.025, F.S.; increasing the estimated value
11 threshold of land acquisition agreements that are
12 required to be submitted to and approved by the Board
13 of Trustees of the Internal Improvement Trust Fund;
14 removing the requirement that agreements to acquire
15 initial lands for Florida Forever projects be
16 submitted to and approved by the board of trustees;
17 increasing the estimated value threshold for the
18 appraisal of certain land acquisitions; requiring,
19 rather than authorizing, the Department of
20 Environmental Protection to disclose appraisal reports
21 to private landowners or their representatives during
22 negotiations for certain land acquisitions; removing a

The Indian River Lagoon Protection Program

Page 27, line 664

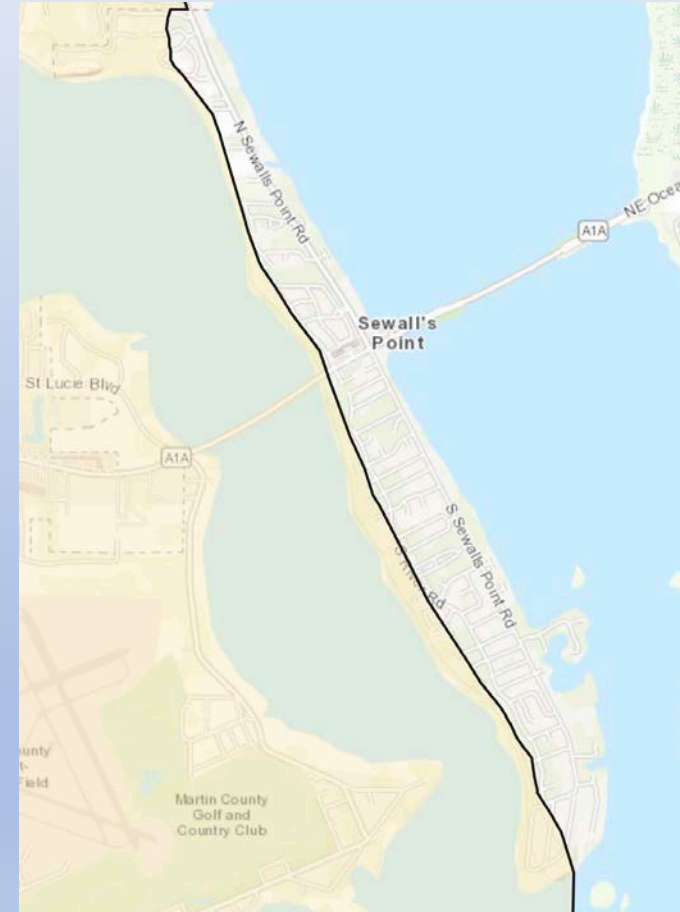
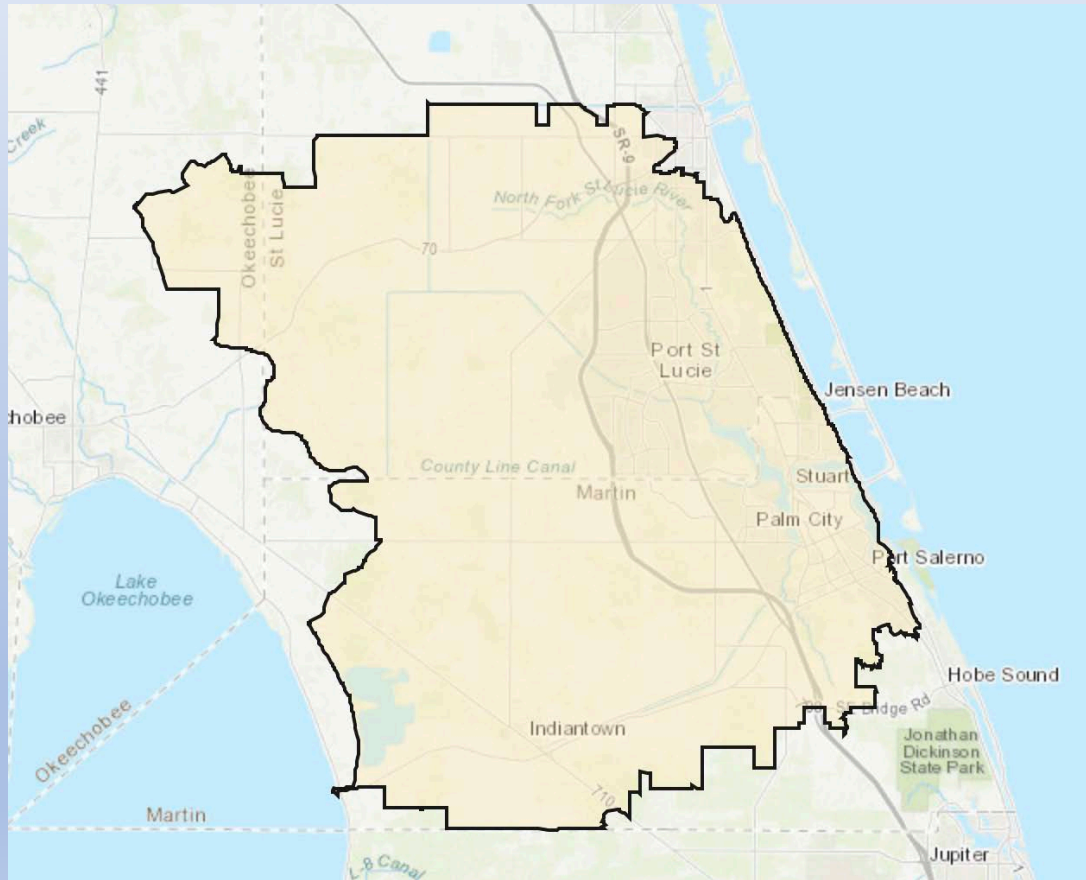


WHY: To improve the hydrology, water quality, and associated aquatic habitats.

HOW: The expeditious implementation of the Banana River Lagoon Basin Management Action Plan, Central Indian River Lagoon Basin Management Action Plan, North Indian River Lagoon Basin Management Action Plan, and Mosquito Lagoon Reasonable Assurance Plan are necessary to improve the quality of water.

WHERE: Indian River Lagoon as far south as the Ft. Pierce Causeway linking Hutchinson Island and the St. Lucie Basin (consisting of the the St. Lucie River including the north and south fork)

St. Lucie Basin Management Action Plan



DEFINITIONS

"Enhanced nutrient-reducing onsite sewage treatment and disposal system" an onsite sewage treatment and disposal system approved by the department as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from onsite sewage tank or tanks and drainfield.(page 29 of 95, Line 722-728 repeated throughout the Bill)

FS 180.01 Definition of term "municipality."—The term "municipality," as used in this chapter, shall mean **any city, town, or village duly incorporated under the laws of the state.**

Municipal Jurisdiction: Municipalities address legal matters affecting people within a particular local area.

Sewall's Point Jurisdiction as defined by Article 1, Section 1 of the Town Charter: A municipal corporation to be known as the Town of Sewall's Point, in the county of Martin and State of Florida, is hereby created and established and the territorial limits of said municipality shall be as follows: TOWN OF SEWALL'S POINT, Beginning at a point...

Requirements

• SEWAGE TREATMENT

786(d) Onsite sewage treatment and disposal systems.–

787 1. Beginning on January 1, 2024, unless previously

788 permitted, the installation of new onsite sewage treatment and

789 disposal systems is prohibited within the Banana River Lagoon

790 Basin Management Action Plan, Central Indian River Lagoon Basin

791 Management Action Plan, North Indian River Lagoon Basin

792 Management Action Plan, and Mosquito Lagoon Reasonable Assurance

793 Plan areas where a publicly owned or investor-owned sewerage

794 system is available as defined in s. 381.0065(2)(a). Where

795 central sewerage is not available, only enhanced nutrient-

796 reducing onsite sewage treatment and disposal systems or other

797 wastewater treatment systems that achieve at least 65 percent

798 nitrogen reduction are authorized.

- **PLAN DEVELOPMENT:** BMAP's must be developed with input from key stakeholders, including, but not limited to, applicable local governments. (p62, lines 1542—1552)
- **EXEMPTION:** A local government that does not have a domestic wastewater treatment facility in its jurisdiction is not required to develop a wastewater treatment plan unless there is a demonstrated need to establish a domestic wastewater treatment facility within its jurisdiction to improve water quality necessary to achieve a total maximum daily load. (p 67, lines 1664-1670)
- **REQUIREMENTS FOR LOTS OF 1 ACRE OR LESS LOCATED IN A BMAP:** require installation of enhanced nutrient reducing onsite sewage treatment systems for those lots of 1 acre or less located in basin management action plans.
- **PERMITTING:** DEP will issue all permits for “Enhanced Nutrient Reducing Onsite Sewage Treatment and Disposal Systems” (page 44, Lines 1098-1111)
- **OSTDS Operating Permits** (only apply to counties that use operating permits) Operating permits are required for aerobic treatment units (ATU), performance based treatments systems (PBTs), commercial septic systems, and industrial or manufacturing zoned (or equivalent) septic systems. (Dept. of Environmental Protection)

Issues & Questions

- Questions

- Is Sewall's Point, at this point in time, obligated to follow the BMAP guidance?
- How many connections are planned by MC Utilities?
- How many properties in a community will the county connect in a community to a grinder system?

- Responses

- “Beginning July 1, 2023 any new septic tanks installed within a BMAP on lots of 1 acre or less must be installed as an enhanced nutrient-reducing septic system.” Nicole Morgan, DEP
- The town is proposing to utilize the county grinder sewer program for approximately 148 homes along South Sewall’s Point Road. See the attached exhibit prepared by the town’s engineer. Once infrastructure is in place, Martin County Utilities will notify those property owners that sewer service is available. No sewer fees are charged until a home is connected. For the plan to sewer the remainder of the area you should contact the town manager or the town engineer, Joe Capra at Captec Engineering. Sam Amerson, MC Utilities April 2023
- Smaller communities (fewer than 300 homes) will join an individual, on-site grinder station program to connect to the County sewer system. Larger communities (more than 300 homes) will be served by an assessment-based vacuum sewer system connection. MC Website Connect to Protect

IMPLICATIONS FOR THE TOWN OF SEWALL'S POINT

- The Indian River Lagoon Protection Program does not impact the Town of Sewall's Point as it only comes as far south at Ft. Pierce, other than those properties in the St. Lucie Basin Management Area.
- The St. Lucie Basin Management Action Plan touches on the Western side of Sewall's Point and includes approximately
 - 81 lots along the river in North Sewall's Point and
 - 117 lots in South Sewall's Point.
 - They will be required to replace their septic systems with an "Enhanced Nutrient Reducing Onsite Sewage Treatment and Disposal Systems" when they fail. Permits are issued by the Department of Environmental Protection.
- Since sewers are available in North Sewall's Point those properties may have to connect to the sewer system when their septic system requires replacement. The MC Utilities 5 year plan lists 125 connections and 179 parcels eligible to connect. Martin County Property Appraiser lists 295 parcels in North Sewall's Point. Permits are issued by the DEP through Martin County.
- The Town of Sewall's Point does not have a domestic wastewater treatment facility in it's jurisdiction and does not have to develop a wastewater treatment plan.

Suggested Actions by the Commissioners

- Comply with the law.
- In North Sewall's Point, due to the availability of sewer connections and in accordance with state law, some of the properties will require a sewer connection and those in the BMAP may be replaced with "Enhanced Nutrient Reducing Onsite Sewage Treatment and Disposal Systems". The MC Utilities 5 Year Plan has 179 parcels eligible for connection with 125 connected as of October 2022.
- In South Sewall's Point, any septic systems in the St. Lucie BMAP that will require replacement must be replaced with "Enhanced Nutrient Reducing Onsite Sewage Treatment and Disposal Systems" since a sewage system is not available.
- Complete the Grinder System installation for the 210 homes currently scheduled located along S. Sewall's Point Road and along the water.

Suggested Actions by the Commissioners (p2)

- Require the 210 homes in South Sewall's Point that have access to the Grinder System to connect once their current septic system fails.
- Pass an ordinance to require that any septic systems in the town's jurisdiction that require replacement either to connect to the "Grinder System" or be replaced with "Enhanced Nutrient Reducing Onsite Sewage Treatment and Disposal Systems" approved by the Department of Environmental Protection.

? Questions?

TOWN OF SEWALL'S POINT



TO: Town Commission

FROM: April C. Stoncius, CMC, Town Clerk
through Robert Daniels, Town Manager

SUBJECT: Update Public Records Request Policy

DATE: August 15, 2023, Regular Meeting

In order to be more efficient, the Public Records Request Policy is being brought forward for consideration to update the method in which the requests are provided to the requestor. Previously, CD's and DVD's were provided at a \$1 cost, plus the time it took to research the request. The updated policy proposes providing the information on a flash drive at the cost of \$2.50, revising the Records Fee Schedule.

Staff Recommendation: Approve the updated Public Records Request Policy - Records Fee Schedule.



PUBLIC RECORDS POLICY and PROCEDURES

I. PURPOSE:

The Town of Sewall's Point fully embraces the tenets set forth in the Public Records Law, Chapter 119, Florida Statutes, governing the public's right to access records held by the Town. In support of the broad public right to access public records, the Town of Sewall's Point incorporates the following guidelines to inform town staff about implementation of the Public Records Law by the Town of Sewall's Point and to provide uniformity within the Town of Sewall's Point in charging for access to public records.

II. POLICY:

It is the policy of the Town of Sewall's Point and the policy of the State of Florida that all State, County, and Municipal records, except those exempted by law, shall be open for personal inspection, examination, and copying.

III. DEFINITIONS:

- A. "Actual cost of duplication" means the cost of the material and supplies used to duplicate the public record, but does not include labor costs or overhead cost associated with such duplication.
- B. "Confidential or Exempt Records" means records which are presently provided by law to be confidential or which are prohibited from being inspected by the public by either general or special law is not subject to the access requirements of Statute 119.07(1), 286.011 or Statute 24, Article I of the State Constitution.
- C. "Custodian" means the elected or appointed City officer, or his or her designee, charged with the responsibility of maintaining the office having public records, or his or her designee.
- D. "Extensive Use of Resources" means that the nature or volume of the public records requested to be inspected, examined, or copied requires the use of the Town of Sewall's Point's information technology resources, and/or that the labor time required of clerical or supervisory employees exceeds **thirty minutes**.
- E. "Public Records" means all documents, papers, letters emails, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.
- F. "Redact" means to conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information.

IV. PROCEDURES – GENERAL:

- A. It is the Town of Sewall's Point's standard practice that public records requests be processed through the Town Clerk's Office. Anyone receiving public records requests shall forward them to the Town Clerk's Office. The Town Clerk shall promptly acknowledge the request and forward it to the record custodian(s) who may have records responsive to the request.
- B. Every custodian who possesses a public record shall permit the record to be inspected and examined by any person desiring to do so (1) within a reasonable time, (2) under reasonable conditions, and (3) under supervision by the custodians of the public record or their designee, except for those exemptions provided by law.
- (1) A "Reasonable time" is that time allowed for the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt. A waiting period may not be imposed before allowing access to public records.
- (2) If satisfying the request immediately would unduly interfere with the operation of the department, the custodian, through the Clerk's Office will notify the requestor of the time needed to fulfill the request.
- (3) "Reasonable conditions" do not refer with the conditions that must be fulfilled before review is permitted, but to reasonable regulations that would permit the custodian of the records to protect them from alteration, damage, or destruction, and also to ensure that the person reviewing the records is not subjected to physical constraint designed to preclude review.
- C. Town's records cannot be checked out and need to remain in the Town's possession at all times.
- D. Custodians within the departments responsible for records should be knowledgeable of the following when a request is made to inspect or duplicate a record:
1. Individuals are not required to identify themselves or make the request in person, in writing or in any other particular format, nor give a reason for such request.
 2. Individuals may not be denied access to records due to the lack of specifics of the record they wish to inspect or copy.
 3. Computerized public records are governed by the same rules as written documents and other public records. Information stored on a computer is as much a public record as a written page in a book or a tabulation in a file stored in a filing cabinet.
 4. Custodians are not required to verbally give out information from the records of their office, or offer interpretation of the records. The statutory obligation of the custodian is to provide access to or copies of the public records being requested.
 5. The Town is not required to create a record in response to a records request. Custodians are not required to produce records in a particular form or format as requested, nor tailored to the requestor's specific needs, if the records are not ordinarily created, filed, produced, maintained, or used in that form by the department.

6. In order to avoid the printing costs, records should first be offered in an electronic format, if available.
 7. If an attorney requests the examination, duplication of records or information on a lawsuit pending with the Town, the Town Attorney shall be contacted and advised of the same.
 8. A fee may not be imposed for the mere inspection and examination of public records, unless the nature or volume of the public records to be inspected is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance.
- E. Where reasonable, requests will be fulfilled free of charge. If researching and responding to a request takes thirty (30) minutes or less, the request will be fulfilled without charge, in accordance with the following:
1. Having acknowledged receipt of the request, the Town Clerk will notify the Department Head(s) who may have possession of the requested documents.
 2. Staff will collect the requested documents and either respond to the requestor with a copy to the Town Clerk, or by providing the requested documents to the Town Clerk for response.
- F. If the request requires extensive use of TSP resources, the process is as follows:
1. Having acknowledged receipt of the request, the Town Clerk will notify the Department Head(s) who may have possession of the requested documents.
 2. The Town Clerk and the Department Head(s) will prepare a statement of estimated costs in accordance with the rules stated below.
 3. The Town Clerk will provide the statement to the requestor prior to staff beginning to produce the requested records.
 4. Payment will be collected before documents are copied, reviewed, redacted, or otherwise processed for release.
 5. If the actual costs incurred are less than such payment as estimated, the overpayment will be refunded to the requestor. The requestor will be required to remit additional monies upon release of the documents to pay for any costs in excess of the estimate.
 6. In the event the requestor fails to remit additional monies to cover costs in excess of the deposit, the requested public records will not be released.
- G. Reasonable Costs for Processing Public Records Requests:
1. If the cost for providing paper or electronic copies of records is less than \$5.00, including postage and special service charges, the records will be provided at no charge as it is not cost-effective to collect such fees.

The Town of Sewall's Points charges are as follows: ○ One-sided
Copy: \$ 0.15 per page of not more than 8½ x 14 inches ○ Two-sided

Copy: \$ 0.20 per page of not more than 8½ x 14 inches ○ Certified

Copy: \$1.00 per page

- All other copies: Actual cost of duplication (material and supplies, not labor or overhead, unless statutorily authorized)

2. A special service charge will be imposed if the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both.
 - Clerical or supervisory assistance includes searching for and or locating the requested record, reviewing for statutorily exempt information, deletion of statutorily exempt information, and preparing, copying, and re-filing of the requested record.
 - Such charge is in addition to the actual cost of duplication. ○ The charge for clerical or supervisory resources will be no greater than the hourly rate, including benefits, of the lowest paid personnel capable of providing such services. *(NOTE: These labor charges are calculated by taking the yearly average salary for either clerical or technical staff and dividing by 2080 hours per year.)
3. In those cases where legal review is necessary, the charge will be at the lowest attorney rate (salary and benefits) in the Town Attorney's Office.
4. When documents can be sent by email, TSP will do so in the interest of efficiency and to minimize costs. In these cases TSP will only charge a service charge for extensive time. However, when a large volume of documents is requested and must therefore be placed on a flash drive, the costs of those materials will be recovered.

V. EXEMPT AND CONFIDENTIAL RECORDS:

The Town of Sewall's Point is responsible for protecting information defined as confidential or as otherwise prohibited from public inspection or copying under the Public Records law. All exemption of the Public Records law can be found in the Florida Statutes Chapter 119.071

The following standards and controls should be followed to prevent the inadvertent or unauthorized release of confidential and exempt information:

- A. Confidential information shall be redacted (extracted) from records prior to public release or examination of the nonexempt portions.
- B. Future data processing systems which are expected to maintain or provide access to confidential or sensitive records should be designed with redaction capabilities so that only nonexempt portions of records can be extracted and made available to the public records requestor.
- C. Providers are responsible for informing the requestor when requests cannot be filled due to an exemption which prevents disclosure. Upon request, the provider must provide the basis for this exemption and its statutory citation.



PUBLIC RECORDS REQUEST FORM

Information is **OPTIONAL**, but is helpful to us in communicating with you regarding the status of your request.

Name: _____ Email: _____

Address: _____

Phone: _____ Cell Phone: _____

Requested Record: _____

___ Do you wish to review the records before we copy them?

___ Do you wish for us to copy the records and charge accordingly?

RECORDS FEE SCHEDULE

14" x 8 ½ or less one-sided copy.....	0.15
14" x 8 ½ or less two-sided copy.....	0.20
17" x 11 one-sided copy.....	0.25
Certified copy.....	\$1.00
Color copies.....	0.40
Flash drive.....	\$2.50

The Town of Sewall's Point may also collect a reasonable service charge, in addition to actual costs, when a request for public records requires the extensive use of information technology resources and/or clerical or supervisory assistance. The Town of Sewall's Point considers records requests taking more than **thirty minutes** to located, copy or otherwise make available the requested material as a diversion of resources which is susceptible to extensive use service charges.

Special Service Charge (hourly rate ___ x # ___ of hours= \$ ___ (See Public Records Policy and Procedures)

Total Cost Incurred = \$ _____



BUILDING DEPARTMENT RECORDS REQUEST FORM

Information is **OPTIONAL**, but is helpful to us in communicating with you regarding the status of your request.

Name: _____ Email: _____

Address: _____

Phone: _____ Cell Phone: _____

Requested Record: _____

Will this information be used for commercial purposes? Yes _____ No _____

Subdivision: _____ Permit Number(s) _____

Address of Building(s): _____

Reproduction of Plans and Drawings:

Federal Copyright laws vests the owner of a copyright, subject to certain limitations, the exclusive right to do or authorize, among other things, the reproduction of the copyrighted work in copies and the distribution of the copyrighted work to the public by sale or transfer of ownership. **The unauthorized reproduction in part or in whole of any copyrighted work in copies constitutes an infringement of such copyright.** Copyright infringement is a tort and all persons concerned therein are jointly and severally liable as joint tortfeasors. In 1990, Congress amended the federal copyright law specifically to provide that relief for infringement is available against "anyone" including any State or Locality or any officer/employee of a State or Locality acting in his or her official capacity.

The Town does allow an inspection of the drawings or plans as required under the Public Records Law, but the Town must require a waiver or written permission from a copyright holder before reproducing any copyrighted works. I have read and understand the above statement regarding copyright laws.

Signature: _____

Address: _____

**INTERLOCAL AGREEMENT
SOUTH SEWALL’S POINT DRAINAGE, RESURFACING,
AND WATER MAIN REPLACEMENT PROJECT**

This INTERLOCAL AGREEMENT (Agreement), dated _____, 2023, is made by and between MARTIN COUNTY, Florida, a political subdivision of the State of Florida, 2401 S.E. Monterey Road, Stuart, FL 34996 (the COUNTY) and the TOWN OF SEWALL’S POINT, a municipal corporation of the State of Florida, 1 S. Sewall’s Point Road, Sewall’s Point, Florida 34996 (the TOWN).

WITNESSETH:

WHEREAS, Section 163.01 Fla. Stat., known as the Florida Interlocal Cooperation Act of 1969, provides a method for governmental entities to cooperate with each other on a basis of mutual advantage to provide services and facilities in a manner that will accord best with the factors influencing the needs and development of local communities; and

WHEREAS, the TOWN has budgeted for the design, permitting, and construction, including installation of drainage and resurfacing of roadways within its southern boundaries, defined as South of A1A (“South Sewall’s Point”) (TOWN Project); and

WHEREAS, the COUNTY has budgeted for the design, permitting, and construction, including installation for replacement of its mains within and extending from the TOWN Project boundaries (COUNTY Project); and

WHEREAS, the Parties recognize that it would be most efficient to combine the TOWN Project and the COUNTY Project into a single construction project (PROJECT); and

WHEREAS, in accordance with all applicable Federal, State, Town, and County requirements, the TOWN has obtained bids, utilizing a unit price and quantity bid document and Contract for the goods and services required for the construction of the PROJECT, and will select and contract for Construction Engineering and Inspection (CEI) for the TOWN’s portion of the PROJECT; and

WHEREAS, the TOWN has retained the services of CAPTEC Engineering, Inc. (Design Engineer) for the design of the TOWN’s portion of the PROJECT.

NOW THEREFORE, in consideration of the mutual benefits, the parties do hereby agree as follows:

1. The TOWN agrees that the PROJECT shall be implemented in accordance with the plans developed by the Design Engineer, reviewed by the Parties in accordance with the COUNTY’s Minimum Design and Construction Standards, and made a part hereof as Exhibit “A” to this Agreement.

2. The TOWN advertised bids, utilizing a unit price and quantity bid document, for the goods and services required for the construction of the PROJECT and will award a CONTRACT to Jamie Underground, Inc., the lowest responsible, responsive bidder in accordance with all applicable Federal, State and County procurement laws and regulations.

3. TOWN has selected CAPTEC Engineering, Inc. for design services under TOWN's Continuing Services Contract, which was procured in 2020 through a competitive selection process.

4. The TOWN acknowledges and agrees that it will be solely liable for all costs associated with the TOWN Project portion of the PROJECT, and the COUNTY acknowledges and agrees that it will be solely liable for all costs associated with the COUNTY Project portion of the PROJECT.

5. The parties acknowledge that the COUNTY has already paid the Design Engineer for the COUNTY Project portion of the design and permitting and has contracted for the Construction Engineering and Inspection (CEI) services. The remaining COUNTY Project costs are estimated at one million ninety-one thousand six hundred dollars and no cents (\$1,091,600.00), including contingency.

6. Following the execution of the CONTRACT and commencement of the PROJECT, the COUNTY acknowledges and agrees that it will promptly reimburse the TOWN for all costs associated with the construction and construction oversight of the COUNTY's portion of the Project in accordance with the following procedures:

- A. The TOWN shall promptly review any and all Contractor's invoices submitted in connection with the PROJECT and either approve or disapprove same. If the invoices are approved, the TOWN shall promptly send such approved invoices to the COUNTY's project manager designated in this Agreement. The COUNTY shall promptly remit to the TOWN funds equal to the COUNTY Project costs shown on the invoice. Upon approval of the invoices by both parties, the TOWN will issue payment to the Contractor. All payments will be made in accordance with the Local Government Prompt Payment Act. In exchange for processing payments for the COUNTY, managing the project for the COUNTY, and inspecting the project, the COUNTY will pay twenty percent (20%) of the total project costs, included incrementally with each invoice.
- B. If the COUNTY does not agree with the TOWN's invoice approval, the COUNTY agrees to notify the TOWN in writing of its disagreement with such invoice. The parties agree to comply with the dispute resolution procedure outlined in this Agreement. Pending completion of the dispute resolution, the COUNTY agrees to submit funds for such disputed invoice to the TOWN in accordance with Paragraph 6.A. above. Upon resolution of the invoice dispute, the COUNTY shall be reimbursed for any funds paid to the TOWN in excess of the final decision in such dispute.

C. Any construction change orders requested by the COUNTY to the COUNTY Project shall be made in writing to the TOWN and shall include the COUNTY's written agreement to pay all costs associated with such change order. The COUNTY agrees to be responsible for the cost of any such change order and any additional administrative fee as specified in 6.A. The parties agree that all change orders shall be submitted by the TOWN to the Contractor. The parties agree that all change orders requested by Contractor shall be submitted to the TOWN by the Contractor. The TOWN and the COUNTY shall promptly review such change order request, and if approved, the TOWN shall issue such change order to the Contractor. The COUNTY agrees to pay all costs associated with any change order related to the PROJECT.

7. The TOWN agrees to construct the PROJECT in accordance with design and regulatory approvals for the PROJECT. The TOWN will manage the construction contract and will be responsible for ensuring that the construction of the PROJECT meets all requirements and is completed on schedule in accordance with the contract and construction documents. The TOWN agrees to perform periodic inspections of the PROJECT and verify that the PROJECT is being constructed in conformance with the construction plans and technical specifications.

8. The COUNTY will also visit the PROJECT site at least once a week during the construction of the COUNTY's Project and will promptly notify the TOWN ENGINEER of any work that is not in conformance with the contract and construction documents.

9. Upon completion of the PROJECT, the COUNTY shall determine whether the PROJECT was constructed in accordance with the design and regulatory approval requirements and provide its determination to the TOWN in writing, and if approved, such approval shall construe acceptance by the COUNTY of the PROJECT. If the COUNTY identifies any deficiencies with the construction, the COUNTY shall notify the TOWN, and the TOWN shall require the Contractor to remedy the deficiency.

10. Upon acceptance by the COUNTY, the TOWN will transfer ownership of the COUNTY Project facilities to the COUNTY by Bill of Sale acceptable to the COUNTY; and shall transfer all Contractor and Vendor warranties related to the COUNTY Project and grant to the COUNTY a perpetual permit to use the road rights of way within the PROJECT area for construction, operation, maintenance, replacement, and expansion of the COUNTY Project, upon notice and agreement by the TOWN. Upon transfer of ownership of the COUNTY Project to the COUNTY, the COUNTY shall be solely responsible for the operation, maintenance, replacement, and repair of the COUNTY Project, and the TOWN shall have no responsibility for the maintenance, replacement, and repair of the COUNTY's portion of the Project.

11. Disputes under this Agreement may be resolved by the COUNTY's Authorized Representatives and the TOWN's Authorized Representatives. If such Authorized Representatives are unable to reach a resolution and the parties agree that the issue is of sufficient merit, the parties may select a mediator certified by the Supreme Court of Florida and practicing in Indian River, St. Lucie, Martin, or Palm Beach County and are mutually acceptable to both parties to conduct mediation of the issues involved and make a recommendation to both parties. The parties agree to

be responsible for their respective costs and fees incurred during the mediation and that the mediator's fees and costs shall be paid in equal amounts by each party.

12. The COUNTY and the TOWN agree to hold project meetings on a weekly basis with the Contractor in the TOWN. Each party agrees to be responsible for their respective costs to attend required meetings.

13. This Agreement may be amended only by written agreement of the parties. A party requesting amendment of the Agreement must propose such amendment in writing to the other party at least ninety days (90) prior to the proposed effective date of the amendment.

14. This Agreement shall become effective upon execution by both parties and filing with the Clerk of the Circuit Court for Martin County.

15. This Agreement incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior contemporaneous representatives or agreements, whether oral or written.

16. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held invalid or unenforceable for the remainder of this Agreement, then the application of such term or provision to person or circumstances other than those as to which it is held invalid or unenforceable shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

17. Any notice, request, demand, consent approval, or other communication required or permitted by this Agreement shall be given or made in writing and shall be served (as elected by the party giving such notice) by one of the following methods: (i) hand delivery to the other party; (ii) delivery by commercial overnight courier service; or (iii) mailed by registered or certified mail (postage prepaid), return receipt requested. For purposes of notice, the addresses are:

COUNTY

County Administrator
Martin County Board of County Commissioners
2401 Monterey Road
Stuart, FL 34996

Required Copy to:

County Attorney
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996

TOWN:

Robert Daniels, Town Manager
Town of Sewall's Point
1 South Sewall's Point Road
Sewall's Point, FL 34996

Required Copy to:

Town Counsel
Glen J. Torcivia, Esquire
Torcivia, Donlon, Goddeau & Ansay, P.A.
Northpoint Corporate Center
701 Northpoint Parkway, Suite 209
West Palm Beach, FL 33407

Notice given in accordance with the provision of this Paragraph shall be deemed to be delivered and effective on the date of hand delivery or on the second day after the date of the deposit with an overnight courier or on the date upon which the return receipt is signed, or delivery is refused, or the notice is designated by the postal authorities as not delivered if mailed.

18. The Project Manager for the TOWN is Joseph W. Capra, P.E., CAPTEC Engineering, Inc., 301 NW Flagler Ave #201, Stuart, FL 34994, telephone number (772) 692-4344. The Project Manager for the COUNTY is Jeremy Covey, P.E., Utilities & Solid Waste Department, 3473 SE Willoughby Blvd, Suite 102, Stuart, FL 34994, telephone number (772) 221-2353.

19. Unless otherwise terminated as provided herein, this Agreement shall terminate on the date the PROJECT facilities are transferred by the TOWN to the COUNTY as provided in this Agreement, provided any pending disputes between the parties related to this Agreement shall survive termination until fully resolved.

20. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida and shall be binding upon and benefit the successors of the parties hereto.

21. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

22. This Agreement may not be assigned, in whole or in part, by any party at any time.

23. The failure of either party to insist upon the other party's compliance with its obligations under this Agreement in any one or more instances shall not operate to release such other party from its duties to comply with such obligations in all other instances.

24. Neither the COUNTY nor the TOWN, nor any agent, officer, official or employee of the COUNTY or the TOWN shall be liable for any action taken pursuant to this Agreement in good

faith or for any omission, except gross negligence or for any act or omission or commission by the other party hereto and its agents, officers, officials or employees. Nothing contained in this provision or elsewhere in the Interlocal shall be construed or interpreted as consent by the COUNTY or the TOWN to be sued, nor as a waiver of sovereign immunity beyond the waiver provided in Section 768.28, Florida Statutes, as amended from time to time. This Interlocal shall create no rights or claims whatsoever in any person other than a party herein. The terms of this Paragraph 24 shall survive termination or expiration of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day, month, and year aforesaid.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

HAROLD JENKINS, II
CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

SARAH W. WOODS
COUNTY ATTORNEY

ATTEST:

TOWN OF SEWALL'S POINT, FLORIDA

APRIL STONCIUS
TOWN CLERK

JOHN TOMPECK
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

GLEN J. TORCIVIA
TOWN ATTORNEY

EXHIBIT A

APPROVED CONSTRUCTION PLANS

**INTERLOCAL AGREEMENT
SOUTH SEWALL’S POINT LOW PRESSURE FORCEMAIN (LPFM) PHASES 3 & 4
PROJECT**

This INTERLOCAL AGREEMENT (Agreement), dated _____, 2023, is made by and between MARTIN COUNTY, Florida, a political subdivision of the State of Florida, 2401 S.E. Monterey Road, Stuart, FL 34996 (the COUNTY) and the TOWN OF SEWALL’S POINT, a municipal corporation of the State of Florida, 1 S. Sewall’s Point Road, Sewall’s Point, Florida 34996 (the TOWN).

WITNESSETH:

WHEREAS, Section 163.01 Fla. Stat., known as the Florida Interlocal Cooperation Act of 1969, provides a method for governmental entities to cooperate with each other on a basis of mutual advantage to provide services and facilities in a manner that will accord best with the factors influencing the needs and development of local communities; and

WHEREAS, the TOWN has budgeted for the design, permitting, and construction, including installation, of small diameter force mains to provide sanitary sewer service to residential properties from Pineapple Road North along South Sewall’s Point Road to South Ocean Boulevard, defined as South of A1A (“South Sewall’s Point”) that will connect to the COUNTY’s utility service (TOWN Project); and

WHEREAS, in accordance with all applicable Federal, State and County requirements, the TOWN has obtained bids, utilizing a unit price and quantity bid document and Contract for the goods and services required for the construction of the PROJECT, and will select and contract for Construction Engineering and Inspection (CEI) for the PROJECT; and

WHEREAS, the TOWN has retained the services of CAPTEC Engineering, Inc. (Design Engineer) for the design of the PROJECT.

NOW THEREFORE, in consideration of the mutual benefits, the parties do hereby agree as follows:

1. The PROJECT shall be implemented in accordance with the plans developed by the Design Engineer and reviewed by the Parties in accordance with the COUNTY’s Minimum Design and Construction Standards and made a part hereof as Exhibit “A” to this Agreement.
2. The TOWN advertised bids, utilizing a unit price and quantity bid document, for the goods and services required for the construction of the PROJECT and awarded a CONTRACT to Jamie Underground, Inc., the lowest responsible, responsive bidder in accordance with all applicable Federal, State and County procurement laws and regulations.
3. The TOWN has selected CAPTEC Engineering, Inc. for design services under the TOWN’s Continuing Services Contract which was procured in 2020 through a competitive selection process.

4. The TOWN agrees to construct the PROJECT in accordance with design and regulatory approvals for the PROJECT. The TOWN will manage the construction contract and will be responsible for ensuring that the construction of the PROJECT meets all requirements and is completed on schedule in accordance with the contract and construction documents. The TOWN agrees to perform periodic inspections of the PROJECT and verify that the PROJECT is being constructed in conformance with the construction plans and technical specifications.

5. The COUNTY will also visit the PROJECT site at least once a week during construction of the COUNTY's Project and will promptly notify the TOWN of any work that is not in conformance with the contract and construction documents.

6. The COUNTY has stipulated and the TOWN agrees to the following design and maintenance requirements of this PROJECT:

- The TOWN shall design, install and maintain an interim force main flushing station located at the southwest corner of Admiral Walk and Lantana Lane. This maintenance shall include all piping, fittings, check valves and other appurtenances up to and including its connection to the COUNTY's LPFM on the western side of the South Sewall's Point Road Right-of-Way,
- The TOWN shall pay for the meter/backflow preventer assembly and pay for the monthly water/sewer charges related to the force main flushing station,
- The force main flushing station shall be taken offline once the Phase 2 LPFM is installed and in operation with adequate connections to achieve 2 ft/sec flushing velocities.

7. Upon completion of the PROJECT, the COUNTY shall determine whether the PROJECT was constructed in accordance with the design and regulatory approval requirements and provide its determination to the TOWN in writing and if approved, such approval shall constitute acceptance by the COUNTY of the PROJECT. If the COUNTY identifies any deficiencies with the construction, the COUNTY shall notify the TOWN and the TOWN shall require the Contractor to remedy the deficiency.

8. Upon acceptance by the COUNTY, the TOWN will transfer ownership of the PROJECT facilities to the COUNTY by Bill of Sale acceptable to the COUNTY; and shall transfer all Contractor and Vendor warranties related to the PROJECT and grant to the COUNTY a perpetual permit to use the road rights of way within the PROJECT area for construction, operation, maintenance, replacement, and expansion of the PROJECT. Upon transfer of ownership of the PROJECT to the COUNTY, the COUNTY shall be solely responsible for operation, maintenance, replacement, and repair of the PROJECT and that the TOWN shall have no responsibility for maintenance, replacement, and repair of the PROJECT.

9. Pursuant to acceptance of the PROJECT by the COUNTY, the COUNTY will allow 169 connections from parcels identified in Exhibit "C" as "PHASE 1 - CUSTOMERS", that has been made part of this Agreement.

10. Disputes under this Agreement may be resolved by the COUNTY's Authorized Representatives and the TOWN's Authorized Representatives. If such Authorized Representatives

are unable to reach a resolution and the parties agree that the issue is of sufficient merit, the parties may select a mediator certified by the Supreme Court of Florida and practicing in Indian River, St. Lucie, Martin or Palm Beach County and is mutually acceptable to both parties to conduct a mediation of the issues involved and make a recommendation to both parties. The parties agree to be responsible for their respective costs and fees incurred during the mediation and that the mediator's fees and costs shall be paid in equal amounts by each party.

11. The COUNTY and the TOWN agree to hold project meetings on a weekly basis with the Contractor. Each party agrees to be responsible for their respective costs to attend required meetings.

12. This Agreement may be amended only by written agreement of the parties. A party requesting amendment of the Agreement must propose such amendment in writing to the other party at least ninety-days (90) prior to the proposed effective date of the amendment.

13. This Agreement shall become effective upon execution by both parties and filing with the Clerk of the Circuit Court for Martin County.

14. This Agreement incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior contemporaneous representatives or agreements, whether oral or written.

15. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent be held invalid or unenforceable for the remainder of this Agreement, then the application of such term or provision to person or circumstances other than those as to which it is held invalid or unenforceable shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

16. Any notice, request, demand, consent approval or other communication required or permitted by this Agreement shall be given or made in writing and shall be served (as elected by the party giving such notice) by one of the following methods: (i) hand delivery to the other party; (ii) delivery by commercial overnight courier service; or (iii) mailed by registered or certified mail (postage prepaid), return receipt requested. For purposes of notice the addresses are:

COUNTY

County Administrator
Martin County Board of County Commissioners
2401 Monterey Road
Stuart, FL 34996

Required Copy to:

County Attorney
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996

TOWN:

Robert Daniels, Town Manager
Town of Sewall's Point
1 South Sewall's Point Road
Sewall's Point, FL 34996

Required Copy to:

Town Counsel
Glen J. Torcivia, Esquire
Torcivia, Donlon, Goddeau & Ansay, P.A.
Northpoint Corporate Center
701 Northpoint Parkway, Suite 209
West Palm Beach, FL 33407

Notice given in accordance with the provision of this Paragraph shall be deemed to be delivered and effective on the date of hand delivery or on the second day after the date of the deposit with an overnight courier or on the date upon which the return receipt is signed or delivery is refused or the notice is designated by the postal authorities as not delivered if mailed.

17. The Project Manager for the TOWN is Joseph W. Capra, P.E., CAPTEC Engineering, Inc., 301 NW Flagler Ave #201, Stuart, FL 34994, telephone number (772) 692-4344. The Project Manager for the COUNTY is Leo Repetti, P.E., Public Works Department, 2401 SE Monterey Road, Stuart, FL 34996, telephone number (772) 320-3065.

18. Unless otherwise terminated as provided herein, this Agreement shall terminate on the date the PROJECT facilities are transferred by the TOWN to the COUNTY as provided in this Agreement, provided any pending disputes between the parties related to this Agreement shall survive termination until fully resolved.

19. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida and shall be binding upon and benefit the successors of the parties hereto.

20. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

21. This Agreement may not be assigned, in whole or in part, by any party at any time.

22. The failure of either party to insist upon the other party's compliance with its obligations under this Agreement in any one or more instances shall not operate to release such other party from its duties to comply with such obligations in all other instances.

23. Neither the COUNTY nor the TOWN, nor any agent, officer, official or employee of the COUNTY or the TOWN shall be liable for any action taken pursuant to this Agreement in good faith or for any omission, except gross negligence, or for any act or omission or commission by the other party hereto and its agents, officers, officials or employees. Nothing contained in this provision or elsewhere in the Interlocal shall be construed or interpreted as consent by the COUNTY or the TOWN to be sued, nor as a waiver of sovereign immunity beyond the waiver provided in Section 768.28, Florida Statutes, as amended from time to time. This Interlocal shall create no rights or claims whatsoever in any person other than a party herein. The terms of this Paragraph 23 shall survive termination or expiration of this Agreement.

END PAGE

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day, month and year aforesaid.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

HAROLD JENKINS, II
CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

SARAH W. WOODS
COUNTY ATTORNEY

ATTEST:

TOWN OF SEWALL'S POINT, FLORIDA

APRIL STONCIUS
TOWN CLERK

JOHN TOMPECK
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

GLEN J. TORCIVIA
TOWN ATTORNEY

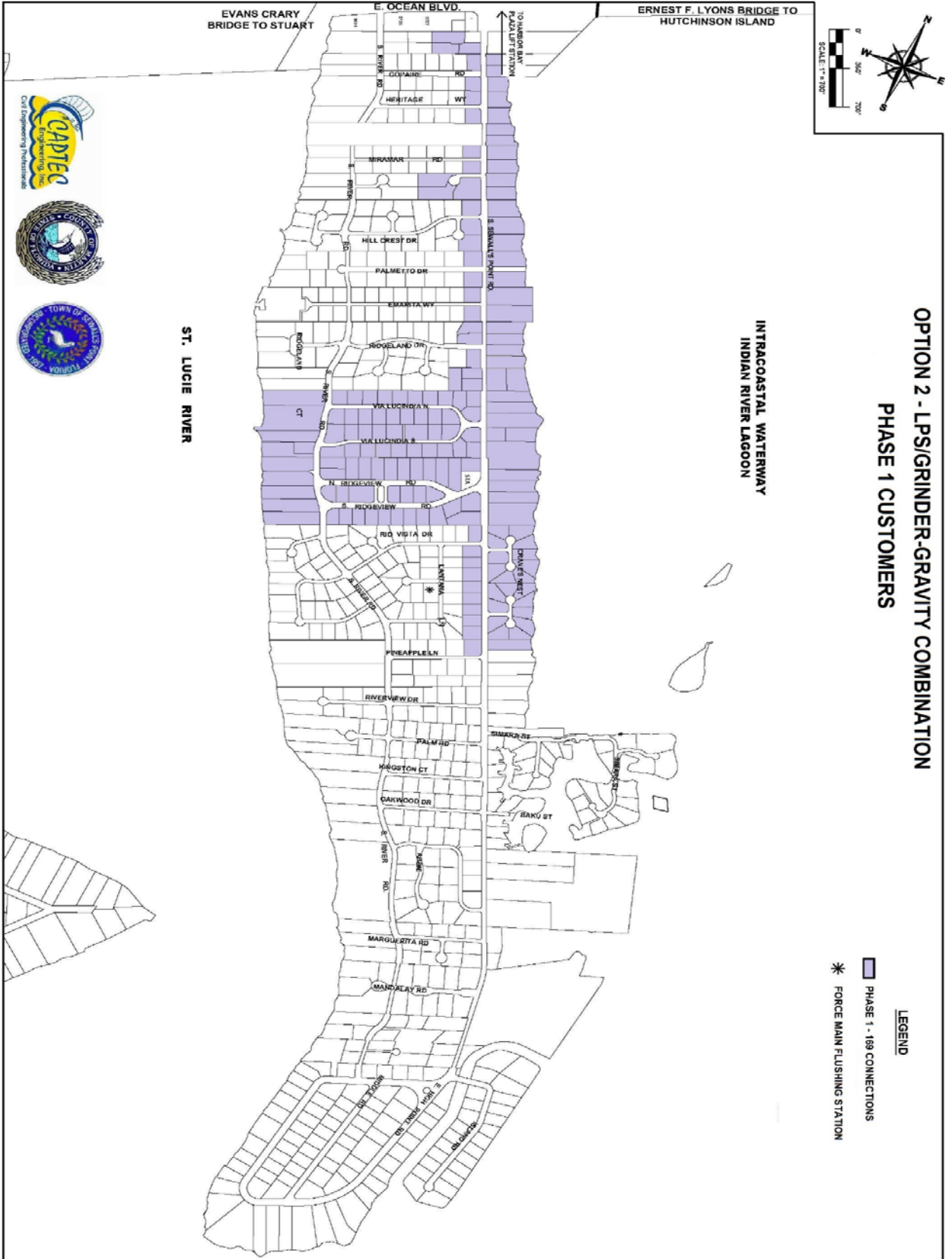
EXHIBIT A

APPROVED CONSTRUCTION PLANS

EXHIBIT B

APPROVED MAP LAYOUT

EXHIBIT C



PCN	Owner	Street Address			
01-38-41-001-002-00010-5	BAUM JONATHAN R BAUM JEANINE	20	S	SEWALLS POINT	RD
01-38-41-001-002-00020-3	PALOMBI NICOLA PALOMBI KATHY L	22	S	SEWALLS POINT	RD
01-38-41-001-004-00010-1	NEMIROFF JULIA NEMIROFF LAWRENCE	32	S	SEWALLS POINT	RD
01-38-41-001-004-00020-0	DANA L GRIMMER LIVING TRUST	30	S	SEWALLS POINT	RD
01-38-41-001-009-00000-2	GOULD DONALD & DAWN	48	S	SEWALLS POINT	RD
01-38-41-001-010-00010-8	FRISOLI SCOTT	50	S	SEWALLS POINT	RD
01-38-41-001-010-00030-4	DUMAS WAYNE DUMAS KAREN	52	S	SEWALLS POINT	RD
01-38-41-001-010-00040-2	AVENTO JOHN AVENTO PATRICIA	51	S	SEWALLS POINT	RD
01-38-41-001-010-00041-1	VILA JUAN ERASMO GARCIA GRISSELL	49	S	SEWALLS POINT	RD
01-38-41-001-011-00010-6	JENNIFER ANNE COLLOPY REVOCABLE TRUST TTEE	1		RIDGELAND	CT
01-38-41-001-012-00020-2	KOTZE FRANCES K	60	S	SEWALLS POINT	RD
01-38-41-001-012-00021-1	KNOBEL JAMES D KNOBEL FRANCES K	58	S	SEWALLS POINT	RD
01-38-41-001-012-00030-0	MCMAHON LORA	55	S	SEWALLS POINT	RD
01-38-41-001-012-00040-8	TWOMEY MICHAEL F WHITNEY GAIL E	59	S	SEWALLS POINT	RD
01-38-41-001-012-00050-5	MCMAHON JAMES F MCMAHON MARIDEL	57	S	SEWALLS POINT	RD
01-38-41-001-013-00010-2	WASHBURN MARGARET	62	S	SEWALLS POINT	RD
01-38-41-001-013-00020-0	MORRIS JOHN G & SUSAN	64	S	SEWALLS POINT	RD
01-38-41-001-014-00010-0	LONGMAID FAMILY TRUST	66	S	SEWALLS POINT	RD
01-38-41-001-014-00020-8	DESTEPHAN JOSEPH V	68	S	SEWALLS POINT	RD
01-38-41-001-014-00021-7	POWERS MARK J POWERS KIMBERLY L	70	S	SEWALLS POINT	RD
01-38-41-001-014-00022-6	JD REALTY PALM BEACH INC			Unknown Address	
01-38-41-001-024-00021-0	BURKARD JONATHAN / CHRIS A BURKARD TRUST	106	S	SEWALLS POINT	RD
12-38-41-003-000-00050-5	RIFENBURG MICHAEL G	2		PINEAPPLE	LN
01-38-41-004-004-00010-8	MANGS ROBIN L REUTENAUER ROBERT G	2		COPAIRE	DR
01-38-41-004-004-00110-7	KIDD MAX JOHN III	8	S	SEWALLS POINT	RD
01-38-41-004-004-00120-5	GERRING TAYLOR A VITZTHUM ANGELA M	10	S	SEWALLS POINT	PT
01-38-41-005-000-00010-5	ERB CHERYL M	45	S	SEWALLS POINT	RD
01-38-41-005-000-00260-2	HORN MICHAEL J HORN ALANNA THAIS	47	S	SEWALLS POINT	RD
01-38-41-006-001-00020-0	BABBITT LARRY S BABBITT KATHERINE A	76	S	SEWALLS POINT	RD
01-38-41-006-001-00030-8	TOWN OF SEWALLS POINT	78	S	SEWALLS POINT	RD
01-38-41-006-001-00040-6	FINK MARK P FINK SHARON SCHATTIE	80	S	SEWALLS POINT	RD
01-38-41-006-001-00050-3	NICOLE R ARMSTRONG NICOLE R TTEE	82	S	SEWALLS POINT	RD
01-38-41-006-002-00010-0	ANAIS MARLENE	73	S	SEWALLS POINT	RD
01-38-41-006-002-00030-6	ROUSSEAU JEFFREY M ROUSSEAU MICHELLE K	4	N	RIDGEVIEW	RD
01-38-41-006-002-00040-4	OKEECHOBEE LAND COMPANY	6	N	RIDGEVIEW	RD
01-38-41-006-002-00050-1	DONALD MASON WEINER REVOCABLE LIVING TRUST	8	N	RIDGEVIEW	RD
01-38-41-006-002-00060-9	GILLEN BRYAN J GILLEN APINYA	10	N	RIDGEVIEW	RD
01-38-41-006-002-00070-7	STEUART CHRISTOPHER KENDRICK STEUART ANNE INSLEY	12	N	RIDGEVIEW	RD
01-38-41-006-002-00080-5	KREINBIHL FAMILY TRUST	16	N	RIDGEVIEW	RD
01-38-41-006-002-00090-3	PERRY CHRISTOPHER PERRY JULIA KELLY	18	N	RIDGEVIEW	RD
01-38-41-006-004-00010-6	ROSENBAUM ANNA V	7	N	RIDGEVIEW	RD
01-38-41-006-005-00010-3	NEEDHAM PAUL A NEEDHAM SHANNON OSTEEN	1	S	RIDGEVIEW	RD

01-38-41-006-005-00020-1	CHONTOS CAROLE J CHONTOS GARY	83	S	SEWALLS POINT	RD
01-38-41-006-005-00030-9	BULTMAN JASON BALFOORT MICHELLE	3	S	RIDGEVIEW	RD
01-38-41-007-000-00010-3	GACCIONE MARC GACCIONE DANA	61	S	SEWALLS POINT	RD
01-38-41-007-000-00020-1	4 VIA LUCINDA N REALTY TRUST MONROE JUDITH M TTEE	4	N	VIA LUCINDIA	
01-38-41-007-000-00030-9	PRICE HAROLD W PRICE F D	6	N	VIA LUCINDIA	
01-38-41-007-000-00040-7	WHITEHURST STUART P WISHART SARA C	8	N	VIA LUCINDIA	
01-38-41-007-000-00050-4	LUBINA RAYMOND LUBINA MARIE A	10	N	VIA LUCINDIA	
01-38-41-007-000-00060-2	RICHARD A HOCKER REVOCABLE TRUST	12	N	VIA LUCINDIA	
01-38-41-007-000-00070-0	RELICKE RICHARD P & SHARON L	14	N	VIA LUCINDIA	
01-38-41-007-000-00080-8	EBERST LAWRENCE JR VASKO-EBERST ALLYSA	16	N	VIA LUCINDIA	
01-38-41-007-000-00090-6	DECLARATION OF TRUST OF NINA WAGNER BARCIK TTEE			Unknown Address	
01-38-41-007-000-00100-4	DECLARATION OF TRUST OF NINA WAGNER BARCIK TTEE	24	N	VIA LUCINDIA	
01-38-41-007-000-00110-2	SASSEVILLE MAURICE R	2	N	VIA LUCINDIA	
01-38-41-007-000-00120-0	CAVAL CHERYL	3	N	VIA LUCINDIA	
01-38-41-007-000-00130-8	DARETH W NEWLEY REVOCABLE TRUST OF 1992	7	N	VIA LUCINDIA	
01-38-41-007-000-00140-6	ZWEBEN ENTERPRISES INC	9	N	VIA LUCINDIA	
01-38-41-007-000-00150-3	ZORN EDWARD A & ANN R	11	N	VIA LUCINDIA	
01-38-41-007-000-00160-1	CECCARELLI MICHAEL CECCARELLI EILEEN	15	N	VIA LUCINDIA	
01-38-41-007-000-00170-9	ARNEBORG CAROL D	17	N	VIA LUCINDIA	
01-38-41-007-000-00180-7	ST GERMAIN LLC	19	N	VIA LUCINDIA	
01-38-41-007-000-00190-5	SERAFINI JUDITH C	21	N	VIA LUCINDIA	
01-38-41-007-000-00200-3	GANDHI SUNIL BARRETT VALERIE A	68	S	RIVER	RD
01-38-41-007-000-00210-1	HOCHSTETTER ANDREW J HOCHSTETTER HEATHER L	72	S	RIVER	RD
01-38-41-007-000-00220-9	SANGHRAJKA MAHENDRA L SANGHRAJKA USHA	20	S	VIA LUCINDIA	
01-38-41-007-000-00230-7	VALLECILLO ALEJANDRO VALLECILLO CONCHITA	18	S	VIA LUCINDIA	
01-38-41-007-000-00240-5	STRUNK KATHLEEN RIOPELLE STRUNK ZACHARY TYLER	16	S	VIA LUCINDIA	
01-38-41-007-000-00250-2	MALONE DANIEL FRANNEY JR COX GEORGIA	14	S	VIA LUCINDIA	
01-38-41-007-000-00270-8	LINDA BEELITZ LIVING TRUST	10	S	VIA LUCINDIA	
01-38-41-007-000-00280-6	PHILIP J BRAUNE & VERONICA PICCOLO TRUST	8	S	VIA LUCINDIA	
01-38-41-007-000-00290-4	MOODY KEVIN O MOODY MISTY THOMAS	4	S	VIA LUCINDIA	
01-38-41-007-000-00300-2	MCCANN NORMAN JEFFREY MCCANN MARILYN YVONNE	1	S	VIA LUCINDIA	
01-38-41-007-000-00310-0	LIPSON GEORGE B LIPSON KAREN E	71	S	SEWALLS POINT	RD
01-38-41-007-000-00320-0	IANDOLI PAUL F IANDOLI CYNTHIA S	3	S	VIA LUCINDIA	
01-38-41-007-000-00330-6	ROBERT N FETTERS REVOCABLE LIVING TRUST	5	S	VIA LUCINDIA	
01-38-41-007-000-00340-4	CAROL G VAN DEUSEN REVOCABLE TRUST VAN DEUSEN	7	S	VIA LUCINDIA	
01-38-41-007-000-00350-1	APP SCOTT R	9	S	VIA LUCINDIA	
01-38-41-007-000-00360-9	CAVALCANTI GLYNDA W	11	S	VIA LUCINDIA	
01-38-41-007-000-00380-5	ENGLE MAUREEN ENGLE PHILIP	17	S	VIA LUCINDIA	
01-38-41-007-000-00390-3	TAYLOR DUTCHER T TAYLOR CHRISTINE D	19	S	VIA LUCINDIA	
01-38-41-007-000-00400-1	CARY MERILIZ A	21	N	VIA LUCINDIA	
01-38-41-008-000-00021-9	LURIEA BRUCE R & MICHELE	3	S	SEWALLS POINT	RD
01-38-41-008-000-00030-8	GARNER PAUL GARNER MARY	5		MELODY	HILL
01-38-41-008-000-00031-7	VIVOLO DONNA DIAZ ANTHONY P			Unknown Address	

01-38-41-009-000-00080-6	OSORIO ROBERTO MATHEUS ESTHER	23	S	SEWALLS POINT	RD
01-38-41-009-000-00090-4	CARLSON LARRY CARLSON KARLA	24	S	SEWALLS POINT	RD
01-38-41-009-000-00100-2	GALINIS THOMAS A & SHANNON P	26	S	SEWALLS POINT	RD
01-38-41-009-000-00110-0	BASHOOR YARA	25	S	SEWALLS POINT	RD
01-38-41-010-000-00170-4	GARCIA-HURRY SUZETTE C	2		PALMETTO	DR
01-38-41-010-000-00180-2	CALLAWAY BENJAMIN TUCK	1		PALMETTO	DR
01-38-41-010-000-00190-0	DOYLE DONALD D DOYLE DIANA P	42	S	SEWALLS POINT	RD
01-38-41-010-000-00230-2	NEHME JOHN D & STEPHANIE A	46	S	SEWALLS POINT	RD
01-38-41-011-000-00010-7	AKRAWI ANIS Y GESSER CAROL L	53	S	SEWALLS POINT	RD
01-38-41-013-000-00010-5	MARSH RANDALL & TAMARA C	16	S	SEWALLS POINT	RD
01-38-41-013-000-00020-3	LEONARD MONA M	1		HERITAGE	WAY
01-38-41-013-000-00160-3	CABRERA CARLOS E CABRERA ASHLEY	2		HERITAGE	WAY
01-38-41-013-000-00170-1	MARGARET M PETTIT TRUST PETTIT MARGARET M TTEE	14	S	SEWALLS POINT	RD
01-38-41-013-000-00180-9	ETHERIDGE BRUCE C ETHERIDGE ERIN O	12	S	SEWALLS POINT	RD
01-38-41-013-000-00190-7	SUSAN V ALLYN TRUST	1		COPAIRE	RD
01-38-41-014-000-00010-4	DETURE CHRISTOPHER NICHOLAS DETURE CONNIE	34	S	SEWALLS POINT	RD
01-38-41-014-000-00020-2	36 S SEWALLS POINT ROAD LLC			Unknown Address	
01-38-41-014-000-00030-0	DEMPSEY W GLENN & EILLEN	38	S	SEWALLS POINT	RD
01-38-41-014-000-00040-8	DOWLING PATRICK K DOWLING MARIA J	103		HILLCREST	CT
01-38-41-014-000-00050-5	COMBS JUAN M CASTRO DE CASTRO ALEJANDRA B	105		HILLCREST	CT
01-38-41-014-000-00290-5	NEWMAN RALPH W NEWMAN PENELOPE E	100	SE	HILLCREST	DR
01-38-41-016-000-00020-0	CARLSON WILLIAM E BRENNAN CARROLL A	3		TUSCAN	LN
01-38-41-016-000-00030-0	MCGOVERN, STEPHEN P & JULIANNE L	2		TUSCAN	LN
12-38-41-002-000-00010-5	BOWEN CHRISTOPHER P BOWEN KELLY M	2		CRANES NEST	
12-38-41-002-000-00020-3	BARTON BILLER TRUST BILLER BARTON BRODERICK TTEE	86	S	SEWALLS POINT	RD
12-38-41-002-000-00030-1	WALKER ANDREW T WALKER SYDNEY B	6		CRANES NEST	
12-38-41-002-000-00040-9	JOHANSEN LISA R	8		CRANES NEST	
12-38-41-002-000-00050-6	HORKINS TODD M	10		CRANES NEST	
12-38-41-002-000-00060-4	TIDIKIS FRANK TIDIKIS JUDITH M	12		CRANES NEST	
12-38-41-002-000-00070-2	MERRILL CHRISTOPHER MERRILL ANGELA E	14		CRANES NEST	
12-38-41-002-000-00080-0	MURPHY LAURIE E L/E	10		HERONS NEST	
12-38-41-002-000-00090-8	SHANAHAN JAMES P SHANAHAN STACI K	8		HERONS NEST	
12-38-41-002-000-00100-6	CASTORO NICHOLAS A CASTORO KELLY J	12		HERONS NEST	
12-38-41-002-000-00110-4	MAHER JOSEPH J L/E MAHER CATHERINE G L/E	14		HERONS NEST	
12-38-41-002-000-00120-2	STOYSHICH JILL	16		HERONS NEST	
12-38-41-002-000-00130-0	STOEPPELMAN WILLIAM R STOEPPELMAN BONNIE JEAN	18		HERONS NEST	
12-38-41-002-000-00140-8	LARSON LEROY LEON JR LARSON DALE ANN	20		HERONS NEST	
12-38-41-002-000-00150-5	BURGESS JUDITH A	98	S	SEWALLS POINT	RD
12-38-41-002-000-00160-3	WAACK KELSY DELUCIA JANICE LYNN	96	S	SEWALLS POINT	RD
12-38-41-002-000-00170-1	MURPHY LAURIE E L/E	6		HERONS NEST	
12-38-41-002-000-00180-9	MERRILL CHRISTOPHER A JR MERRILL ANGELA E	16		CRANES NEST	
12-38-41-002-000-00190-7	BRIMHALL AYSIL (INDIAN MOUND)			Unknown Address	
12-38-41-002-000-00200-5	PARUTA MINDI	20		CRANES NEST	

12-38-41-002-000-00210-3	LEACH ANNE LEACH RONALD	103	S	SEWALLS POINT	RD
12-38-41-002-000-00220-1	BAKER TERESA BURGESS FRANK R	101	S	SEWALLS POINT	RD
12-38-41-002-000-00230-9	TROVATO MARY A	99	S	SEWALLS POINT	RD
12-38-41-002-000-00240-7	PACHAIDEE SUKANYA	97	S	SEWALLS POINT	RD
12-38-41-002-000-00250-4	RICHARD BIRKENWALD TRUST	95	S	SEWALLS POINT	RD
12-38-41-002-000-00260-2	SINATRA ANTHONY L SINATRA DONNA G	93	S	SEWALLS POINT	RD
12-38-41-002-000-00270-0	OLNEY PETER	91	S	SEWALLS POINT	RD
12-38-41-002-000-00280-8	FUNK BRIAN D FUNK LORI A	3		RIO VISTA	DR
12-38-41-002-000-00620-7	SPENCER ANDREW R	85	S	SEWALLS POINT	RD
01-38-41-007-000-00440-3	HARVEY JOAN	65	S	RIVER	RD
01-38-41-007-000-00430-5	RUBIO THOMAS RUBIO CAROLINA	71	S	RIVER	RD
01-38-41-007-000-00431-4	MARK G SHUB TRUST SHUB MARK G TTEE	73	S	RIVER	RD
01-38-41-007-000-00410-9	BLATSTEIN RUSSELL M	75	S	RIVER	RD
01-38-41-007-000-00420-7	SCHOPPE JOHN J L/E	77	S	RIVER	RD
01-38-41-006-002-00100-1	WATTLES GURDON S	20	N	RIDGEVIEW	RD
01-38-41-006-002-00110-9	ALBRECHT ROBERT	22	N	RIDGEVIEW	RD
01-38-41-006-002-00121-6	SANDS DOUGLAS K	82	S	RIVER	RD
01-38-41-006-002-00120-7	CONDON ROBERT J	80	S	RIVER	RD
01-38-41-006-006-00010-1	RIOPELLE DARREN M	79	S	RIVER	RD
01-38-41-006-006-00020-9	EILEEN CUSUMANO REVOCABLE TRUST	81	S	RIVER	RD
01-38-41-006-006-00030-7	SUBIN NEIL S	83	S	RIVER	RD
01-38-41-006-006-00040-5	FIELD LISA MOTTRAM	85	S	RIVER	RD
01-38-41-006-006-00050-2	LIBRATORE MARK A	87	S	RIVER	RD
01-38-41-006-004-00020-4	WHITEDGE WILLIAM R JR	8	N	RIDGEVIEW	RD
01-38-41-006-004-00030-2	SCULLY PARTICK H	11	N	RIDGEVIEW	RD
01-38-41-006-004-00040-0	CUTSAIMANIS MARCELA CAMBLOR	12	S	RIDGEVIEW	RD
01-38-41-006-003-00010-8	WEXLER CAROLYN A	19	N	RIDGEVIEW	RD
01-38-41-006-003-00040-2	BARATTA BRIDGET D	25	N	RIDGEVIEW	RD
01-38-41-006-005-00040-7	ALDRICH KELLY L	5	S	RIDGEVIEW	RD
01-38-41-006-005-00050-4	WHITING NICHOLAS	7	S	RIDGEVIEW	RD
01-38-41-006-005-00060-2	MISCOSKI JAMES L	9	S	RIDGEVIEW	RD
01-38-41-006-005-00070-0	KRAMER ROBERT S	11	S	RIDGEVIEW	RD
01-38-41-006-005-00080-8	NICKI BELVILLE VONNO TRUST	15	S	RIDGEVIEW	RD
01-38-41-006-005-00090-6	MONKEY OASIS LLC	17	S	RIDGEVIEW	RD
01-38-41-006-005-00100-4	SANTERAMO PARTICK A	19	S	RIDGEVIEW	RD
01-38-41-006-005-00110-2	DOKOUPIL ROBBY J	21	S	RIDGEVIEW	RD
01-38-41-006-005-00120-0	NANGLE MARY	23	S	RIDGEVIEW	RD
01-38-41-001-011-00020-4		54	S	SEWALLS POINT	RD
01-38-41-007-000-00370-7		13	S	VIA LUCINDIA	LN
01-38-41-016-000-00010-0		1		TUSCAN	LN
01-38-41-006-003-00030-4		23	N	RIDGEVIEW	RD

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT



ROBERT DANIELS, ICMA-CM
Town Manager

APRIL C. STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official

MARIA PIERCE
Finance Director

TO: Mayor and Commissioners
FROM: Robert Daniels, Town Manager
SUBJECT: Permission to Apply for Grant Funding
DATE: Regular Meeting – August 15, 2023 – Consent Agenda

EXECUTIVE SUMMARY:

In August of 2020, the Town of Sewall's Point applied for funding from FEMA through the Florida Department of Emergency Management \$1.7 Million. This funding was for the resiliency plan to include raising the height of South Sewall's Point Road to combat sea level rise and the installation of a new stormwater drainage system with the refurbishment of two outfall lines. A new outfall line for stormwater was also designed as part of the project. Additional funding was also received from the Florida Department of Emergency Management, \$3.4 Million. The design also included replacing a main water line for Martin County Utilities for \$500,000, paid for by Martin County.

The bid process started for construction of phase 3 on February 13, 2023, and closed on April 7, 2023, with water and sewer line options. The only bid received was from J. W. Cheatham for \$13 Million, including both the water and sewer line options. Phase 3, without the water and sewer lines, was estimated to cost \$5.1 Million, but the bid for construction was \$9.95 Million.

We have contacted both granting agencies to obtain further grant money, but both have a long process if we qualify. HMGP's funding comes from storm events, and we do not know if other funds are available at this time. FDEP is amount specific with their funding, so we must apply when the grants open for additional funding; thus, the Commission's approval is needed for the application for additional grant money for Phase 3 (\$5 Million dollars) and Phase 2 (\$5.3 Million dollars), for Florida DEP resiliency grants. Additionally, a grant request with FDEP, under the Indian River Lagoon Grant Program, is being instituted for South River Road drainage and roadway repaving for \$2.5 million dollars. All three grant applications are due on August 31, 2023

RECOMMENDATION:

- 1) Town staff recommends that the Town Commission give approval to apply for these three grants.



Town Hall
(772) 287-2455

One South Sewall's Point Road
townhall@sewallspoint.org

Sewall's Point, FL 34996
www.sewallspoint.org



2023 Florida Department of Environmental Protection
Implementation Grants
South Sewall's Point Road Reconstruction Phase 2

Eligibility Questions

a. Applicant Name

Town of Sewall's Point

b. Entity Type

Select which best applies:

- **Local Florida government or municipality**
- Regional resilience entity
- Water management or flood control district

c. Applicant County (checklist of county choices) **Martin**

- Applicant's Physical Address

1 South Sewall's Point Rd.

- Applicant's Physical City

Sewall's Point

- Applicant's Physical Zip Code

34996

- Applicant's Grant Manager's Name

Robert Daniels

- Applicant's Grant Manager's Title

Town Manager

- Applicant's Grant Manager's Physical Address

1 South Sewall's Point Rd.

- Applicant's Grant Manager's City

Sewall's Point

- Applicant's Grant Manager's Zip Code

34996

- Applicant's Grant Manager's Phone Number

772-287-2455

- Applicant's Grant Manager's Email Address

rdaniels@sewallpoint.

II. Project Information

a. Project Type

Choose the project type you are submitting:

Statewide Flooding and Sea Level Rise Resilience Plan Project Type

- Project identified through a local vulnerability assessment that addresses risks of flooding and sea level rise to coastal and inland communities in the state
- Project that mitigates the risks of flooding and sea level rise on water supplies or water resources of the state

b. Project Title

South Sewall's Point Road Phase 2

c. Municipality(ies) included in the project **Town of Sewall's Point**

d. Project Location (lat/long) **27.185608/ -80.189232**

e. Map (Upload) **Attachment confirmed**

f. State Lands being utilized? **No**

g. State Lands Lease Agreement No. **N/A**

Project Location (narrative)

DRAFT

South Sewall's Point Road (approximately from Henry Sewall Way to Pineapple Lane, tying into side streets as required). This road is the main road on the peninsula located in the Town of Sewall's Point, Martin County and surrounded by the Indian River Lagoon to the east and the St. Lucie River to the west.

2A. General Information

Background:

1. Explain the demonstrated need(s) and how the project will address those needs.

The Town was identified in the 2020 Martin County Local Mitigation Strategy (LMS) Plan and Martin County's 2021 Sea Level Rise Report Impact & Analysis that provide an overview of the vulnerability assessments completed by the county to have the highest vulnerability to flooding with multiple identified hazards including risk to the stormwater infrastructure. The project is located where the St. Lucie Estuary meets the impaired waterbody, the Indian River Lagoon, which has been identified by the state as a prioritized impaired waterbody. This area is in the most vulnerable area in County for flooding. This project targets the most immediate resiliency needs to mitigate flooding, evacuation hazards, and nutrient pollution into the Indian River Lagoon. The Town will elevate the primary evacuation road, a primary critical asset, to directly address flood control and sea-level rise to residents on the peninsula. This project also strategically reduces nutrient load by water quality treatment of a reinforced stormwater system to meet current standards. This nutrient load would otherwise go directly into the Indian River Lagoon.

This proposed project adapts critical assets to the effects of flooding and sea level rise. The project updates critical assets to alleviate and mitigate flooding and sea level rise including King Tide events. The primary critical asset addressed by this project are transportation assets

and evacuation routes, elevating the main transportation asset and only evacuation route for the peninsula’s southern residents. This project will also include critical infrastructure, stormwater treatment with its included stormwater treatment aspects. The road also is the main connector road to the law enforcement facilities, local government facilities such as the Town Hall, and emergency and public safety facilities for the Town.

2B. Project Scoring Criteria

Tier 1 Critical Information

Does the project reduce risk of flooding or sea level rise identified in a comprehensive vulnerability assessment or the comprehensive statewide flood vulnerability and sea level rise assessment?

Yes

If yes, please explain.

The roadway will be raised to elevation 3.00 NAVD and add control structures to minimize tidal influence. The Town was identified in the 2020 Martin County Local Mitigation Strategy (LMS) Plan and Martin County’s 2021 Sea Level Rise Report Impact & Analysis that provide an overview of the vulnerability assessments completed by the county to have the highest vulnerability to flooding with multiple identified hazards including risk to the stormwater infrastructure. This area is in the most vulnerable area in County for flooding. This project targets the most immediate resiliency needs to mitigate flooding, evacuation hazards, and nutrient pollution into the Indian River Lagoon. The Town will elevate the primary evacuation road, a primary critical asset, to directly address flood control and sea-level rise to residents on the peninsula. This project also strategically reduces nutrient load by water quality treatment of a reinforced stormwater system to meet current standards. This nutrient load would otherwise go directly into the Indian River Lagoon.

Does the project reduce risk of compound flooding identified in a vulnerability assessment or the comprehensive statewide flood vulnerability and sea level rise assessment?

Yes

If yes, please explain.

The roadway will be raised to elevation 3.00 NAVD and add control structures to minimize tidal influence. The compound flooding risk can emerge from several sources including heavy rain, hurricanes, or king tide. Currently, a normal rain event or a King tide places this road at high risk with regular flooding events. A hurricane would leave the Town in even higher jeopardy to the regular flooding.

Does the project reduce risk to or adapt a regionally significant asset? This can include relocation.

Yes

If yes, please explain.

The Town will elevate the primary evacuation road, a primary critical asset, to directly address flood control and sea-level rise to residents on the peninsula. This project also strategically reduces nutrient load by water quality treatment of a reinforced stormwater system to meet current standards. This nutrient load would otherwise go directly into the Indian River Lagoon.

What percent of critical assets in the project impact area are considered to be vulnerable?

Over 80%

Please describe the method used to determine the percent selected as well as provide a list of critical assets in the project impact area.

The primary critical asset of this project is the primary evacuation road, South Sewall's Point Road which will be elevated. The road also is the main connector road to the other critical assets such as the law enforcement facilities, local government facilities such as the Town Hall, and emergency and public safety facilities for the Town. This road is entirely vulnerable to compound flooding.

Does the project contribute to existing flood mitigation projects that reduce upland flood damage cost by incorporating new or enhanced structure or natural system restoration and revegetation?

If yes, please explain.

This project will capture storm water before it enters the Indian River Lagoon through a treatment train system of underground storage that includes baffle boxes, exfiltration pipe systems and retention/detention/stormwater treatment areas. Stormwater outfalls will be enhanced with baffle boxes and water control structures, minimizing sea-level flows from the Indian River Lagoon into properties and roadways that often flood during storm events. The stormwater infrastructure will also be updated to alleviate flooding during a storm or King Tide event and mitigate nutrient pollution before it can enter the Indian River Lagoon. Control structures and stormwater pumps with generator backups will be fitted into the outfalls.

Tier 2 Critical Information

What is the current frequency of flooding or erosion in the project impact area?

Has been flooded at least three times in the last five years or is experiencing erosion, please explain and provide documentation.

If area has been flooded 3 times in 5 years or is experiencing ongoing erosion, please explain and provide documentation.

South Sewall's Point Road floods during a King Tide, a heavy rain event, or storm. This flooding occurs several times every year for the Town.

What is the current severity of flooding or erosion in the project impact area?

Flooded greater than 1 foot in the current and each of the previous calendar years, has been flooded for 7 consecutive days, or erosion is critical for the critical asset class, please explain and provide documentation.

If the project impact area has been flooded greater than 1 foot in the current and each of the previous three calendar years, has been flooded for 7 consecutive days, or erosion is critical for the critical asset class, please explain and provide documentation.

Status of project design

The project concept design has been completed with cost estimates. The outfalls have been designed for Sea-Level Rise/Resiliency.

Permitting and easement acquisition status

The permits applicable are being pursued and easements for all outfalls are currently in place.

If applicable, please provide a list of necessary permits/easements and application statuses.

The project permitting is pending. The majority of the easements are in place. The permits necessary will be SFWMD ERP and Dewatering. The outfalls are currently in place, however ACOE Nationwide or FDEP 404 permits may be needed.

Are local funding sources committed as cost share or is the project in a financially disadvantaged small community as defined in 380.093(5)(e), F.S.?

Yes

If yes, please explain and provide documentation.

The Town has a local match as well as a match in Hazard Mitigation Grant dollars.

Does the project include environmental habitat enhancement or nature-based solutions?

Yes



If yes, please explain.

Yes, improvements will include additional stormwater storage using a stormwater system consisting of exfiltration trenches, inlet structures, stormwater retention/stormwater treatment areas (STA), baffle boxes and conveyance pipes that lead to three different outfalls. An STA will be constructed to provide vegetation for nutrients load reduction (TP by 78%, TN by 75% and TSS by 83%) but also additional storage.

Does the project impact area include area that is identified as state or federal critical habitat for threatened and endangered species?

Yes

If yes, please explain. **The project is located on a peninsula that is surrounded by the Indian River Lagoon and the St. Lucie River. The IRL is one of the most diverse ecosystems and seagrass beds, oyster reefs and spoil islands provide critical habitat for numerous species. Components of this project treat stormwater that enters the River and IRL and while the critical assets of this project are being reinforced for resiliency, nutrient load is also being reduced.**

Is the project cost-effective?

Yes

If yes, please explain.

According to the Martin County Vulnerability Assessment, the Town is the most at risk currently and in future projections for flooding and sea level rise. The Town identified four segments of South Sewall's Point Road and categorized them into project phases. The Town ranked each phase according to the flooding severity and has been completing this

reconstruction project addressing the most severe segments of the critical asset road first. This project proposal is for the third phase and utilizes cost effective mechanisms to raise the road and implement stormwater treatment.

Tier 3 Critical Information

Is 50% local, state, or federal cost share secured for the project?

Yes

If 50% cost share has been secured, please provide documentation with the application.

Has state funding previously been awarded for the project? If so, for what?

No

Will this project exceed Florida Building Code flood-resistant requirements and local floodplain management regulations?

Yes, the project will place the 100-year Storm Event below all home finished floor elevations and the FEMA Flood Plan criteria.

If yes, please outline the specific requirements and details relating to how the design exceeds the criteria in order to receive full points.

The roads and homes will be placed above the 100-year FEMA Flood Plan Elevation. The back-up generator will be stored and placed above the 500-year Storm Event during any Hurricane event.

Tier 4 Critical Information

Does this project include innovative technologies designed to reduce project costs and provide regional collaboration?

Yes, the system will utilize a Wapro control valve to limit Sea-Level Rise into the proposed stormwater system.

If yes, please specify which technologies will be used and explain why they are innovative as well as how they will reduce cost and provide regional collaboration.

N/A

Does the critical asset being adapted or the project impact area contain a financially disadvantaged community?

No

If yes, please explain the metric used to determine financial disadvantage (ex. Local income compared to state average).

N/A

Additional Information

Will this project benefit a spring?

No

Will this project protect water sources using alternative water supplies?

No

If yes, please explain.

N/A

Will this project construct, upgrade or expand facilities to provide waste treatment?

No

If yes, please explain.

N/A

Will this project convert septic to sewer?

No

If yes, please explain.

N/A

Does this project include green stormwater infrastructure?

Yes

If yes, please explain.

An STA will be constructed to provide vegetation for nutrients load reduction but also additional storage.

Has this project been submitted to other programs for funding?

Yes



What is the population of your community?

2,147

Please review the RPG Project Types and Annual Priorities. If including any letters of support or other materials, they should specifically address the Work Plan.

N/A

Describe the availability of local, state, and federal matching funds, the status of such awards, and any federal authorization as applicable. (limited to 300 words) / BUDGET

TOWN OF SEWALL'S POINT - PROJECT UPDATE CAPITAL IMPROVEMENT PROJECT REQUEST FORM



PROJECT TYPE: NEW PROJECT PROJECT CHANGE/UPDATE

Department: Storm Water
Contact Person: Robert Daniels
Phone #/Extension: 772/287-2455 X12
Fund Number: Capital Fund - 301
Project Title: S. Sewall's Point Road - Phase 2
 Pineapple to Henry Sewall's
Amount Spent-to-date: \$ 6,790

[Picture](#)

Project Justification

Project Description & Scope:

The purpose of this project is to raise South Sewall's Point Road Phase 2 to help reduce street flooding on this street and adjacent roadways during severe storms and King High Tides. Additionally, the construction will provide a Stormwater treatment train; improving water quality through an exfiltration pipe area, developing retention areas for stormwater treatment and modifying baffle boxes which will outfall through weirs discharging treated water into the Indian River Lagoon.

Purpose:

Develop a resilient roadway while minimizing flooding for streets and home sites in the area.

Town Commission Goal:

To increase stormwater drainage to minimize the impacts of flood waters.

Return on Investment (ROI) Considerations

Payback Period (ROI):

Project will enable Town residents to move throughout the only access out of town during heavy rains and severe weather. The Town will also improve water mains by Marting County Utilities & sanitary sewer service to Town residents through a separate septic to sewer grant from DEP.

Financial Information

Funding Sources

Funding Type	FY 24	FY 25	FY 26	FY 27	FY 28	Total
FEMA HMGP - Phase 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FEMA HMGP - Phase 2.1	\$ 1,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 2,000,000
FDEP Resiliency A	\$ 2,100,000	\$ 800,000	\$ -	\$ -	\$ -	\$ 2,900,000
Legislative Appropriation (DOT)	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Martin County ILA - Water Lines	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ 1,500,000
Funding being pursued:						
FEMA HMGP 2 (Pending)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FDEP Resiliency B (Application)		\$ 3,000,000				\$ 3,000,000
FDEP IRL 2023 (Application)		\$ 3,000,000				\$ 3,000,000
Town Match	\$ 750,000.00	\$ 400,000	\$ 150,000	\$ -	\$ -	\$ 1,300,000
Totals	\$ 4,850,000	\$ 9,700,000	\$ 150,000	\$ -	\$ -	\$ 14,700,000

Capital Project Expenditures/Expenses

Activity	FY 24	FY 25	FY 26	FY 27	FY 28	Total
Design/Bidding/CEI	\$ 250,000	\$ 300,000	\$ 150,000	\$ -	\$ -	\$ 700,000
Land	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Construction	\$ 3,600,000	\$ 7,900,000	\$ -	\$ -	\$ -	\$ 11,500,000
Water Line Construction		\$ 1,500,000				\$ 1,500,000
Totals	\$ 4,850,000	\$ 9,700,000	\$ 150,000	\$ -	\$ -	\$ 14,700,000

Impact on Operational Expenditures/Expenses

Activity	FY 24	FY 25	FY 26	FY 27	FY 28	Total
	\$ -	\$ -	\$ 10,000	\$ 13,000	\$ 13,000	\$ 36,000
Totals	\$ -	\$ -	\$ 10,000	\$ 13,000	\$ 13,000	\$ 36,000

2023 Florida Department of Environmental Protection
Implementation Grants
South Sewall's Point Road Reconstruction Phase 3

Eligibility Questions

a. Applicant Name

Town of Sewall's Point

b. Entity Type

Select which best applies:

- **Local Florida government or municipality**
- Regional resilience entity
- Water management or flood control district

c. Applicant County (checklist of county choices) **Martin**

- Applicant's Physical Address

1 South Sewall's Point Rd.

- Applicant's Physical City

Sewall's Point

- Applicant's Physical Zip Code

34996

- Applicant's Grant Manager's Name

Robert Daniels

- Applicant's Grant Manager's Title

Town Manager

- Applicant's Grant Manager's Physical Address

1 South Sewall's Point Rd.

- Applicant's Grant Manager's City

Sewall's Point

- Applicant's Grant Manager's Zip Code

34996

- Applicant's Grant Manager's Phone Number

772-287-2455

- Applicant's Grant Manager's Email Address

rdaniels@sewallpoint.

II. Project Information

a. Project Type

Choose the project type you are submitting:

Statewide Flooding and Sea Level Rise Resilience Plan Project Type

- Project identified through a local vulnerability assessment that addresses risks of flooding and sea level rise to coastal and inland communities in the state
- Project that mitigates the risks of flooding and sea level rise on water supplies or water resources of the state

b. Project Title

III.

South Sewall's Point Road Phase 3

- a. Municipality(ies) included in the project **Town of Sewall's Point**
- b. Project Location (lat/long) **27.185608/ -80.189232**
- c. Map (Upload) **Attachment confirmed**
- d. State Lands being utilized? **No**
- e. State Lands Lease Agreement No. **N/A**

DRAFT

IV. Project Summary

a. Project Summary (limited to 75 words)

This project is a component of the Town's Master Stormwater Improvement Program and directly updates critical infrastructure to address severe resiliency issues. This project elevates the primary evacuation route to address flooding and sea-level rise and strategically reduces nutrient loading by water quality treatment of a reinforced stormwater system to meet current standards. The project is located where the St. Lucie Estuary meets the impaired waterbody, the Indian River Lagoon.

b. Project Scope of Work (limited to 300 words)

South Sewall's Point Road is the Town's only Collector Road and Evacuation Route, a critical transportation asset, will be elevated, allowing residents to access their homes during flooding events and leave during an emergency. This project will capture storm water before it enters the Indian River Lagoon through a treatment train system of underground storage that includes baffle boxes, exfiltration pipe systems and retention/detention/stormwater treatment areas. Stormwater outfalls will be enhanced with baffle boxes and water control structures, minimizing sea-level flows from the Indian River Lagoon into properties and roadways that often flood during storm events. The stormwater infrastructure will also be updated to alleviate flooding during a storm or King Tide event and mitigate nutrient pollution before it can enter the Indian River Lagoon. Control structures and stormwater pumps with generator backups will be fitted into the outfalls.

V. Project Need and Benefit

- a. Statewide Flooding and Sea Level Rise Resilience Plan (all infrastructure projects)

1. Explain the demonstrated need(s) and how the project will address those needs.(limited to 300 words)

The Town was identified in the 2020 Martin County Local Mitigation Strategy (LMS) Plan and Martin County’s 2021 Sea Level Rise Report Impact & Analysis that provide an overview of the vulnerability assessments completed by the county to have the highest vulnerability to flooding with multiple identified hazards including risk to the stormwater infrastructure. The project is located where the St. Lucie Estuary meets the impaired waterbody, the Indian River Lagoon, which has been identified by the state as a prioritized impaired waterbody. This area is in the most vulnerable area in County for flooding. This project targets the most immediate resiliency needs to mitigate flooding, evacuation hazards, and nutrient pollution into the Indian River Lagoon. The Town will elevate the primary evacuation road, a primary critical asset, to directly address flood control and sea-level rise to residents on the peninsula. This project also strategically reduces nutrient load by water quality treatment of a reinforced stormwater system to meet current standards. This nutrient load would otherwise go directly into the Indian River Lagoon.

2. Explain how the proposed project fits into the Project Types chosen above.(limited to 300 words)

This proposed project adapts critical assets to the effects of flooding and sea level rise. The project updates critical assets to alleviate and mitigate flooding and sea level rise including King Tide events. The primary critical asset addressed by this project are transportation assets and evacuation routes, elevating the main transportation asset and only evacuation route for the peninsula’s southern residents. This project will also include critical infrastructure, stormwater treatment with its included stormwater treatment aspects. The road also is the main connector road to the law enforcement facilities, local government facilities such as the Town Hall, and emergency and public safety facilities for the Town.

3. Explain how the project is feasible and can be completed within a 3-year timeframe. (limited to 300 words)

Phase 1 of this 4-phased project was completed in less than 3-years (18-months for construction). Phase 3 is a similar project and will be able to maintain this same schedule and is the main priority for the Town. The Town Commission made the difficult decision to raise the ad-valorem millage rate for the first time in six years to accommodate the necessary capital improvement projects specific to resiliency efforts. The Sea Level Impact Projection (SLIP) tool provided by the Florida Department of Environmental Protection shows the Town of Sewall’s Point as inundated by 2040. The Town Commission established and prioritized resiliency projects based on the data provided by the planning tool. The assessed implementation of adaptation strategies is supported by policy and the Town is moving forward promptly with this next phase of the necessary and overdue resiliency project for the safety, well-being, and quality of life for the residents as well as for the pressing water quality improvement needs of the Indian River Lagoon.

4. Is the project a follow-up or result of a previous state-funded project? (limited to 300 words)

This is a follow-up to the recently completed Phase 1 of this 4-phased project along this roadway on the peninsula. To manage the project’s feasibility, the Town worked with the Town’s

engineer to create a four-phase project. This project's Phase 1 received state funding through the legislative appropriations process. This specific grant request is for Phase 3, identified as the next prioritized phase for the Town's resiliency needs.

5. Explain the how the completed project will exceed the flood-resistant construction requirements of the Florida Building Code and applicable floodplain management regulations. (limited to 300 words)

This project provides flood protection for the existing residents along this corridor that is the only evacuation route for residents. The 100-year storm elevation will be lower than what exists today. This project will provide increased protection to the finished floor of the residences. The project addresses flooding by adding extra storage and detention areas by a Treatment Train of STA, exfiltration, and detention baffle boxes. The flood protection will be increased by additional storage and the raising of the roadway by at least 1.5-ft. The installation of outfalls and back-up pumps will discharge surface waters and back-flow preventors/weirs controls to hold back sea-level/King Tides.

6. Explain how the project addresses risks to regionally significant assets. (limited to 300 words)

This project elevates the primary evacuation road to directly address flood control and sea-level rise and strategically reduces nutrient load by water quality treatment of a reinforced stormwater system to meet current standards. The project is located where the St. Lucie Estuary meets the impaired waterbody, the Indian River Lagoon, a prioritized waterbody by the state and Basin Management Action Plan (BMAP). The project provides increased water quality and reduces nutrients discharging into the Lagoon. The flood control components protect structures and roadways including the only evacuation route for the southern residents of the peninsula. The road also is the main connector road to the law enforcement facilities, local government facilities such as the Town Hall, and emergency and public safety facilities for the Town.

7. Explain how the project reduces risks to areas with an overall higher percentage of vulnerable critical assets. (limited to 300 words)

This specific project area by definition does not include a critical asset like a police station or Town Hall, however it does contain critical infrastructure like South Sewall's Point Road, the Town's main collector road and evacuation route, a critical transportation asset, will be elevated, allowing over 2,500 residents to access their homes during flooding events and leave during an emergency.

8. Does this project add to an existing flood mitigation project that will reduce upland damage costs by incorporating new or enhanced structures or restoration and revegetation projects? Explain how in terms of increased capacity, added years of useful life, etc. (limited to 300 words)

Yes, improvements will include additional stormwater storage using a stormwater system consisting of exfiltration trenches, inlet structures, stormwater retention/stormwater treatment areas (STA), baffle boxes and conveyance pipes that lead to three different outfalls. An STA

will be constructed to provide vegetation for nutrients load reduction but also additional storage.

Yes, improvements will include additional stormwater storage using a stormwater system consisting of exfiltration trenches, inlet structures, stormwater retention/stormwater treatment areas (STA), baffle boxes and conveyance pipes that lead to three different outfalls. An STA will be constructed to provide vegetation for nutrients load reduction (TP by 78%, TN by 75% and TSS by 83%) but also additional storage.

9. Does the project enhance state or federal critical habitat areas for threatened or endangered species? (limited to 300 words)

Yes, the project is located where the St. Lucie Estuary meets the impaired waterbody, the Indian River Lagoon (IRL). Increased water quality reduces nutrients discharging into the IRL. In addition, all construction will be landward of the high tide line and no mangroves will be disturbed.

10. If the project will be done in a financially disadvantaged community, explain how the project will benefit that community. (limited to 300 words)

Sewall's Point is a small town of approximately 1,000 homes, therefore the Town has a small operating budget of \$3-million.

11. Explain how the project addresses risks identified in a vulnerability assessment or other similar analysis of current and future flooding from rainfall and/or sea level rise. (limited to 300 words)

The roadway will be raised to elevation 3.00 NAVD and add control structures to minimize tidal influence.

12. Describe the current flooding and/or erosion conditions in the project area. (limited to 300 words)

Flooding occurs in most wet season daily rain events. During heavy storms with inadequate sized outfalls without rip-rap/fabric that are subject to heavy flows exhibit a high amount of erosion and backwash (sand). The proposed improvements will minimize these impacts.

13. Describe the readiness of the project to proceed. (limited to 300 words)

This project is designed and permitted. The project is in the Town's Comprehensive Improvement Plan and partial funding is available.

14. How is the project cost effective? (limited to 300 words)

The project is cost effective because the area has been flooding during most storm events in the last 50-years and this flooding has caused a lot of roadway and property damage. The total cost is less than the total damage over the last 50-years. A Benefit Cost Analysis (BCA) has been completed for this project and it qualifies for grant funding.

15. Describe the availability of local, state, and federal matching funds, the status of such awards, and any federal authorization as applicable. (limited to 300 words) / BUDGET

**SOUTH SEWALL'S POINT ROAD
PHASE 3 IMPROVEMENTS**

(RIO VISTA, HOMEWOOD, VIA LUCINDIA, RIDGELAND SUBDIVISIONS)
PROJECT STATUS

PROJECTED CONSTRUCTION COST
ESTIMATED COSTS vs. **GRANTS/MATCH/OTHER**
06/07/2023

<u>Phase 3</u>	<u>Total Phase 3</u>	<u>North Part of Phase 3</u>	<u>Central Part of Phase 3</u>	<u>South Part of Phase 3</u>	<u>Water Line</u>	<u>Sewer Line</u>
Construction Cost	\$9.95M	\$3.975M	\$3.675M	\$2.3M	\$1.5m	\$1.2m
Grant Funds	\$5.1M	\$3.4M (*RES)	\$1.7M (**HMGP)	TBD (*RES)	\$1.5m	\$1.2m
Difference	\$4.85M (shortfall)	\$575K (shortfall)	\$1.975M (shortfall)	\$2.3M (shortfall)	\$0	\$0
Notes:	<ul style="list-style-type: none"> Construction cost came in above projections and staff is working to decrease the shortfall gap. 	<ul style="list-style-type: none"> There is no match requirements for the Resiliency Grant. Town needs to determine best funding option for the North Part of Phase 3. 	<ul style="list-style-type: none"> The current HMGP(**) Grant agreement for \$1.7m requires a 52% match from the Town. Requesting an additional \$1.8m from HMGP due to increase in construction cost. A portion of the Town's match was met by purchasing 78 SSPR. 	<ul style="list-style-type: none"> The Town is still trying to determine best funding option for the South Part of Phase 3. 	<ul style="list-style-type: none"> These above 2 projects are anticipated to be fully funded. Martin County is paying for the water line replacement. 	<ul style="list-style-type: none"> The Town match will be derived from resident hookup fees. There are 148 connections for this phase of the project.

*RES = Resiliency Grant

**HMGP = Hazard Mitigation Grant Program

16. Describe any innovative technologies that may be used to complete the project. (limited to 300 words)

The project will incorporate a Treatment Train consisting of STA, exfiltration drainage, Generation 2 Baffle Box, outfall bleeder pipe/check valve and back-up pump & generator to prevent flooding of the roadway.

- b. Design Plans (upload)
- c. Permits (upload)
- d. Vulnerability Assessment (upload)

Please upload the vulnerability assessment from which the project was identified.

- e. Budget Narrative Description (limited to 200 words)

The Town recently completed the Phase 1 of the four phase project for coastal resiliency. Phase 3 will include very similar components. CAPTEC Engineering, the subcontractor also utilized experience with cost of materials, labor, and process for completing the project having worked for the Town and this specific area for over 30 years, studying patterns of cost. The engineering firm, understanding the Town's limited budget and immediate needs broke down the costs mirroring the previous work completed for the Town. The cost estimates were provided in a detailed line item budget by the firm for the Town from their engineering expertise and adjusted according to market fluctuations monthly.

DRAFT

TOWN OF SEWALL'S POINT



TO: Mayor and Commissioners
FROM: Robert Daniels, Town Manager
SUBJECT: Public Hearing Ordinance 450
DATE: Commission Meeting August 15, 2023

EXECUTIVE SUMMARY: This is the Town of Sewall's Point Commission's Second Public Hearing for Ordinance Number 450, revising Sections of Code in Chapter 50 Buildings and Building Regulations of the Code of Ordinances to provide clarity regarding the elevations of buildings in the Town of Sewall's Point. This Ordinance will also provide for flexibility in the design of new and remodeled buildings so that they may be sustainable and resistant to coastal flooding and sea level rise.

At this public hearing, the Commission will review the strikethrough and underline of the existing regulations, provide comments, and hear public comments.

This Second Reading (adoption) includes revisions to the ordinances recommended by the Town's Local Planning Agency (LPA) and Town Commission during the Public Hearings for both bodies.

ORDINANCE TITLE AND ADVERTISEMENT:

ORDINANCE NO. 450

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO UPDATE THE CODE OF ORDINANCES TO PROVIDE CLARITY REGARDING ELEVATIONS OF BUILDINGS BY AMENDING SECTION 50-34 APPLICABILITY; AMENDING SECTION 50-136 CERTIFICATE OF OCCUPANCY AND AMENDING SECTION 50-176. FLOOR ELEVATION AND BUILDING HEIGHT LIMITS; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND:

The Town Building Official and Town Manager identified that the Code that prescribes building height is confusing. They recommended that this section of Code be updated so that it is easier for Town Staff to enforce and easier for the typical homeowner or building to understand and follow. This Ordinance also increases the maximum building height from 27 feet to 32 feet to allow flexibility in building design. With the average ceiling height of 14 feet, this code update allows for higher ceilings and additional pitch of rooflines. This is the Second Reading of the Ordinance to codify the language drafted by the Planning Consultant in collaboration with the Town Manager, Town Building Official and Town Engineer.

RECOMMENDATION:

Staff recommends the Town Commission approve Ordinance 450 and listen and consider any public comments on the matter.



ORDINANCE NO. 450

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO UPDATE THE CODE OF ORDINANCES TO PROVIDE CLARITY REGARDING ELEVATIONS OF BUILDINGS BY AMENDING SECTION 50-34 APPLICABILITY; AMENDING SECTION 50-136 CERTIFICATE OF OCCUPANCY AND AMENDING SECTION 50-176 FLOOR ELEVATION AND BUILDING HEIGHT LIMITS; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, was chartered by the Florida Legislature in 1957; and

WHEREAS, the Town of Sewall's Point, adopted substantial revisions to Chapter 50 Buildings and Building Regulations in 2004; and

WHEREAS, the Town of Sewall's Point desires to revise regulations for floor elevation and building height so they are easier to understand; and

WHEREAS, the Town of Sewall's Point desires to provide for flexibility in the design of new and remodeled buildings so they may be sustainable and resistant to the coastal flooding and sea level rise;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA THAT:

Section 1. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the Town Commission of the Town of Sewall's Point.

Section 2. Definitions.

Sec. 50-34. Applicability.

- (a) *General.* Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (b) *Building.* The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in chapter 34 of this Code.

The following buildings, structures, and facilities are exempt from the Florida Building Code as provided by law, and any future exemptions shall be as determined by the legislature and provided by law:

- (1) Building and structures specifically regulated and preempted by the federal government.
 - (2) Railroads and ancillary facilities associated with the railroad.
 - (3) Nonresidential farm buildings on farms.
 - (4) Temporary buildings or sheds used exclusively for construction purposes.
 - (5) Mobile homes used as temporary offices, except that the provisions of part V (F.S. §§ 553.501—553.513) relating to accessibility by persons with disabilities shall apply to such mobile homes.
 - (6) Those structures or facilities of electric utilities as defined in F.S. § 366.02, which are directly involved in the generation, transmission, or distribution of electricity.
 - (7) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
 - (8) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.
- (c) The Florida Building Code does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and other specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the Florida Building Code. Additionally, a local code enforcement agency may not administer or enforce the Florida Building Code, Building to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities community colleges, or public education facilities, as provided by law.
 - (d) In addition to the requirements of F.S. §§ 553.79 and 553.80, facilities subject to the provisions of Chapter 395 Florida Statutes and Part II of Chapter 400 Florida Statutes shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395 Florida Statutes and Part II of Chapter 400 Florida Statutes and the certification requirement of the federal government.
 - (e) Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:
 - (1) The building or structure is structurally sound and in occupiable condition for its intended use;
 - (2) The occupancy use classification for the building or structure is not changed as a result of the move;

- (3) The building is not substantially remodeled;
 - (4) Current fire code requirements for ingress and egress are met;
 - (5) Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
 - (6) Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the Florida Building Code, Building for all residential buildings or structures of the same occupancy class.
- (f) The building official shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has substantially remodeled.
 - (g) Unsafe buildings shall be abated using the Standard Unsafe Building Abatement Code, 1985 edition, promulgated by the Southern Building Code Congress International, Inc., subject to all amendments, modifications or deletions hereinafter contained.
 - (h) This section does not apply to the jurisdiction and authority of the department of agriculture and consumer services to inspect amusement rides or the department of insurance to inspect state-owned buildings and boilers.
 - (i) Electrical. The provisions of Chapter 27 of the Florida Building Code, Building shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
 - (j) Gas. The provisions of the Florida Building Code, Fuel Gas shall apply to the installation of consumers' gas piping, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances, and the installation and operation of residential and commercial gas appliances and related accessories.
 - (k) Mechanical. The provisions of the Florida Building Code, Mechanical shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy-related devices.
 - (l) Plumbing. The provisions of the Florida Building Code, Plumbing shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances and when connected to a water or sewerage system and all aspects of a medical gas system.
 - (m) Federal and state authority. The provisions of this code shall not be held to deprive any federal or state agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of this code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.
 - (n) Appendices. The appendices are hereby adopted by reference.
 - (o) Referenced standards. Standards referenced in the technical codes shall be considered an integral part of the codes without separate adoption. If specific portions of a standard are denoted by code text, only those portions of the standard shall be enforced. Where code provisions conflict with a standard, the code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.
 - (p) Units of measure. The inch-pound system of measurement is applicable to the provisions of this code. Metric units indicated in parenthesis following inch-pound units are approximate equivalents and are provided for informational purposes only.

- (q) Accessibility. For provisions related to accessibility, refer to Chapter 11 of the Florida Building Code, Building.
- (r) Energy. For provisions related to energy, refer to Chapter 13 of the Florida Building Code, Building.
- (s) Rules of construction. The rules set out in this chapter shall be observed, unless such construction is inconsistent with the manifest intent of this chapter. The rules of construction and definitions set out here shall not be applied to any section of this chapter which contains any express provisions excluding such construction, or where the subject matter or content of such section would be inconsistent with this section.
 - (1) *Generally.* All provisions, terms, phrases and expressions contained in this chapter shall be liberally construed in order that the true intent and meaning of the administration of the jurisdiction may be fully carried out. Terms used in this chapter, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of this state for the same terms.
 - (2) *Text.* In case of any difference of meaning or implication between the text of this chapter and any figure, the text shall control.
 - (3) *Delegation of authority.* Whenever a provision appears requiring the building official or some other officer or employee to do some act or perform some duty, it is to be construed to authorize the building official or other officer to designate, delegate and authorize professional level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.
 - (4) *Month.* The word "month" shall mean a calendar month.
 - (5) *Shall, may.* The word "shall" is mandatory; "may" is permissive. The word "shall" takes precedence over "may."
 - (6) *Written or in writing.* The term "written" or "in writing" shall be construed to include any representation of words, letters or figures whether by printing or otherwise.
 - (7) *Year.* The word "year" shall mean a calendar year, unless a fiscal year is indicated.
 - (8) *Interpretation.* Interpretations of this chapter shall be made by the building official.
 - (9) *Words not defined.*
 - a. Words not defined herein shall have the meaning stated in the Florida Statutes or other nationally recognized codes, or other documents, manuals or standards adopted elsewhere in this chapter. Words not defined in those documents shall have the meaning stated in the Webster's Ninth New Collegiate Dictionary, as revised.
 - (10) *Conflict.* In case of a conflict in definitions or codes, the appropriate definition (or code) to be applied shall be the one applicable to the trade in question. In case of a conflict between different parts of this chapter, conflicts within the same code: or conflicts between code; the more stringent requirements shall be applicable.

(11) *Words defined.*

Abandon or abandonment.

- (1) *Termination of a construction project by a contractor without just cause or proper notification to the owner including the reason for termination.*
- (2) *Failure of a contractor to perform work without just cause for 90 days.*
- (3) *Failure to obtain an approved inspection within 180 days from the previous approved inspection.*

Appraised value. For the purpose of this section, appraised value is defined as either:

- (1) *One hundred twenty percent of the assessed value of the structure as indicated by the county property appraiser's office or*
- (2) *The value as indicated in a certified appraisal from a certified appraiser.*

ASCE. American Society of Engineers.

Assessed value. The value of real property and improvements thereon as established by the county property appraiser.

Authorized agent. A person specifically authorized by the holder of a certificate of competency to obtain permits in his stead.

Base Flood. A flood that has a 1-percent chance of occurring during any given year. The area at risk from the base flood is called the Special Flood Hazard Area (SFHA). Properties within the SFHA are at a high risk of flooding, with at least a 26-percent chance of flooding over the course of a 30-year mortgage.

Base Flood Elevation (BFE). The Base Flood Elevation (BFE) is how high floodwater is likely to rise during a 1-percent-annual-chance flood event. BFEs are measured from a reference point called NAVD88, which is approximately equal to sea level, and vary widely across geographies.

Basic wind speed line. The basic wind speed line for the jurisdiction shall be as established by the wind speed contour map attached to, and made part of, this chapter if applicable.

Board. The appropriate city or county board of adjustment and appeals, unless otherwise specifically stated.

Building component. An element or assembly of elements integral to or part of a building.

Building shell. The structural components that completely enclose a building, including, but not limited to, the foundation, structural frame, floor slabs, exterior walls and roof system.

Building system. A functionally related group of elements, components and/or equipment, such as the electrical, plumbing and mechanical systems of a building.

Certification. The act or process of obtaining a certificate of competency from the state or municipality through the review of the applicant's experience and financial responsibility as well as successful passage of an examination.

Certificate of competency (certificate). An official document evidencing that a person is qualified to engage in the business of contracting, subcontracting or the work of a specific trade.

Certificate of experience. An official document evidencing that an applicant has satisfied the work experience requirements for a certificate of competency.

Certificate of occupancy (C.O.). An official document evidencing that a building satisfies the requirements of the jurisdiction for the occupancy of a building.

Certified contractor. Any contractor who possesses a certificate of competency issued by the Department of Professional Regulation of the State of Florida.

Change of occupancy. A change from one building code occupancy classification or sub-classification to another.

Coastal high hazard area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V zones" and are designated on flood insurance rate maps (FIRM) as zone V1-V30, VE, or V. [Note: The FBC, B defines and uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."

Commercial building. Any building, structure, improvement or accessory thereto, other than a one-or two-family dwelling.

Cumulative construction cost. The sum total of costs associated with any construction work done to a building or structure either at one time or at different times within a specified period of time.

Demolition. The act of razing, dismantling or removal of a building or structure, or portion thereof, to the ground level.

Elevation Certificate. The certificate used to demonstrate the elevation of property which has been developed by the Federal Emergency Management Agency pursuant to federal floodplain management regulation and which is completed by a surveyor and mapper.

Examination. An exam prepared, proctored and graded by a recognized testing agency unless otherwise implied in context or specifically stated otherwise.

FCILB. The Florida Construction Industry Licensing Board.

Habitable space. A space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, screen enclosures, storage or utility space, and similar areas are not considered habitable space.

Imminent danger. Structurally unsound conditions of a structure or portion thereof that is likely to cause physical injury to a person entering the structure: Or due to structurally unsound conditions, any portion of the structure is likely to fall, be carried by the wind, or otherwise detach or move, and in doing so cause physical injury or damage to a person on the property or to a person or property nearby: Or The condition of the property is such that it harbors or is inhabited by pests, vermin, or organisms injurious to human health, the presence of which constitutes an immediate hazard to people in the vicinity.

Inspection warrant. A court order authorizing the official or his designee to perform an inspection of a particular property named in the warrant.

Intensification of use. An increase in capacity or number of units of a residential or commercial building.

Interior finish. The preparation of interior spaces of a commercial building for the first occupancy thereof.

Licensed contractor. A contractor certified by the State of Florida or the local jurisdiction who has satisfied all state or local requirements to be actively engaged in contracting.

Market value. As defined in floodplain regulations of this Code.

Occupancy. The purpose for which a building, or part thereof, is used or intended to be used.

Occupancy, mixed. A building used for two or more occupancies classified in different occupancy groups.

Occupant content. The actual number of total occupants permitted to occupy a floor area in accordance with the maximum capacity of the exits serving that floor area.

Occupant load. The calculated minimum number of persons for which the means of egress of a building or portion thereof is designed, based on Table 1003.1.

Owner's agent. A person, firm or entity authorized in writing by the owner to act for or in place of the owner.

Permit. An official document authorizing performance of a specific activity regulated by this chapter.

Permit card or placard. A document issued by the jurisdiction evidencing the issuance of a permit and recording of inspections.

Qualifying agent, primary. A person who possesses the requisite skill, knowledge, experience and certificate of competency, and has the responsibility to supervise, direct, manage, and control the contracting activities of the business organization with which he is associated; who has the responsibility to supervise, direct, manage and control construction activities on a job for which he has obtained a permit; and whose technical and personal qualifications have been determined by investigation and examination and is evidenced by his possession of a certificate of competency.

Qualifying agent, secondary. A person who possesses the requisite skill, knowledge, experience and certificate of competency, and has the responsibility to supervise, direct, manage and control construction activities on a job for which he has obtained a permit, and whose technical and personal qualifications have

been determined by investigation and examination and is evidenced by his possession of a certificate of competency.

Reciprocity. To accept a verified affidavit from any municipality or county of the State of Florida that the applicant has satisfactorily completed a written examination in its jurisdiction equal in content with the examination required by this chapter.

Registered contractor. A contractor who has registered with the department of professional regulation of the State of Florida pursuant to fulfilling the competency requirements of the local jurisdiction.

Registration. The act or process of registering a locally obtained certificate of competency with the state, or the act or process of registering a state issued certificate of competency with the municipality.

Remodeling. Work which changes the original size, configuration or material of the components of a building.

Residential building. Any one-or two-family building or accessory.

Roofing. The installation of roof coverings.

Spa. Any constructed or prefabricated pool containing water jets.

Specialty contractor. A contractor whose services do not fall within the categories specified in F.S. §§ 489.105(3), as amended.

Start of construction: Data of issuance of construction permit.

Site clearing: The physical clearing of the site in preparation for foundation work including, but not limited to, site clearing, excavation, de-watering, pilings and soil testing activities.

Stop work order. An order by the building official, or his designee, which requires the immediate cessation of all work and work activities described in the order.

Structural component. Any part of a system, building or structure, load bearing or non-load bearing, which is integral to the structural integrity thereof, including but not limited to walls, partitions, columns, beams and girders.

Structural work or alteration. The installation or assembling of new structural components into a system, building or structure. Also, any change, repair or replacement of any existing structural component of a system, building or structure.

Substantial completion. Where the construction work has been sufficiently completed in accordance with the applicable city, state and federal codes, so that the owner can occupy or utilize the project for the use for which it is intended.

Value. Job cost.

Section 3. Certificate of occupancy.

Sec. 50-136. Certificate of occupancy required; issuance.

- (a) A new building shall not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the building official has issued a certificate of occupancy. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing and fire protection systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the building official.
- (b) All certificates of occupancy shall be applied for coincident with the application for a building permit. The certificate shall be issued within ten days after the erection or alteration shall have been completed and approved as complying with the provisions of the zoning ordinance.

- (c) The town clerk shall maintain a record of all certificates, and copies shall be furnished, upon request, to any person having a proprietary or tenancy interest in the building affected.
- (d) Reserved.
- (e) Before a certificate of occupancy is issued, development permit holders shall provide an as-built survey meeting the requirements prescribed in this subsection. This subsection shall apply to all new building construction and any improvements to existing buildings, which alter the dimensions or height of the building. The survey shall:
 - (1) Be prepared by a licensed surveyor registered in the state, be signed, dated and sealed, and bear the name, firm or residence address, city, and certificate number of the surveyor and date of the field survey.
 - (2) Be dated not more than 30 days prior to the certificate of occupancy.
 - (3) Contain a complete legal description.
 - (4) Reference the source of information used in making the survey.
 - (5) Contain the address of the property, including street name and number, and show the proximity of all boundary streets.
 - (6) Indicate the flood zone in which any portion of the building is located, even though the property may not be in a flood hazard area.
 - (7) Show the exact lot dimensions, including boundary lines and arcs, which must match the plat, with any variations being noted.
 - (8) Show the location, dimensions, and accurate identity of all easements as required under F.A.C. Rule 61G17-6 of the Minimum Technical Standards.
 - (9) Show all setback requirements.
 - (10) Show the location and identification of all encroachments, including the type of improvement comprising the encroachment.
 - (11) Show the location and dimension of all structures, driveways, sidewalks, irrigation wells, septic tanks, drainfields and drainage improvements, including swales, berms and pipe invert elevation.
 - (12) Contain a certification to the town.
 - (13) State for whom the survey was done.
 - (14) Show the location, dimensions and square footage of the native habitat preservation area.
 - (15) Indicate the lowest habitable floor elevation, the average natural grade, and the average crown of road elevations in accordance with applicable Code provisions.
 - (16) Contain a tabulation of the impermeable and permeable areas.
 - (17) In coastal high-hazard areas (V zones), indicate the elevation of the top of piers, piles or columns.
 - (18) Contain any other information the building department may require to confirm that the construction or improvements comply with applicable Code provisions.
 - (19) Be prepared in accordance with chapter 80 of this Code titled, "Surveys and drawings".
 - (20) Provide a copy of the Elevation Certificate if required for floodplain management purposes.
- (f) Upon completion of construction of a building or structure and installation of electrical, gas, mechanical and plumbing systems in accordance with the technical codes, reviewed plans and specifications, and after the final inspection, and verification that all septic system permits have received an approved final inspection where applicable the building official shall issue a certificate of occupancy stating the nature of the

occupancy permitted, the number of persons for each floor when limited by law (for commercial only), and the allowable load per square foot for each floor (for commercial only) in accordance with the provisions of this code.

Section 4. Floor elevations and building height limits.

Sec. 50-176. Floor elevation and building height limits.

- (a) *Definitions.* Unless specifically defined in chapter 58, article II, or in section 82-1, words or phrases used in this section shall be interpreted so as to give them the meaning that they have in common usage and to give this section the most reasonable application.
- (b) *Floor elevation.*
 - (1) *Minimum lowest habitable floor elevation.* The minimum elevation of the lowest habitable floor shall be the highest elevation of:
 - a. The 100-year, three-day storm event, without discharge;
 - b. The elevation prescribed by chapter 58, article II (flood damage prevention); or
 - c. The elevation prescribed by the on-site sewage disposal system construction permit issued for the building.
- (c) *Building height limits.*

Building Height is limited to 30 feet and two-stories, except as provided by Sec. 82-421.

 - (1) A Story is that part of a building contained between any finished floor and the floor or roof next above.
 - (2) Building Height shall be measured as the vertical distance from the average natural grade to the highest point of the roof, except as provided in Sec. 82-421. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height shall be measured from the required freeboard to the highest point of the roof.
- (d) *Exemptions.* Where required to meet federal, state, or local law to provide a wash through or similar grade level passage for storm surges, existing buildings lost to a casualty event may be rebuilt to the existing height as previously provided plus up to the height of the wash through if necessary to maintain the same density with the same habitable area or gross square footage.
- (e) *Applicability.* This section shall apply to all new construction and substantial improvements where the development permit application is filed after the effective date of the ordinance codified in this section.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Codification. The sections of the ordinance may be made a part of the Town Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "division," or any other appropriate word.

Section 10. Effective Date. This ordinance shall take effect immediately upon adoption.

Commissioner Campo offered the Ordinance for its first, reading and moved its adoption.

The motion was seconded by Vice Mayor Kurzman, and upon being put to a vote, the

vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DAVE KURZMAN, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
JAMES W. CAMPO, COMMISSIONER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRANK FENDER, COMMISSIONER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KAIJA MAYFIELD, COMMISSIONER	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Passed first reading at the Regular Meeting of the Town Commission held on the 18th day of July, 2023.

_____ offered the Ordinance for its second reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>
DAVE KURZMAN, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>
JAMES W. CAMPO, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>
FRANK FENDER, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>
KAIJA MAYFIELD, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>

Passed second reading at the Regular Meeting of the Town Commission held on the 15th day of August, 2023. The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission on this 15th day of August, 2023.

TOWN OF SEWALL'S POINT, FLORIDA

John Tompeck, Mayor

ATTEST:

April C. Stoncius, CMC, Town Clerk

Approved as to form and legal sufficiency:

Glen J. Torcivia, Town Attorney
Florida Bar No. 343374

(TOWN SEAL)

SUMMARY OF UPDATED CODE REVISIONS FOR HEIGHT REGULATIONS - TOWN OF SEWALL'S POINT

OVERALL PURPOSE OF UPDATE: Simplify the standards for elevations and heights to make it easier for Town Staff to regulate these standards and easier for the typical homeowner or builder to understand and comply; update standards for buildings to ensure they meet or exceed current FEMA requirements for areas that are at risk for flooding. The Code Audit included Chapters 50, 58 and 82 of the Code of Ordinances and the recently updated Comprehensive Plan. The list of changes have been updated in RED to understand the changes as recommended by the LPA and the Commission between the first and second reading as well as some minor changes for clarity and consistency.

Ordinance 450**SECTION 50 BUILDINGS AND BUILDING REGULATIONS****Sec. 50-34. Applicability –**

- Definitions added - “ASCE,” the American Society of Engineers; Base Flood; Base Flood Elevation (BFE); Coastal High Hazard Area; and Elevation Certificate

Sec. 50-136. Certificate of occupancy required; issuance -

- The list of requirements for Certificate of Occupancy was updated to include the Elevation Certificate (defined in 50-34).

Sec. 50-176. Floor elevation and building height limits -

- Clarified language for measuring heights
- Sec. 50-176 and Sec. 50-96 were updated to the current standard of NAV88. NGVD is referenced in both.
- Provide flexibility of building design; make new buildings/remodels more flood resistant
- Simplified flood elevation and building height limits to measure a building from the average natural grade to the highest ~~part point~~ of the roof ~~or building~~.
- References to “maximum lowest” floor elevation have been removed.
- Increased maximum building height limits from 27 feet to ~~30~~ 32 feet.
- “... ~~may shall~~ be measured from the ~~base flood elevation~~ required freeboard to the highest point of the roof.”

Ordinance 451**SECTION 58 FLOODPLAIN MANAGEMENT****Sec. 58-96. Definitions –**

- Definitions added - base flood; base flood elevation (BFE); elevation certificate
- Height, building definition was added. Height definition “the vertical distance from the average natural grade to the highest ~~part point of the roof, ... the height may shall be measured...~~”
- Freeboard definition: removed “usually” from definition. “Freeboard means the additional height, usually expressed as a factor of safety...”
- Added to Freeboard definition: “Freeboard in the Town of Sewall’s point is the sum of the FEMA elevation requirements plus one foot required by the Florida Building Code plus three feet required by the Town.”

SECTION 82 ZONING**Sec. 82-1. Definitions -**

- Definitions added - “freeboard” and heights of buildings.
- Added to Freeboard definition:
- “Freeboard in the Town of Sewall’s point is the sum of the FEMA elevation requirements plus one foot required by the Florida Building Code plus three feet required by the Town.”
- Removed “base flood elevation” (redundant with freeboard defined) from Height, building definition: “...~~the height may shall be measured from the base flood elevation plus the~~ required freeboard to the highest ~~part point of the building roof.~~”

Sec. 82-244. Residential district [RI districts] -

- Simplified building height measurements
- Increased from 27 ft to ~~30~~ 32 feet to allow flexibility of design and allow for flood resistant buildings
- Added “average natural grade” to building height **“Building Height shall be measured as the vertical distance from the average natural grade...”**

Sec. 82-303. Building height -

- Simplified building height measurements were
- Increased from 27 ft to ~~30~~ 32 feet to allow flexibility of design and allow for flood resistant buildings
- Changed “may” to “shall” **“the height ~~may~~ shall be measured...”**

Sec. 82-323. Building height -

- Simplified building height measurements were
- Increased from 27 ft to ~~30~~ 32 feet to allow flexibility of design and allow for flood resistant buildings
- Defined “same as B-2” **No building height in the B-2 district shall be erected to a heigh in excess of ~~30~~ 32 feet...”**

COMPREHENSIVE PLAN

- No Comprehensive Plan amendments recommended at this time due to recent update in June 2022.

COMPARATIVE MUNICIPALITIES

Municipality	Code	Maximum Height
City of Vero Beach	Sec. 61 (Single Family residential)	35 ft.
Town of Jupiter	Sec. 27-1324 (Residential, Single-Family)	35 ft./2 stories
Madeira Beach	Sec. 110-182 (R-1, Single Family Residential)	30 ft.
Cocoa Beach	Sec. 6.04 Building Height limit	45 ft. above the crown of abutting road

TOWN OF SEWALL'S POINT



TO: Mayor and Commissioners
FROM: Robert Daniels, Town Manager
SUBJECT: Public Hearing Ordinance 451
DATE: Commission Meeting August 15, 2023

EXECUTIVE SUMMARY: This is the Town of Sewall's Point Commission's Second Public Hearing for Ordinance Number 451 revising Chapter 58 Definitions of the Code of Ordinances to provide consistency and clarity in the regulations.

At this public hearing, the Commission will review the strikethrough and underline of the existing regulations, provide comments, and hear public comments.

This Second Reading (adoption) includes revisions to the ordinances recommended by the Town's Local Planning Agency (LPA) and Town Commission during the Public Hearings for both bodies.

ORDINANCE TITLE:

ORDINANCE NO. 451

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO UPDATE THE CODE OF ORDINANCES TO PROVIDE CLARITY BY AMENDING CHAPTER 58-96 DEFINITIONS; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND:

The Town Building Official and Town Manager identified that the Code that prescribes building height is confusing. They recommended that the Code be updated so that it is easier for Town Staff to enforce and easier for the typical homeowner or building to understand and follow. Definitions in Chapter 58 were revised to be consistent with changes to other chapters in this Code Audit. This is the First Reading of the Ordinance to codify the language drafted by the Planning Consultant in collaboration with the Town Manager, Town Building Official and Town Engineer.

RECOMMENDATION:

Staff recommends the Town Commission approve Ordinance 451 and listen and consider any public comments on the matter.



ORDINANCE NO. 451

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO UPDATE THE CODE OF ORDINANCES TO PROVIDE CLARITY BY AMENDING CHAPTER 58-96 DEFINITIONS; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, was chartered by the Florida Legislature in 1957; and

WHEREAS, the Town of Sewall's Point, repealed and replaced Chapter 58 to adopt Flood Hazard Maps; designate a Floodplain Administrator and to adopt procedures and criteria for development in Flood Hazard Areas in 2015; and

WHEREAS, the Town of Sewall's Point is revising definitions in Chapter 58 to provide for consistency and clarity;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA THAT:

Section 1. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the Town Commission of the Town of Sewall's Point.

Section 2. Definitions.

Sec. 58-96. Definitions.

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

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

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

ASCE 24 means a standard titled flood-resistant design and construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a 1-percent chance of occurring during any given year. The area at risk from the base flood is called the Special Flood Hazard Area (SFHA). Properties within the SFHA are at a high risk of flooding, with at least a 26-percent chance of flooding over the course of a 30-year mortgage, being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent annual chance flood."

Base flood elevation (BFE) ~~means the~~ is how high floodwater is likely to rise during a 1-percent-annual-chance flood event. BFEs are measured from a reference point called NAVD88, which is approximately equal to sea level, and vary widely across geographies, elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement means the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Coastal high hazard area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V zones" and are designated on flood insurance rate maps (FIRM) as zone V1-V30, VE, or V. [Note: The FBC, B defines and uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."]

Critical facilities means facilities that are vital to flood response activities or critical to the health and safety of the public before, during or after a flood, such as a hospital, emergency operations center, electric substation, police station, fire station, nursing home, school, vehicle and equipment storage facility, or shelter.

Facilities that, if flooded, would make the flood problem and its impact much worse, such as a hazardous materials facility, power generation facility, water utility, or wastewater treatment plant.

Declaration of land restriction (nonconversion agreement) means a form provided by the floodplain administrator to be signed by the owner and recorded on the property deed in official records of the clerk of courts, for the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, enclosures below elevated buildings, and granting the town the right to inspect the enclosed area on an annual basis.

Design flood means the flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the town's flood hazard map, or otherwise legally designated.

Design flood elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the town's legally designated flood hazard map.

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

Dry floodproofing means a combination of design modifications which results in a building or structure, including the attendant utility and sanitary facilities, being watertight with walls substantially impermeable to the

passage of water and with structural components having the capacity to resist loads as identified in ASCE 7.1 estate or improved real property, water and sanitary facilities, structures and their contents.

Elevation Certificate. The certificate used to demonstrate the elevation of property which has been developed by the Federal Emergency Management Agency pursuant to federal floodplain management regulation and which is completed by a surveyor and mapper.

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

Existing building and existing structure means any buildings and structures for which the "start of construction" commenced before June 4, 1978. [Also defined in FBC, B, Section 1612.2.]

Federal Emergency Management Agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (3) The collapse or subsidence of land along a body of water as the result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by unanticipated force of nature, such as a flash flood or an abnormal tidal surge or by some similarly unusual and unforeseeable event which results in flooding as defined in item (1) of this definition.

Flood damage-resistant materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area means the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the town's flood hazard map, or otherwise legally designated.

Flood insurance rate map (FIRM) means the official map of the town on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the town. [Also defined in FBC, B, Section 1612.2.]

Flood insurance study (FIS) means the official report provided by the Federal Emergency Management Agency that contains the flood insurance rate map, the flood boundary and floodway map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

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

Floodplain development permit or approval means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodplain management regulations means this chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power which control development in flood-prone areas. This term describes federal, State of Florida, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

Floodway means the channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. [Also defined in FBC, B, Section 1612.2.]

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

Florida Building Code means the family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Freeboard means the additional height, usually expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, bridge openings and hydrological effect of urbanization of the watershed, that could contribute to flood heights greater than the height calculated for a selected frequency flood and floodway conditions. Freeboard in the Town of Sewall's Point is the sum of the FEMA elevation requirements plus one foot required by the Florida Building Code plus three feet required by the Town.

Free of obstruction means any type of lower area enclosure or other construction element that will obstruct the flow of velocity water and wave action beneath the lowest horizontal structural member of the lowest floor of an elevated building during a base flood event is not allowed. This requirement applies to the structures in velocity zone (V-zones).

Hardship means a condition associated with the land that renders a lot undevelopable. Economic or financial conditions or the additional costs to comply do not create an exceptional hardship.

Height, building means the vertical distance from the average natural grade to the highest point of the roof, except as provided in Sec. 82-421. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height shall be measured from the required freeboard to the highest point of the roof.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

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

Letter of map change (LOMC) means an official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

Letter of map amendment (LOMA) means an amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of map revision (LOMR) means a revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of map revision based on fill (LOMR-F) means a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the town's floodplain management regulations.

Conditional letter of map revision (CLOMR) means a formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective

flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.

Lowest floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the nonelevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Mangrove stand means an assemblage of mangrove trees, which are mostly low trees noted for a copious development of interlacing adventitious roots above the ground, which contains one or more the following species: Black mangrove (*Avicennia Nitida*), red mangrove (*Rhizophora mangle*), white mangrove (*Languncularia racemosa*) and buttonwood (*Conocarpus Erecta*)

Market value means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, actual cash value (replacement cost depreciated for age and quality of construction), or 120 percent of tax assessment value (improvement only) set by Martin County Property Appraiser.

Mean sea level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with North American Vertical Datum (NAVD) of 1988.

New construction means, for the purposes of administration of this ordinance and the flood-resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after June 4, 1978, and includes any subsequent improvements to such structures.

Public safety and nuisance means anything which is injurious to safety or health of the town or a neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area means an area in the floodplain subject to a 1-percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 1612.2.]

Start of construction means the date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Subdivision means the dividing of property into three or more lots, parcels, tracts etc.

Substantial damage means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

Substantial improvement means any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

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

Variance means a grant of relief from the requirements of this ordinance, or the flood-resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this ordinance or the Florida Building Code.

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

Water surface elevation means the height, in relation to the datum cited in the FIS or FIRM, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the ordinance may be made a part of the Town Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "division," or any other appropriate word.

Section 6. Effective Date. This ordinance shall take effect immediately upon adoption.

Vice Mayor Kurzman offered the Ordinance for its first, reading and moved its adoption.

The motion was seconded by Commissioner Campo, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	<input checked="" type="checkbox"/>	_____
DAVE KURZMAN, VICE MAYOR	<input checked="" type="checkbox"/>	_____
JAMES W. CAMPO, COMMISSIONER	<input checked="" type="checkbox"/>	_____
FRANK FENDER, COMMISSIONER	<input checked="" type="checkbox"/>	_____
KAIJA MAYFIELD, COMMISSIONER	<input checked="" type="checkbox"/>	_____

Passed first reading at the Regular Meeting of the Town Commission held on the 18th day of July, 2023.

_____ offered the Ordinance for its second reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	_____	_____
DAVE KURZMAN, VICE MAYOR	_____	_____
JAMES W. CAMPO, COMMISSIONER	_____	_____
FRANK FENDER, COMMISSIONER	_____	_____
KAIJA MAYFIELD, COMMISSIONER	_____	_____

Passed second reading at the Regular Meeting of the Town Commission held on the 15th day of August, 2023. The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission on this 15th day of August, 2023.

TOWN OF SEWALL'S POINT, FLORIDA

John Tompeck, Mayor

ATTEST:

Approved as to form and legal sufficiency:

April Stoncius, CMC, Town Clerk

Glen J. Torcivia, Town Attorney
Florida Bar No. 343374

(TOWN SEAL)

SUMMARY OF UPDATED CODE REVISIONS FOR HEIGHT REGULATIONS - TOWN OF SEWALL'S POINT

OVERALL PURPOSE OF UPDATE: Simplify the standards for elevations and heights to make it easier for Town Staff to regulate these standards and easier for the typical homeowner or builder to understand and comply; update standards for buildings to ensure they meet or exceed current FEMA requirements for areas that are at risk for flooding. The Code Audit included Chapters 50, 58 and 82 of the Code of Ordinances and the recently updated Comprehensive Plan. The list of changes have been updated in RED to understand the changes as recommended by the LPA and the Commission between the first and second reading as well as some minor changes for clarity and consistency.

Ordinance 450**SECTION 50 BUILDINGS AND BUILDING REGULATIONS****Sec. 50-34. Applicability –**

- Definitions added - “ASCE,” the American Society of Engineers; Base Flood; Base Flood Elevation (BFE); Coastal High Hazard Area; and Elevation Certificate

Sec. 50-136. Certificate of occupancy required; issuance -

- The list of requirements for Certificate of Occupancy was updated to include the Elevation Certificate (defined in 50-34).

Sec. 50-176. Floor elevation and building height limits -

- Clarified language for measuring heights
- Sec. 50-176 and Sec. 50-96 were updated to the current standard of NAV88. NGVD is referenced in both.
- Provide flexibility of building design; make new buildings/remodels more flood resistant
- Simplified flood elevation and building height limits to measure a building from the average natural grade to the highest ~~part point~~ of the roof ~~or building~~.
- References to “maximum lowest” floor elevation have been removed.
- Increased maximum building height limits from 27 feet to ~~30~~ 32 feet.
- “... ~~may shall~~ be measured from the ~~base flood elevation~~ required freeboard to the highest point of the roof.”

Ordinance 451**SECTION 58 FLOODPLAIN MANAGEMENT****Sec. 58-96. Definitions –**

- Definitions added - base flood; base flood elevation (BFE); elevation certificate
- Height, building definition was added. Height definition “the vertical distance from the average natural grade to the highest ~~part point of the roof, ... the height may shall be measured...~~”
- Freeboard definition: removed “usually” from definition. “Freeboard means the additional height, usually expressed as a factor of safety...”
- Added to Freeboard definition: “Freeboard in the Town of Sewall’s point is the sum of the FEMA elevation requirements plus one foot required by the Florida Building Code plus three feet required by the Town.”

SECTION 82 ZONING**Sec. 82-1. Definitions -**

- Definitions added - “freeboard” and heights of buildings.
- Added to Freeboard definition:
- “Freeboard in the Town of Sewall’s point is the sum of the FEMA elevation requirements plus one foot required by the Florida Building Code plus three feet required by the Town.”
- Removed “base flood elevation” (redundant with freeboard defined) from Height, building definition: “...~~the height may shall be measured from the base flood elevation plus the~~ required freeboard to the highest ~~part point of the building roof.~~”

Sec. 82-244. Residential district [RI districts] -

- Simplified building height measurements
- Increased from 27 ft to ~~30~~ 32 feet to allow flexibility of design and allow for flood resistant buildings
- Added “average natural grade” to building height **“Building Height shall be measured as the vertical distance from the average natural grade...”**

Sec. 82-303. Building height -

- Simplified building height measurements were
- Increased from 27 ft to ~~30~~ 32 feet to allow flexibility of design and allow for flood resistant buildings
- Changed “may” to “shall” **“the height ~~may~~ shall be measured...”**

Sec. 82-323. Building height -

- Simplified building height measurements were
- Increased from 27 ft to ~~30~~ 32 feet to allow flexibility of design and allow for flood resistant buildings
- Defined “same as B-2” **No building height in the B-2 district shall be erected to a heigh in excess of ~~30~~ 32 feet...”**

COMPREHENSIVE PLAN

- No Comprehensive Plan amendments recommended at this time due to recent update in June 2022.

COMPARATIVE MUNICIPALITIES

Municipality	Code	Maximum Height
City of Vero Beach	Sec. 61 (Single Family residential)	35 ft.
Town of Jupiter	Sec. 27-1324 (Residential, Single-Family)	35 ft./2 stories
Madeira Beach	Sec. 110-182 (R-1, Single Family Residential)	30 ft.
Cocoa Beach	Sec. 6.04 Building Height limit	45 ft. above the crown of abutting road

TOWN OF SEWALL'S POINT



TO: Mayor and Commissioners
FROM: Robert Daniels, Town Manager
SUBJECT: Public Hearing Ordinance 452
DATE: Commission Meeting August 15, 2023

EXECUTIVE SUMMARY: This is the Town of Sewall's Point Commission's Second Public Hearing for Ordinance Number 452 revising Sections of Code in Chapter 82 of the Code of Ordinances related to Building Height to provide clarity and flexibility of building design.

At this public hearing, the Commission will review the strikethrough and underline of the existing regulations, provide comments, and hear public comments.

This Second Reading (adoption) includes revisions to the ordinances recommended by the Town's Local Planning Agency (LPA) and Town Commission during the Public Hearings for both bodies.

ORDINANCE TITLE AND ADVERTISEMENT:

ORDINANCE NO. 452

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO UPDATE THE ZONING REGULATIONS TO PROVIDE CLARITY IN THE MEASUREMENT OF BUILDING HEIGHTS BY AMENDING SECTION 82-1 DEFINITIONS; AMENDING SECTION 82-244 RESIDENTIAL DISTRICT; AMENDING SECTION 82-303 BUILDING HEIGHT AND AMENDING SECTION 82-323 BUILDING HEIGHT; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND:

The Town Building Official and Town Manager identified that the Code that prescribes building height is confusing. They recommended that this section of Code be updated so that it is easier for Town Staff to enforce and easier for the typical homeowner or building to understand and follow. This Ordinance updates definitions in Section 82-1 and provides a standard for how height is measured in 82-244 (Residential District); 82-303 (B-1) and 82-323 (B2) and changes the maximum height limit from 27 feet to 32 feet to provide flexibility in design and provide more opportunities for buildings to be flood resistant and resilient to the risks of sea level rise. This is the First Reading of the Ordinance to codify the language drafted by the Planning Consultant in collaboration with the Town Manager, Town Building Official and Town Engineer.

RECOMMENDATION:

Staff recommends the Town Commission approve Ordinance 452 and listen and consider any public comments on the matter.



ORDINANCE NO. 452

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, TO UPDATE THE ZONING REGULATIONS TO PROVIDE CLARITY IN THE MEASUREMENT OF BUILDING HEIGHTS BY AMENDING SECTION 82-1 DEFINITIONS; AMENDING SECTION 82-244 RESIDENTIAL DISTRICT; AMENDING SECTION 82-303 BUILDING HEIGHT AND AMENDING SECTION 82-323 BUILDING HEIGHT; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, was chartered by the Florida Legislature in 1957; and

WHEREAS, the Town of Sewall's Point, adopted Land Development Regulations in 1978; and

WHEREAS, the Town of Sewall's Point is updating its Code relating to Building Heights to provide clarity and flexibility of building design;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA THAT:

Section 1. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the Town Commission of the Town of Sewall's Point.

Section 2.

Sec. 82-1. Definitions.

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

Accessory use, as applied to a use or structure, means customarily subordinate or incidental to, and on the premises of, such use or structure. In buildings restricted to residential use, customary family hobby areas and workshops not utilized for compensation shall be deemed accessory uses.

Air conditioning pad means a concrete slab or other device employed to support any air conditioning system, placed on the finished grade of a lot or otherwise projecting from an exterior wall of any structure.

Alterations, as applied to a building or structure, means a change or rearrangement in the structural parts or in the exit facilities or an enlargement thereof, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Appurtenance means any personal property located on and incidental to the principal property that does not meet the definition of a structure as defined in this chapter and therefore not subject to setback requirements. Examples are, but not limited to arbors, lawn sculptures, statues or other moveable decorative yard ornaments not exceeding seven feet in height and five feet in width.

Area, lot means the total area within the property lines, excluding external streets.

Building means any structure, either temporary or permanent, except a fence or as otherwise provided in this definition, used or built for the enclosure or shelter of persons, vehicles, goods, merchandise, equipment, materials or property generally.

Building, accessory means any detached building with or without a roof intended for shelter, housing or enclosure constructed permanently on the ground or which is attached to something permanently located on the ground having a roof and intended to be used for sheltering people, animals, property or business activity and is located on the same zoning lot as the principal building and principal use.

Building, front line of means the line of that face of the building nearest the front line of the lot. The front line of a waterfront or riverfront lot shall be the line abutting the street serving the lot, and the lot bounded by water shall be considered the rear line.

Building line means the line established by law, beyond which a building shall not extend, except as specifically provided in the chapter. The building line is also referred to in this chapter as the "setback line."

Court means an unoccupied open space, other than a yard, which is bounded on three or more sides by walls in excess of three feet in height, at least one but not more than three of which are the walls of a building.

Coverage means the percentage of the plot or lot area covered by the building area.

Dwelling means one or more rooms arranged, designed or intended to be occupied as living quarters for human habitation, and including permanent provisions for living, sleeping, eating, cooking and sanitation. No boat, houseboat, watercraft, recreational vehicle or any other vehicle shall be considered a dwelling.

Dwelling, accessory means any detached dwelling, whether designed for, utilized or occupied as a complete housekeeping unit or solely designed as sleeping quarters.

Dwelling, one-family detached means a house designed for and accommodating but a single family.

Equipment pad means any structure or enclosures constructed of any materials intended to house or support any piece of equipment located permanently on a property such as, but not limited to, air conditioners, swimming pool pumps and heaters, well and irrigation pumps, water softeners, etc., with the exception of stand-by generator equipment that is intended for temporary emergency back up electrical service specified in section 82-277.

Fair market value means the most probable price a property should bring in a competitive and open market under all conditions requisite to a fair sale when both the buyer and seller each act prudently and knowledgeably, or a appraiser's value from a certified appraiser licensed by the State of Florida.

Family means one or more natural persons related by blood, adoption, marriage, or guardianship, living and cooking together as a single-housekeeping unit, exclusive of household servants, but not exceeding two adult natural persons living and cooking together as a single-housekeeping unit though not related by blood, adoption, marriage, or guardianship. A "person" as defined in the context of a family includes any natural adult person, as well as his or her spouse, lineal ancestors, lineal descendants, children, foster

children placed in a lawful foster family home, as well as any dependents of an adult occupant who are related to that occupant by blood, marriage, adoption or guardianship. Temporary gratuitous guests shall also be included in the definition of a family.

Fence means any barrier constructed to mark a boundary or for means of protection, confinement, privacy, or decoration.

First floor means the floor that is at, or closest below the maximum elevation for the lowest habitable floor.

Floor area means the area of a floor and is calculated by measuring the exterior building dimensions under roof, including floor penetration areas for circulation and shaft areas that connect one floor to another.

Floor area, living means that normally air-conditioned floor area, within any dwelling, made usable for human habitation with the following exceptions:

- (a) Any utility room or storage space that is not accessible from within the principal structure.
- (b) Garages and car ports (air-conditioned or non air-conditioned).

Freeboard means the additional height, expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, bridge openings and hydrological effect of urbanization of the watershed, that could contribute to flood heights greater than the height calculated for a selected frequency flood and floodway conditions. Freeboard in the Town of Sewall's Point is the sum of the FEMA elevation requirements plus one foot required by the Florida Building Code plus three feet required by the Town.

Garage, private means an enclosed space for the storage of one or more motor vehicles, provided that no business occupation or service is conducted for profit therein.

Grade, established means the elevation of the centerline of the streets as officially established by the town authorities.

Grade, finished means the completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

Greenhouse means a structure constructed, in part, with glass, plastic or other transparent or translucent material designed for and/or utilized for the growing of plants and flowers.

Hedge means a fence or boundary formed by a row of shrubs or low trees planted close together, or a thicket when planted as a fence or boundary.

Height, building means the vertical distance from the average natural grade to the highest point of a roof, with the exception of 82-421. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height shall be measured from the required freeboard to the highest point of the roof.

House, guest means an accessory building for the housing of nonpaying guests, whether designed for, utilized or occupied as a complete housekeeping unit or solely designed as sleeping quarters.

Impermeable area means the sum total of the ground surface area of a lot not permitting the percolation of water through the pores, interstices, etc., including but not limited to the ground floor area of buildings, structures, pools, patios, porches, driveways, walkways, and other concrete, asphalt or permanent surfacing. This definition shall not pertain to wood decks or pavers set in sand.

Line, street means the dividing line between the street right-of-way line and the lot.

Lot included the words "plot" or "parcel." A lot is a clearly defined piece of land of sufficient area and dimensions to meet minimum zoning requirements for width, depth, area, use and coverage, and to provide such yards and other open spaces as are required by this chapter for a lot in the district in which such land is

situated, and having its principal frontage on a public street or on such other means of access as may be determined in accordance with the provisions of law to be adequate as a condition to the issuance of a building permit for a building on such land.

Lot, corner means a parcel of land at the junction of and fronting on two or more intersecting streets.

Lot, depth of means the depth of the lot measured along a straight line running equidistant from the primary side lot lines or extensions thereof.

Lot, interior means a lot other than a corner lot.

Lot lines means the platted lines bounding a lot.

Lot, riverfront means a lot which:

- (1) Touches or abuts on the waters of either the St. Lucie River or the Indian River; and
- (2) Has a body of water extending more than 400 feet on any radius from the waterfront lot line of the riverfront lot.

Lot, waterfront means all lots touching the waters of bays, canals or straits other than a lot defined as a riverfront lot.

Lot, width of means the average width of the lot measured between the side lot lines at a right angle to its depth.

Medical marijuana means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient.

Medical marijuana dispensary means a facility that is operated by an organization or business holding all necessary licenses and permits from which marijuana, cannabis, cannabis-based products, or cannabis plants are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local state and federal laws.

Medical marijuana treatment center means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the State of Florida Department of Health.

Medical marijuana treatment center dispensing facility means a facility that is owned by, operated by or affiliated with a medical marijuana treatment center holding all necessary licenses and permits from which medical marijuana is delivered, purchased, possessed, or dispensed for medical purposes.

Nonconforming building means a building lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations subsequently adopted in this chapter for the zoning district in which the building or structure is situated.

Nonconforming land means a parcel of land lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations subsequently adopted in this chapter for the zoning district in which the land is situated.

Nonconforming use means use lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations subsequently adopted in this chapter for the zoning district in which the land is situated.

Nonconforming structure means a structure lawfully in existence on the effective date of the ordinance from which this chapter is derived that does not conform to the regulations subsequently adopted in this chapter for the zoning district in which the building or structure is situated.

Open space means an unoccupied space, open to the sky, on the same lot with the building.

Parking space, commercial (B-1, B2 and PS districts) means an off-street space available for the parking of one motor vehicles and having an area of not less than 200 square feet, exclusive of passageways and driveways appurtenant thereto and giving access thereto, and having direct access to a street.

Parking space, residential (R-1 district) means an off-street space for the parking of one motor vehicles and having an area of not less than 200 square feet, which may include driveways.

Patio means an open space which is bounded on all sides by the walls of a building.

Person means any individual, group of persons, firm, corporation, association, organization, business trust, estate, trust and any governmental agency; except that the words "natural person" shall mean only a single human being.

Pool structure means a structure, whether screened in whole or in part, or enclosed in which or in part by material other than insect screening, surrounding or enclosing (in whole or in part) a pool or wading pool.

Poolside structure means cabanas, dressing rooms and serving bars and any other structure used in conjunction with a pool.

Retaining wall (upland) means a structure more than ten feet upland of the mean high water mark normally made of stone, concrete, wood or other synthetic materials designed and constructed to resist the lateral pressure of soil when there is a manmade or natural change in ground elevations that exceeds the angle of repose of the soil. Standard-type (gravity, piling, cantilever, or anchored) retaining walls are considered structures that are not required to meet setbacks.

Seawall means a protective structure normally of stone, concrete, wood or other synthetic materials that extends from shore into the water to protect a shoreline from erosion.

Shoreline vegetation means any of the Florida native species found adjacent to the St. Lucie River Estuary and Indian River Lagoon that include, but are not limited to: Mangrove (Red, Black and White), Seagrape, Groundsel Tree, Elderberry, Dahoon Holly, Jamaican Dogwood, Cord Grass, Florida Gama Grass, Leather Fern and Yaupon Holly.

Single-family dwelling means a single residential building, house, structure or premises, or part thereof, intended or designed for occupancy by a single family.

Staff quarters structure means an accessory building for the housing of staff, help or employees, whether designed for, utilized or occupied as a complete housekeeping unit or solely designed as sleeping quarters only.

Story means the space in a building between two adjacent floor levels or between a floor and the roof (one story high, two stories high).

Street means a public way which affords the principal means of access to abutting properties.

Structure means anything constructed or erected, the use of which requires permanent location on the ground or attached to something having permanent location on the ground and shall include equipment pads, antennas, sheds, docks and piers or other structures. Driveways, retaining walls, sidewalks, docks, stairs, dock stair landings, utility poles, fences, walls used as fences shall not be considered as structures for setback purposes under the conditions set forth herein for the purpose of this chapter. In addition, any concrete, asphalt or other permanent surfacing placed upon a lot, such as but not limited to a patio, appurtenances or a pool decks adjacent to a swimming pool, with the exception of equipment pads shall not be considered a structure for the purpose of this chapter or for the purpose of determining setback lines, subject to the limitations set forth in subsections 82-423(1) and (2).

Structure, accessory means any detached structure constructed or erected the use of which requires permanent location on the ground or which is attached to something permanently located on the ground and is located on the same zoning lot as the principal building and principal use. Detached driveways,

sidewalks, utility poles, fences, and walls used as fences shall not be considered as accessory structures for the purpose of determining setback lines. However, any concrete, asphalt or other permanent surfacing placed upon a lot, such as but not limited to a patio (including pavers set in sand), or an apron adjacent to a swimming pool, shall not be considered a structure for the purpose of this chapter and for the purpose of determining setback lines.

Substantial improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the primary structure minus the land value and any accessory structures, either before the repair or improvement is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not however, include either:

- (1) Any project for improvement of a structure so as to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Temporary gratuitous guest means any natural person occasionally visiting a housekeeping unit for a period of time not to exceed a total of 30 days within a 90-day period.

Temporary structure means anything constructed or erected, the design of which or intended use of which is other than longterm, indefinite life design or use.

Terrace means an unoccupied open space which is contiguous to and bounded on at least one but not more than two sides by the walls of a building. It may be bounded on one or more of the other sides by a wall or similar enclosure having a height of three feet or less.

Use means the specific purpose for which land or a building is designed, arranged, or intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

Use, accessory means a use which is subordinate or incidental to the principal use on the property or which is located on a contiguous property when a unity of title has been recorded and which may be with or without any building or structure on the property.

Use, principal means a main and foremost use of improved or unimproved property, such use established on the property and which may be with or without any building or structure on the property.

Yard means an unoccupied space open to the sky, on the same lot with a building or structure.

Yard, front means an open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line.

Yard, rear means an open, unoccupied space on the same lot with a main building, extending the width of the lot and situated between the rear line of the lot and the rear line of the building projected to the sideline of the lot. The depth of the rear yard shall be measured between the rear line of the lot and the rear line of the building.

Yard, side means an open unoccupied space on the same lot with the building situated between the building and an the side line of the lot and extending from the front yard and to the rear yard. Any line not a rear line or front line shall be deemed a side line.

Section 3.

Sec. 82-244. Residential district [RI districts.]

Floor elevation and building height limits.

- (1) *Survey.* Before the appropriate town official may issue a development permit, a development permit applicant must provide the building department with a boundary and topographic survey signed and sealed by an appropriately licensed professional demonstrating that the proposed new construction or substantial improvement meets the requirements of this section. Survey shall be prepared in accordance with chapter 80 of this Code titled, "surveys and drawings".
- (2) Building Height is limited to 32 Feet and two-stories, except as provided by Sect. 82-421.
- (3) Building Height shall be measured as the vertical distance from the average natural grade to the highest point of the roof. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height shall be measured from the required freeboard to the highest point of the roof.

Section 4.

Sec. 82-303. Building height.

- 1) No building in the B-1 district shall be erected to a height in excess of ~~27~~32 feet, except as provided by Sec. 82-421.
- 2) Building Height shall be measured as the vertical distance from the average natural grade to the highest point of the roof. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height shall be measured from the required freeboard to the highest point of the roof.
- 3) Violations of this section shall be a Class D violation, punishable as set forth in chapter 18.

Section 5.

Sec. 82-323. Building height.

- 1) No building in the B-2 district shall be erected to a height in excess of 32 feet, except as provided by Sec. 82-421.
- 2) Building Height shall be measured as the vertical distance from the average natural grade to the highest point of the roof. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height shall be measured from the required freeboard to the highest point of the roof.
- 3) Violations of this section shall be a Class D violation, punishable as set forth in chapter 18.

~~The building height limit in the B-2 district shall be the same as for the B-1 business district.~~

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Codification. The sections of the ordinance may be made a part of the Town Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "division," or any other appropriate word.

Section 9. Effective Date. This ordinance shall take effect immediately upon adoption.

Commissioner Campo offered the Ordinance for its first, reading and moved its adoption.

The motion was seconded by Vice Mayor Kurzman, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DAVE KURZMAN, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
JAMES W. CAMPO, COMMISSIONER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRANK FENDER, COMMISSIONER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KAIJA MAYFIELD, COMMISSIONER	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Passed first reading at the Regular Meeting of the Town Commission held on the 18th day of July, 2023.

Vice Mayor Kurzman offered the Ordinance for its second reading and moved its adoption. The motion was seconded by Commissioner Campo, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	✓	—
DAVE KURZMAN, VICE MAYOR	✓	—
JAMES W. CAMPO, COMMISSIONER	✓	—
FRANK FENDER, COMMISSIONER	—	✓
KAIJA MAYFIELD, COMMISSIONER	✓	—

Passed second reading at the Regular Meeting of the Town Commission held on the 15th day of August, 2023. The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission on this 15th day of August, 2023.

TOWN OF SEWALL'S POINT, FLORIDA




 John Tompeck, Mayor

ATTEST:



 April Stoncius, CMC, Town Clerk

Approved as to form and legal sufficiency:


 & Glen J. Torcivia, Town Attorney
 Florida Bar No. 343374



TOWN OF SEWALL'S POINT



TO: Mayor and Commissioners
FROM: Robert Daniels, Town Manager
SUBJECT: Modification of Tree Ordinance – Chapter 70
DATE: Regular Meeting – August 15, 2023 – First Reading

EXECUTIVE SUMMARY:

The Town currently has a tree ordinance covered in Chapter 70 of the Code of Ordinances. Due to some recent incidents where trees were removed, a review of this ordinance was requested. Feedback from the Town Commission was supplied, and the changes are included in a strike-through version of the written document. The Town Attorney's Office has reviewed this ordinance.

RECOMMENDATION:

Staff recommends approval of Ordinance No. 449 at first reading.



Town Hall
(772) 287-2455

One South Sewall's Point Road
townhall@sewallspoint.org

Sewall's Point, FL 34996
www.sewallspoint.org





ORDINANCE NO. 449

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING CHAPTER 70 "HABITAT MANAGEMENT", AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the protection and preservation of trees on public and private property within the Town is not only desirable for aesthetic value, but essential to the present and future health, safety, and welfare of its citizens; and

WHEREAS, trees are a valuable property asset that can benefit an area economically; and

WHEREAS, a tree protection ordinance is necessary and desirable in order to promote the community welfare through regulation of the removal and destruction of trees both before and after land development; and

WHEREAS, on July 30, 2004, the Town Commission adopted Ordinance No. 303, amending Chapter 70 of the Town Code to establish protective regulations for trees within the Town, including minimum tree requirements, permit requirements for tree removal, and tree and vegetation installation and maintenance standards; and

WHEREAS, on August 26, 2014, the Town Commission adopted Ordinance No. 400, amending the penalty provisions of section 70-154 to ensure compliance with Ch. 162, Part I, Florida Statutes; and

WHEREAS, the Town Commission desires to amend the current tree protection regulations to clarify and enhance the tree preservation and protection measures found in Chapter 70; and

WHEREAS, the Town Commission desires to amend the current tree protection regulations to assure compliance with the 2022 amendments to section 163.045, Florida Statutes; and

WHEREAS, section 163.3174 (4) (c), Florida Statutes, requires the Land Planning Agency to review proposed land development regulations, or amendments thereto, for consistency with the adopted Plan, as may be amended; and

WHEREAS, the Town Commission, sitting in its capacity as the Local Planning Agency, has reviewed this Ordinance and recommends approval; and

WHEREAS, the Town Commission has reviewed the amendment and finds that such amendment to the Town Code furthers the public health, safety and general welfare of the residents and citizens of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL’S POINT, FLORIDA:

Section 1. The foregoing whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 70, “Habitat Management,” is hereby adopted to read as follows (additions are underlined; deletions are ~~stricken~~):

See Exhibit “A,” attached hereto and incorporated herein by reference.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the ordinance may be made a part of the Town Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "division," or any other appropriate word.

Section 6. Effective Date. This ordinance shall take effect immediately upon adoption.

_____ offered the Ordinance for its first, reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	_____	_____
DAVE KURZMAN, VICE MAYOR	_____	_____
JAMES W. CAMPO, COMMISSIONER	_____	_____
FRANK FENDER, COMMISSIONER	_____	_____
KAIJA MAYFIELD, COMMISSIONER	_____	_____

Passed second reading at the Regular Meeting of the Town Commission held on the _____ day of _____, 2023. The _____ thereupon declared this Ordinance approved and adopted by the Town Commission on this ___ day of _____, 2023.

	<u>AYE</u>	<u>NAY</u>
JOHN TOMPECK, MAYOR	_____	_____
DAVE KURZMAN, VICE MAYOR	_____	_____
JAMES W. CAMPO, COMMISSIONER	_____	_____
FRANK FENDER, COMMISSIONER	_____	_____
KAIJA MAYFIELD, COMMISSIONER	_____	_____

TOWN OF SEWALL'S POINT, FLORIDA

JOHN TOMPECK, MAYOR

ATTEST:

April Stoncius, CMC, Town Clerk

(TOWN SEAL)

Approved as to form and legal sufficiency:

Glen J. Torcivia, Town Attorney

Chapter 70 HABITAT MANAGEMENT

ARTICLE I. IN GENERAL

Sec. 70-1. Definitions.

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

Adverse impact: Any direct or indirect action likely to cause, or actually causing, a measurable decline in, (a) the stability, natural function, or natural diversity of a natural resource or system; or (b) the quiet, peaceful, safe, or healthful use or occupancy of any property.

Caliper: Trunk diameter measured four feet above the soil line.

Caliper (once the tree has been removed without a permit): If a tree has been cut down to below four feet above grade, ~~then~~ the caliper will be measured at the highest point of the remaining trunk. If tree has been totally removed, including the roots, then the caliper will be assumed at 30 inches.

Damaged tree: Any tree which has been destroyed or damaged by natural causes, or which constitutes an immediate peril to life, property, or other trees.

Department: Town of Sewall's Point Building Department.

Developer: Any person, excluding a government agency, undertaking any development subject to an application for a development order.

Development or development activity:

- (1) The construction, demolition, or removal of a residence, accessory building, commercial building, or pool.
- (2) Clearing, scraping, grubbing, or otherwise removing, altering, or destroying the vegetation on an undeveloped site.
- (3) Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, and dumping.

Dripline: An imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

Effectively ~~remove~~-removal: To trim or prune to the extent that a plant's natural function is severely altered.

Endangered, threatened or species of special concern: The list of plant and animal species as defined pursuant to Rules 3968A-27.003 through .005, F.A.C. or CFR 17.11-12 or F.S. § 581.185.

Documentation: An onsite assessment performed in accordance with the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017) by an arborist certified by the International Society of Arboriculture (ISA) or a Florida licensed landscape architect and signed by the certified arborist or licensed landscape architect.

Ground cover: Low-growing plants that form a continuous cover over the ground.

Grubbing: The removal or destruction of any living rooted shrubbery; the denuding of a parcel by digging, raking, or dragging; activities which disturb the roots of vegetation or the soil in which such roots are located in a manner which is calculated to result, or likely to result, in the death, destruction or removal of such vegetation.

Hatracking: To flat-cut the top or sides of a tree, severing the main branch or branches; or trimming a tree by cutting off branches and leaving a stub larger than one (1) inch in diameter, or reducing the total circumference or canopy of a tree by more than one-quarter (1/4); or by otherwise trimming a tree in such a manner as not to conform to the current American National Standards Institute (ANSI) A300 standards. Pruning of fruit trees such as mango, avocado, and lychee to a height of 14—15 feet shall not be considered hatracking, topping, or tree abuse.

Hedge: Hedges are self-supporting, woody species and shall be a minimum of 24 inches in height when measured immediately after planting.

Large-scale development: Any development that spans an area greater than two adjacent lots.

Lion tailing: The excessive thinning or removal of the interior branches, leaving most of the foliage and canopy on the branch ends, creating an appearance similar to a lion's tail. This improper pruning practice ruins the structure, dynamics, dampening effects, and overall health of a tree due to the removal of too much leaf area, thereby reducing photosynthesis and carbohydrate production, causing plant and water stress, and it may force the tree to use stored carbohydrate reserves.

Mangrove: Any rooted trees or seedlings, of any size, including the following species: White Mangrove (*Laguncularia racemosa*), Red Mangrove (*Rhizophora mangle*), Black Mangrove (*Avicennia germinans*), and varieties of the listed species, as well as their synonyms. Buttonwood (*Conocarpus erectus*).

Minimum residential tree requirement: The minimum number of trees required on a residential lot as required by this chapter.

Mitigation (tree): The act of compensating for the removal of a healthy tree by planting a proportionate number of replacement trees based on the species and size of each existing tree which is lost, or taking other actions to restore and biologically enhance existing green space, including, where feasible, relocating the removed tree.

Mitigation plan: A plan to offset the impact of trees-removal through replacement of trees to be removed or damaged as required by this Chapter. A mitigation plan must be submitted and approved by the Chief Building Official or his designee prior to the issuance of any tree removal permit(s).

Native plant communities: Native plant communities consist of a variety of plants including canopy trees, understory trees, shrubs, ground cover, vines and wildflowers. Native plant communities found in the Town contain native plants such as: Tropical Hammock Plants: Black Ironwood, Blolly, Cabbage Palm, Cocoplum (red-tip), Coral Bean, Graytwig, Gumbo Limbo, Inkwood, Jamaica Dogwood, Lancewood, Live Oak, Mahogany, Marlberrry, Mastic, Paradise Tree, Pigeon Plum, Redbay, Saffron Plum, Satinleaf, Stoppers, Torchwood, Wild Coffee, Wild Lime; South Florida Coastal Strand: Buttonwood, Cocoplum (green-tip), Gopher Apple, Leather Fern, Saw Palmetto, Sea Grape, Sea Oxeye Daisy, Varnish Leaf; Scrub Forests: Deer Moss, Gopher Apple, Myrtle Oak, Prickly Pear Cactus, Sand Pine, Sand Live Oak, Scrub Hickory; Pine Flatwood: Cabbage Palm, Cocoplum, Dahoon Holly, Gopher Apple, Myrsine, Saw Palmetto, South Florida Slash Pine, Wax Myrtle; Mangrove Swamp: Black Mangrove, Buttonwood (green, silver), Red Mangrove, Sea Oxeye Daisy, Leather Fern, White Mangrove.

Natural Function: The process by which plants produce food and oxygen by photosynthesis and remove carbon from the air.

Open space: Pervious area of a site with soils sufficient to promote healthy plant growth.

Parcel Map: The area of land or water owned by an applicant, which is submitted with an application under this chapter.

Person: Any landowner, lessee, building contractor, subcontractor, landscaper, tree trimmer, developer, or other entity involved in the use or development of real property, including agents, employees, independent contractors, or others in privity with any of the above, whether natural persons, corporations, partnerships, joint adventures, governmental bodies, agencies or officials.

Preliminary land clearing: Those operations where trees and vegetation are removed within designated road rights-of-way, drainage, and utility areas as depicted on a preliminary plan and which occur prior to the construction of buildings.

Prohibited species: Any species listed in the Invasive Plant List Category I and II under the Florida Exotic Pest Plant Council and amendments thereof. A copy of the Invasive Plant List will be made available to the public in the Town Clerk's office.

Protective barrier: A physical structure limiting access to a protected area composed of wooden and/or other suitable materials, which assures compliance with the intent of this chapter.

Pruning: The removal of not more than 25 percent of the canopy of a tree, once every year.

Remove or removal: The actual removal of vegetation by digging up or cutting down, or damage of the vegetation or alteration of a site through the application of herbicides or other chemical agents; or the effective removal by trimming or pruning to the extent that a plant's natural function is severely altered.

Residential property: A single-family, detached building located on a lot that is actively used for single-family residential purposes and that is either a conforming use or a legally recognized nonconforming use in accordance with the town's applicable land development regulations.

Shade tree: A tree with a broad crown planted to shade an area from the sunlight.

Site: Any lot, plot, parcel, or area of land or water.

Site plan or survey: A graphically drawn scaled plan view of a site, signed and sealed by an appropriately licensed professional(s), which shows all proposed or existing man-made improvements, which includes buildings, parking areas, utility lines, drive, canopy roads, topographic changes, and natural features.

Sketch: A graphically drawn scaled plan view of a site which shows all proposed or existing man-made improvements which includes buildings, parking areas, utility lines, drives, roads, topographic changes, and natural features.

Specimen tree: A tree which has been determined by the town in consultation with a suitable professional registered in the State of Florida selected by the town to be of high aesthetic or ecological value because of its type, size, age or other professional criteria.

Specimen tree stands: A contiguous grouping of trees which has been determined to be at a height of at least eight feet and normally growing to an overall height of at least 15 feet in the vicinity of the town.

Substantial improvement. The repair, reconstruction or improvement to a structure built prior to the enactment of the ordinance codified in this chapter, the cost of which equals or exceeds 50 percent of the market value of the structure, either before the repair or improvement is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Tree topping: The drastic removal, or cutting back, of large branches in mature trees, leaving large, open wounds which subject the tree to disease and decay. Topping causes immediate injury to the tree and ultimately results in early failure or death of the tree.

Other names for this malpractice include stubbing, heading, heading-back, stubbing-off, tipping hatracking, topping off, dehorning, lopping, or roundover.

Transplant: The digging up of a tree from one place on a site and the planting of the same tree in another place on the same site.

Tree: A tree with a minimum caliper of one and one-half inches and eight feet tall at time of planting and which is a Florida Department of Agricultural Nursery Grade No. 1 or better.

Tree inventory: A written list of all trees on the site showing the common name and caliper.

Undeveloped site: A site upon which a primary residence or commercial building has not been built under a permit issued by the town.

Upland buffer area: The area of land from the mean high waterline inland ten feet.

Vehicular use area: All areas used for the circulation or parking of any and all types of vehicles or heavy construction equipment, whether self-propelled or not, and all land upon which vehicles traverse as a function of the primary use.

Secs. 70-2—70-20. Reserved.

ARTICLE II. HABITAT MANAGEMENT PERMITS FOR EXISTING DEVELOPED SINGLE-FAMILY LOTS

Sec. 70-21. Minimum tree requirements for residential properties.

Any applicant requesting a tree removal permit on an existing residential property with an existing residence must submit a mitigation plan for approval with the application and meet the following minimum requirements:

- (1) *Lots not exceeding one-half acre:* At least eight non-invasive trees (excluding citrus) with a minimum caliper of three inches and a trunk at least eight feet tall. Palm trees of all types shall be counted at one-fourth of their caliper.
- (2) *Lots greater than one-half acre, but not exceeding one acre:* At least 12 non-invasive trees (excluding citrus) with a minimum caliper of three inches and a trunk at least eight feet tall. Palm trees of all types shall be counted at one-fourth of their caliper.
- (3) *Lots greater than one-acre: for the first acre at least ~~12~~ 16 non-invasive trees (excluding citrus) with a minimum caliper of three inches and a trunk at least eight feet tall.* Palm trees of all types shall be counted at one-fourth of their caliper. For each additional one-half acre or portion thereof: Eight non-invasive trees with a minimum caliper of three inches and a trunk at least eight feet tall. Palm trees of all types shall be counted at one-fourth of their caliper.
- (4) Any ancillary structures or improvements (such as driveways, sidewalks, walkways, and fences) on any lot must occur without a tree removal unless approved by the Chief Building Official.

(5) A mitigation plan must be submitted with any tree removal permit application. The Chief Building Official or his designee may allow either one-for-one tree mitigation for existing residences already constructed or the caliber of the trees if the number of trees is less than the requirements in this section.

Sec. 70-22. Permit required for tree removal.

A tree removal permit and mitigation plan, as provided for in this chapter, shall be required for the removal (or transplant) of any tree with a two-inch ~~caliber~~ caliper or more upon any parcel upon which there is already a lawfully permitted residence. Permit requirements are outlined under article V. If the town has to procure the services of a suitable professional licensed in the State of Florida to ascertain the state or type of a tree(s) prior to or after removal of the tree(s) then the cost of such will be borne by the property owner.

Sec. 70-23. Permit not required for tree removal.

A permit is not required for the removal of the following trees:

- (1) *Citrus trees*. If the town has to procure the services of a suitable professional licensed in the State of Florida to ascertain the type of tree(s) prior to or after removal of the tree(s), then the cost of such will be borne by the property owner.
- (2) The Town may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the ISA or a Florida licensed landscape architect that the tree poses an unacceptable risk to persons or property. If a tree is obviously dead, diseased, or a hazard, the Chief Building Official or their designee, may make the determination without the need for a certified arborist report.

Secs. 70-24—70-40. Reserved.

ARTICLE III. HABITAT MANAGEMENT PERMITS FOR NEW RESIDENTIAL DEVELOPMENT OR SUBSTANTIAL IMPROVEMENTS

Sec. 70-41. Minimum tree requirements for residential properties.

Except as provided in section 70-44, Any applicant requesting a tree removal permit on undeveloped residential property or residential property with an existing residence requesting a substantial improvement to the property must meet the minimum requirements provided for under Section 70-21.

Sec. 70-42. Permit required for tree removal.

A tree removal permit and mitigation plan as provided for in this chapter shall be required for the removal (or transplant) of any tree unless specifically exempted under this Chapter.

Permit requirements are outlined under article V. If the town has to procure the services of a suitable professional registered in the State of Florida to ascertain the state or type of a tree(s) ~~prior to~~ before or after removal of the tree(s) then the cost of such will be borne by the property owner.

Sec. 70-43. Tree and vegetation installation and maintenance.

All trees and vegetation planted in conformance with this chapter shall be installed in accordance with good planting procedures as prescribed by the American Society of Landscape Architects. All existing trees and trees being planted on the site, and other required plant material shall be permanently maintained in healthy growing condition or shall be promptly replaced within 30 days. Severe pruning or maintenance practice(s) upon any tree with a minimum caliper of two inches that results in stunted, abnormal, or other unreasonable deviation from normal healthy growth shall be considered as removal of vegetation, which requires a permit. This may include hat-racking or topping, or lions-tail pruning.

Sec. 70-44. Prohibited species removal.

Prohibited species as defined under article I are considered undesirable vegetation due to their growth characteristics which may result in human health problems and the elimination of habitat for more desirable native species as a condition of permitting pursuant to this chapter. There shall be no fee for permits to remove prohibited species, but a tree removal permit application must be approved to confirm that the tree in question is a prohibited species as defined in section 70-1, and the minimum tree requirements must be met. ~~If the town has to procure the services of a suitable professional registered in the State of Florida to ascertain the state or type of a tree(s) prior to or after removal of the tree(s), then the cost of such will be borne by the property owner.~~

Sec. 70-45. Site stabilization and protective barriers.

- (a) All construction sites including sites grubbed or cleared pursuant to the provisions of this chapter shall be stabilized prior to the commencement of any construction or other development. Stabilization shall be in a manner to minimize airborne dust, erosion and off-site sediment transfer. The applicant shall install silt barriers, hay bales, or similar erosion control barriers along all property lines and in any area where erosion or siltation may cause vegetation to be damaged. No trees may be removed unless a tree removal application with a mitigation plan is approved.
- (b) Prior to development activity, the owner or his agent shall erect a suitable protective barrier(s) for all protected vegetation with placards, posted on the barricades, indicating the purpose of the barriers and the penalties for unauthorized removal. The protective barrier(s) and placards shall remain in place until the department authorizes removal or

upon completion of final lot grading and placement of final ground cover. During construction, no attachments or wires shall be attached to any protected vegetation.

Sec. 70-46. Placement of solvents, material, construction machinery, or soil.

It shall be unlawful for any person engaged in development activity to place solvents, construction material, construction machinery, or temporary soil deposits within six feet of the trunk or two-thirds of the dripline whichever is greater, of any tree four inches in caliper or greater or within six feet of other protected vegetation.

Secs. 70-47—70-60. Reserved.

ARTICLE IV. HABITAT MANAGEMENT PERMITS FOR LARGE-SCALE DEVELOPMENT AND NATIVE HABITAT PRESERVATION AREAS

Sec. 70-61. Application of articles I through III.

The provision of articles I through III applicable to single family lots are applicable to large-scale development with the modification and additions of this article:

- (1) In lieu of a sketch, the applicant shall provide a survey signed and sealed by an appropriately licensed professional with the information listed in article V shown on the survey.
- (2) The permit fee shall be \$500.00.

Sec. 70-62. Native habitat preservation areas.

- (a) *Purpose.* It is the purpose of a native habitat preservation area to provide for the preservation of viable wildlife habitats and representative native ~~vegetative~~ plant communities. The protection of these areas will help to ensure that adequate feeding, nesting and cover necessary for the continued survival of native wildlife species is available while protecting naturally occurring vegetative communities.
- (b) *Criteria.* All large-scale developments shall preserve a parcel as a native habitat preservation area (native habitat and vegetative community) as outlined below:
 - (1) A minimum of 25 percent of the total site if more than six lots; or
 - (2) Ten percent of the total site if six or fewer lots, are being developed. The native habitat preservation area may be provided on one or more other lots if all lots are contiguous and are considered as a single, master planned development under unified control.

The native habitat preservation area shall be located in a manner that maximizes the contiguity and retention of native vegetation including understory vegetation. Where wetland vegetation exists and upland buffers are provided, the preservation area

shall, wherever feasible, be contiguous to the upland buffer. Upland buffers shall be credited toward the percentage required by this section.

Upon submittal of a development application, the Department shall inspect the parcel and use the evaluation criteria of article V to evaluate the native habitat and vegetative community area(s) of the parcel. If the Department determines that the vegetation of the site is of poor quality, the habitat preservation area shall be planted with one native tree with at least a minimum caliper of at least three inches or multiple native trees with combined calipers equivalent to the three-inch requirement ~~or~~ and with a trunk eight feet tall at the time of planting (of Florida Department of Agriculture Nursery Fancy Grade No. 1 or better) per 400 square feet and native understory or native ground cover on three-foot centers. Such plan shall be submitted for approval to the building official.

Secs. 70-63—70-80. Reserved.

ARTICLE V. GENERAL PROVISION FOR ISSUANCE OF PERMITS AND EMERGENCY CONDITIONS

Sec. 70-81. Permit location and expiration.

The permit shall be posted and maintained in a conspicuous place on the nearest public road right-of-way to the subject property. Permits shall expire if permitted work is not commenced within ~~three months~~ thirty (30) days three months of permit issuance or if development activity is interrupted for a period in excess of 45 days.

Sec. 70-82. Variances and waiver.

The code enforcement board may, upon appropriate application in writing and a \$100.00 fee paid, reduce the fines established under section ~~70-134~~ 70-154 of this chapter in specific cases due to unreasonable hardship, overriding public interest, or the general public welfare. Requests for a waiver/reduction may occur within thirty days of the date the tree(s) was removed without a permit or fourteen days after an application for tree removal with a mitigation plan was submitted, whichever is soonest, after approval of the Town Manager.

Sec. 70-83. Emergencies.

In case of emergencies, such as hurricane, windstorm, flood, freeze, or other disasters, the requirements of these regulations may be waived by the ~~mayer~~ Mayer, Town Manager or ~~other designated official~~ designee upon finding that the waiver is necessary to ensure public or private work to restore order in the town will not be impeded.

Sec. 70-84. Appeal.

Any person may appeal a decision denying a permit (or conditions in a permit issued) required by this chapter within 30 days from the date of the decision. Appeals shall be made to

the ~~town code enforcement board~~ Town Commission Code Enforcement Board by filing a written notice of appeal with the town clerk in duplicate along with a \$250.00 fee.

Sec. 70-85. Permit application procedures for single family lots, substantial revisions and single residential lot development.

(a) *Procedure.* Application shall be made by filing a written application, with a mitigation plan, with the department and paying a \$~~125.00~~ application fee. ~~Tree relocation can also qualify for mitigation.~~ No fee shall be required to remove prohibited species, dead, dying, or damaged trees; however permits are required. The department may require the written opinion of a suitable professional registered in the State of Florida selected by the town to support the application, the cost of the arborist to be reimbursed by the applicant. The application shall be field verified by the building official, Town Manager, or the Building Official's designee, who shall indicate the verification by signing and dating the sketch(s) on file before issuing or denying the permit. The applicant shall submit the following to the department:

- (1) A scaled sketch, site plan or survey showing:
 - a. where the trees to be removed are located;
 - b. the tree species;
 - c. the tree diameter, and approximate height of the trees to be removed;
 - d. the location, size, and species of other trees on the parcel;
 - ~~d.~~e. the shape and dimensions of the lot or parcel, together with the existing and proposed locations of structures and improvements, if any; and
 - e.f. a mitigation plan showing all proposed new or moved trees or other vegetation, by species and size, along with the type of ground cover to be installed, including the proposed new location for the trees or vegetation. In the case of a permit application in connection with the construction of a structure, the applicant shall provide a site plan in lieu of a sketch. The sketch, site plan or survey shall be prepared in accordance with Chapter ~~11.5~~ 80 of this Code titled Surveys and Drawings.
- (2) If the applicant is not the owner of the property, the applicant must submit a written authorization from the owner of the property authorizing the applicant to submit and/or represent the application.
- (3) The applicant shall mark the tree(s) subject to the permit on the site by tagging the tree(s) with ~~red, yellow or~~ orange marking tape. The department may photograph the tree(s) marked for removal and place the photograph(s) in the permit file no later than 30 days after issuing or denying the permit.
- (4) If land clearing is intended, an erosion control plan, showing topography of the site where trees are located and effective removal of the same would have on: erosion, soil, moisture, retention, increased or decreased flow or diversion in the flow of

surface waters, and impact on overall surface water management, together with the reasons for clearing or grubbing of the site.

- ~~(5) Additionally required is a mitigation site plan with all proposed new trees identified by species and size along with the type of ground cover to be installed.~~
- (65) Any other information requested by the department.
- (76) The applicable ~~appropriate~~ permit fee.

Sec. 70-86. Evaluation criteria.

The department shall consider the following requirements and potential adverse impacts on urban and natural environment in evaluating the application:

- (1) *Minimum number of trees:* Must meet requirements as outlined under section 70-21 and ~~70-41~~.
- (2) *Soil stabilization:* Whether the removal of tree(s) or other vegetation will result in uncontrollable erosion of soils into surface waters, or adjacent properties.
- (3) *Water quality and/or aquifer recharge:* Whether the removal of tree(s) or other vegetation will lessen the ability for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substance from ground and surface waters.
- (4) *Ecological impacts:* Whether the removal of tree(s) or other vegetation will have an adverse impact upon existing biological and ecological systems.
- (5) *Noise pollution:* Whether the removal of tree(s) or other vegetation will significantly increase ambient noise levels.
- (6) *Wildlife habitat:* Whether the removal of tree(s) or other vegetation will significantly reduce available habitat for wildlife existence and reproduction, or are likely to result in the emigration of wildlife from adjacent or associated ecosystems.
- (7) *Aesthetic degradation:* Whether the removal of tree(s) or other vegetation will have an adverse effect on property values in the neighborhood where the applicant's property is located or on other existing vegetation in the vicinity.
- (8) *Endangered, threatened and species of special concern:* Whether the removal of tree(s) or other protected species will significantly affect endangered, threatened, or other protected plants.
- (9) *Wetland vegetation:* Whether any alterations are planned for mangroves or other wetlands which are recognized to be of special ecological value. No mangroves or other wetland vegetation shall be removed, trimmed, pruned, chemically treated, filled upon or altered unless completed in accordance with state law and unless a state permit or written exemption is provided to the department.

-
- (10) *Specimen tree or specimen tree stands*: Whether the application calls for removal, trimming, pruning, or alteration to a specimen tree or specimen tree stand which has been designated as such under the provisions of this chapter.

Sec. 70-87. Permit issuance or denial.

The department shall issue the permit if:

- (1) The application complies with the provisions of this chapter;
- (2) The application of the evaluation criteria shows no significant adverse impacts; and
- (3) One or more of the following conditions exist:
 - a. The vegetation is located in an area where new structures, utilities or improvements may be placed according to the Town Code; and to preserve the vegetation would unreasonably restrict the economic enjoyment of the property; ~~and the vegetation cannot be relocated on the site because of age, type or size, and the residence cannot be reconfigured to avoid trees and vegetation.~~
 - b. The vegetation or tree is diseased, injured, located too close to the existing, interferes with existing utility service, or creates an unsafe visual obstruction.
 - c. The vegetation is to be moved to another location on the owner's property or is to be replaced by another tree or shrub on the owner's property, regardless of location.
 - d. If the permit is denied, the department shall notify the applicant in writing of the basis for denial using the criteria listed in this section.

Sec. 70-88. Permit conditions.

Every permit issued by the department under this chapter shall contain the following conditions:

- (1) Plan approval by the town that satisfies the requirements of ~~a~~Article II of this chapter.
- (2) Tree species shall be compatible with soil conditions. All required tree(s) must be maintained in good condition and be planted in locations with adequate open space to allow mature tree canopy development. Replanted trees shall be located to avoid underground and overhead utilities.
- (3) The applicant shall remove all prohibited species from the site in connection with a permit issued for development activity or substantial improvements.
- (4) The town may inspect the trees and the site permanently after the certificate of occupancy is issued, or a final inspection is conducted in order to ascertain that the required trees or other vegetation are healthy and stabilized.

Sec. 70-89. Conflicts and distance from utilities.

No tree shall be planted where it could, at mature height, conflict with overhead power lines. Large trees (height at maturity of greater than 30 feet) shall be planted no closer than a horizontal distance of 30 feet from the nearest overhead power line. Medium-height trees (height at maturity between 20 and 30 feet) shall be offset at least 20 feet. Small trees (height at maturity of less than 20 feet) require no offset. No tree shall be planted within five feet of any existing or proposed utility pole, guy wire or pad mounted transformer. Palms should be planted at a distance equal to or greater than the average frond length plus six feet from power lines. When shade trees do not meet the above-required setbacks, small ornamental trees shall be substituted at a rate of one and one-half trees for each required shade tree. No vine shall be planted within five feet of any existing or proposed utility pole, guy wire or pad mounted transformer.

Secs. 70-90—70-110. Reserved.

ARTICLE VI. PROTECTION OF SHORELINES

Sec. 70-111. Upland buffers adjacent to shorelines.

- (a) *Purpose.* It is the purpose of an upland buffer to protect shorelines, their associated vegetation, wildlife and water quality attributes from adjacent development impacts. The impacts include siltation, erosion, surface water runoff, and human and domestic animal intrusion. Upland buffers also provide for the preservation of upland wildlife habitat.
- (b) *Prohibited activities within upland buffers.* The following activities within an upland buffer area shall be prohibited unless a permit, variance or waiver has been issued (permits, variances and waivers shall be reviewed based on the evaluation criteria within article V):
 - (1) Placement of a structure, road or utilities (other than extension of dock or walkway to dock).
 - (2) Planting of prohibited vegetation.
 - (3) Removal of native vegetation.
 - (4) Fill with dirt, topsoil, sand, gravel or other similar material.
 - (5) Excavation.
 - (6) Storage of equipment, supplies, materials, machinery, and portable buildings.
 - (7) Application of herbicides, pesticides, fertilizers, or chemical agents injurious to vegetation.

Secs. 70-112—70-130. Reserved.

ARTICLE VII. LANDSCAPE REQUIREMENTS FOR COMMERCIAL PARKING LOTS

Sec. 70-131. Development permit applications.

All nonresidential development permit applications which propose vehicular use areas with more than three parking spaces shall conform to the minimum landscaping requirements defined below. In instances where healthy plant material exists on a site prior to its development, in part or in whole, for purposes of off-street parking or other vehicular use areas, the department shall adjust the application of the below-mentioned standards to allow credit for the plant material if such an adjustment is in keeping with and will preserve the intent of this chapter.

Sec. 70-132. Permit required for tree removal.

A permit as provided for in this chapter shall be required for the removal (or transplant) of any tree with a two-inch caliper or more upon any commercial parcel upon which there is a structure under a validly issued permit. Permit requirements are outlined under article V.

Sec. 70-133. Perimeter landscaping.

The exterior perimeters of all vehicular use areas adjacent to other property pursuant to the Zoning Code or public right-of-way shall be landscaped with a strip of land which is at least three feet in width. Within this landscape strip, a hedge shall be installed which, at the time of planting, shall be three feet in height and be allowed to grow to and be maintained so as to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than two and one-half to three feet on center, depending on the species.

Sec. 70-134. Trees.

An area equal to ten percent of the total vehicular use area shall be devoted to landscape open space for planting of tree(s). There shall be a minimum of one tree for each 200 square feet or fraction thereof of required landscape open space. All existing shade trees shall be maintained and applied as a credit to this requirement. Each tree shall be planted within a minimum five-foot by five-foot hole and newly planted or transplanted trees shall have a minimum caliper of six inches. Trees shall be located wherever possible to avoid underground and overhead utilities. These trees shall be located at the perimeter and interior of the vehicular use area to most effectively provide shade and cool pavement areas as well as to relieve the monotony of large expanses of paving and contribute to the orderly circulation of vehicular and pedestrian traffic.

Sec. 70-135. Vehicular use landscape plan approval.

The developer must submit for approval by the Department a combination site plan/landscape plan ("vehicular use landscape plan"). The use of xeriscape design is preferred. The design should include: low maintenance design; low volume irrigation; use of mulch ground cover; use of drought tolerant plant material; soil augmentation; and limited use of turf to allow for low maintenance. The vehicular use landscape plan shall be submitted to the Department and shall contain the following information: The name, address, and telephone number of the owner and designer; landscape architect and irrigation maintenance contractor; a site plan indicating all dimensions and property lines, northpoint, clearly delineated existing and proposed easements, utility lines, parking spaces, access aisles, driveways, sidewalks, curbs and other vehicular use controls, the location of curb cuts on adjacent property and median openings on abutting street; lighting; irrigation system; proposed planting areas; decorative or screen walls; and existing trees and related buildings. Proposed planting areas must indicate the quantity, spacing, size and name of proposed plant material.

Sec. 70-136. Parking lot divider strips.

Landscaped divider strips shall be used to separate double rows of parking spaces and such divider strips shall have a minimum width of six feet. All such divider strips shall be planted with trees spaced no more than 20 feet apart. Tree species are to be selected on the bases of (a) size at maturity, and (b) expected life, in order to maximize shaded areas for many years under tree canopies within parking areas.

Sec. 70-137. Irrigation requirements.

Irrigation systems shall utilize low volume design to provide direct application and low evaporation. Water supply shall be piped to each individual planter island and, in no case, shall any planted vegetation area required pursuant to this section be more than 50 feet from a water supply hose bib. Trees shall be irrigated for at least five years after planting and irrigation systems shall be properly maintained for such minimum period. Aside from tree selection, the Department shall encourage the use of plants which do not have ongoing watering and fertilization requirements in order to reduce the demand on the potable water supply.

Sec. 70-138. Sight distance restrictions at intersections and street vertical clearance.

All landscape plant material shall be planted in accordance with sight distance restrictions determined by the department. Additionally, all trees and plant material must be trimmed higher than 14 feet vertical clearance, curb to curb or street edge to street edge of any roadway. This is the property owner's responsibility to maintain.

ARTICLE VIII. TREE REGULATIONS FOR ALL PARCELS

Sec. 70-139 — No Signs or other attachments to Trees

~~All persons are prohibited from placing, posting or erecting signs upon trees anywhere in the Town. Any other object, such as flag poles or bird feeders, cannot be affixed using nails into the tree.~~

Secs. 70-139—70-150. Reserved.

ARTICLE VIIIIX. ENFORCEMENT

Sec. 70-151. Withholding certificate of occupancy.

The department shall withhold the issuance of a certificate of occupancy, or permits and inspections, on any development until the provisions of this chapter, or conditions of any permits issued under this chapter, have been fully complied with, and until any fines levied under this chapter have been paid.

Sec. 70-152. Cease and desist order.

The department or designee may issue a cease and desist order for any permit issued under this chapter for fraud, misrepresentation, or violation of conditions imposed under this chapter pursuant to the permit or other good cause or for any site where work has commenced and a permit has not been obtained but is required pursuant to this chapter. Any person receiving an order for cessation of operations shall immediately comply with the requirements of the order. It shall be a "D" violation of this chapter for any person to fail to or refuse to comply with a cease and desist order issued and serviced under the provisions of this chapter.

Sec. 70-153. Liability.

Whenever a violation of this chapter occurs or exists, or has occurred or existed, any person, individually or otherwise, who has a legal, beneficial or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which the violation occurs or exists, or has occurred or existed, shall be jointly and severally liable for the violation regardless of fault and regardless of knowledge of the violation. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all person(s), individually or otherwise, who although the persons may no longer have any such legal, beneficial or equitable interest in such facility or instrumentality or real property, did have an interest at any time during which the violation existed or occurred or continued to exist or to occur. This provision shall be liberally construed and shall be retroactively applied to protect the public health, safety, and welfare to accomplish the purposes of this chapter.

Sec. 70-154. Civil penalties.

Any person who violates any provision of this chapter shall forfeit and pay to the town a civil penalty for the vegetation illegally removed or damaged, based on the caliper of the vegetation, as follows for each tree:

- (1) Two to five inches— ~~\$500~~ \$1,000.00;
- (2) Over five to ten inches— ~~\$1,500~~ \$2,500.00;
- (3) Over ten to 15 inches— ~~\$3,000~~ \$4,000.00;
- (4) Over 15 inches—up to \$5,000.00 or the maximum amount permitted by law.

The foregoing schedule of civil penalties by caliper shall be reduced by 50 percent for palm trees. The sum shall accrue to the town and may be recovered as a condition to the issuance of further permits or certificates of occupancy or in a civil action brought by the town.

Sec. 70-155. Mitigation.

In addition to or in lieu of civil penalties as provided for by this chapter, the town may require replacement of illegally removed trees or other protected vegetation on ~~an double an~~ an double an inch-for- ~~single~~ single inch basis or accumulation of tree diameters ~~equaling doubling~~ equaling doubling equaling the diameter of the tree(s) removed. A combination of money and tree replants may be required.

Chapter 70 HABITAT MANAGEMENT

ARTICLE I. IN GENERAL

Sec. 70-1. Definitions.

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

Adverse impact: Any direct or indirect action likely to cause, or actually causing, a measurable decline in, (a) the stability, natural function, or natural diversity of a natural resource or system; or (b) the quiet, peaceful, safe, or healthful use or occupancy of any property.

Caliper: Trunk diameter measured four feet above the soil line.

Caliper (once the tree has been removed without a permit): If a tree has been cut down to below four feet above grade, ~~then the~~ caliper will be measured at the highest point of the remaining trunk. If tree has been totally removed, including the roots, then the caliper will be assumed at 30 inches.

Damaged tree: Any tree which has been destroyed or damaged by natural causes, or which constitutes an immediate peril to life, property, or other trees.

Department: Town of Sewall's Point Building Department.

Developer: Any person, excluding a government agency, undertaking any development subject to an application for a development order.

Development or development activity:

- (1) The construction, demolition, or removal of a residence, accessory building, commercial building, or pool.
- (2) Clearing, scraping, grubbing, or otherwise removing, altering, or destroying the vegetation on an undeveloped site.
- (3) Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, and dumping.

Dripline: An imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

~~Effectively remove~~-removal: To trim or prune to the extent that a plant's natural function is severely altered.

Endangered, threatened or species of special concern: The list of plant and animal species as defined pursuant to Rules ~~3968A~~-27.003 through .005, F.A.C. or CFR 17.11-12 or F.S. § 581.185.

Documentation: An onsite assessment performed in accordance with the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017) by an arborist certified by the International Society of Arboriculture (ISA) or a Florida licensed landscape architect and signed by the certified arborist or licensed landscape architect.

Ground cover: Low-growing plants that form a continuous cover over the ground.

Grubbing: The removal or destruction of any living rooted shrubbery; the denuding of a parcel by digging, raking, or dragging; activities which disturb the roots of vegetation or the soil in which such roots are located in a manner which is calculated to result, or likely to result, in the death, destruction or removal of such vegetation.

Hatracking: To flat-cut the top or sides of a tree, severing the main branch or branches; or trimming a tree by cutting off branches and leaving a stub larger than one (1) inch in diameter, or reducing the total circumference or canopy of a tree by more than one-quarter (1/4); or by otherwise trimming a tree in such a manner as not to conform to the current American National Standards Institute (ANSI) A300 standards. Pruning of fruit trees such as mango, avocado, and lychee to a height of 14—15 feet shall not be considered hatracking, topping, or tree abuse.

Hedge: Hedges are self-supporting, woody species and shall be a minimum of 24 inches in height when measured immediately after planting.

Large-scale development: Any development that spans an area greater than two adjacent lots.

Lion tailing: The excessive thinning or removal of the interior branches, leaving most of the foliage and canopy on the branch ends, creating an appearance similar to a lion's tail. This improper pruning practice ruins the structure, dynamics, dampening effects, and overall health of a tree due to the removal of too much leaf area, thereby reducing photosynthesis and carbohydrate production, causing plant and water stress, and it may force the tree to use stored carbohydrate reserves.

Mangrove: Any rooted trees or seedlings, of any size, including the following species: White Mangrove (*Laguncularia racemosa*), Red Mangrove (*Rhizophora mangle*), Black Mangrove (*Avicennia germinans*), and varieties of the listed species, as well as their synonyms. Buttonwood (*Conocarpus erectus*).

Minimum residential tree requirement: The minimum number of trees required on a residential lot as required by this chapter.

Mitigation (tree): The act of compensating for the removal of a healthy tree by planting a proportionate number of replacement trees based on the species and size of each existing tree which is lost, or taking other actions to restore and biologically enhance existing green space, including, where feasible, relocating the removed tree.

Mitigation plan: A plan to offset the impact of trees-removal through replacement of trees to be removed or damaged as required by this Chapter. A mitigation plan must be submitted and approved by the Chief Building Official or his designee prior to the issuance of any tree removal permit(s).

Native plant communities: Native plant communities consist of a variety of plants including canopy trees, understory trees, shrubs, ground cover, vines and wildflowers. Native plant communities found in the Town contain native plants such as: Tropical Hammock Plants: Black Ironwood, Blolly, Cabbage Palm, Cocoplum (red-tip), Coral Bean, Graytwig, Gumbo Limbo, Inkwood, Jamaica Dogwood, Lancewood, Live Oak, Mahogany, Marlberry, Mastic, Paradise Tree, Pigeon Plum, Redbay, Saffron Plum, Satinleaf, Stoppers, Torchwood, Wild Coffee, Wild Lime; South Florida Coastal Strand: Buttonwood, Cocoplum (green-tip), Gopher Apple, Leather Fern, Saw Palmetto, Sea Grape, Sea Oxeye Daisy, Varnish Leaf; Scrub Forests: Deer Moss, Gopher Apple,

Myrtle Oak, Prickly Pear Cactus, Sand Pine, Sand Live Oak, Scrub Hickory; Pine Flatwood: Cabbage Palm, Cocoplum, Dahoon Holly, Gopher Apple, Myrsine, Saw Palmetto, South Florida Slash Pine, Wax Myrtle; Mangrove Swamp: Black Mangrove, Buttonwood (green, silver), Red Mangrove, Sea Oxeye Daisy, Leather Fern, White Mangrove.

Natural Function: The process by which plants produce food and oxygen by photosynthesis and remove carbon from the air.

Open space: Pervious area of a site with soils sufficient to promote healthy plant growth.

Parcel Map: The area of land or water owned by an applicant, which is submitted with an application under this chapter.

Person: Any landowner, lessee, building contractor, subcontractor, landscaper, tree trimmer, developer, or other entity involved in the use or development of real property, including agents, employees, independent contractors, or others in privity with any of the above, whether natural persons, corporations, partnerships, joint adventures, governmental bodies, agencies or officials.

Preliminary land clearing: Those operations where trees and vegetation are removed within designated road rights-of-way, drainage, and utility areas as depicted on a preliminary plan and which occur prior to the construction of buildings.

Prohibited species: Any species listed in the Invasive Plant List Category I and II under the Florida Exotic Pest Plant Council and amendments thereof. A copy of the Invasive Plant List will be made available to the public in the Town Clerk's office.

Protective barrier: A physical structure limiting access to a protected area composed of wooden and/or other suitable materials, which assures compliance with the intent of this chapter.

Pruning: The removal of not more than 25 percent of the canopy of a tree, once every year.

Remove or removal: The actual removal of vegetation by digging up or cutting down, or damage of the vegetation or alteration of a site through the application of herbicides or other chemical agents; or the effective removal by trimming or pruning to the extent that a plant's natural function is severely altered.

Residential property: A single-family, detached building located on a lot that is actively used for single-family residential purposes and that is either a conforming use or a legally recognized nonconforming use in accordance with the town's applicable land development regulations.

Shade tree: A tree with a broad crown planted to shade an area from the sunlight.

Site: Any lot, plot, parcel, or area of land or water.

Site plan or survey: A graphically drawn scaled plan view of a site, signed and sealed by an appropriately licensed professional(s), which shows all proposed or existing man-made improvements, which includes buildings, parking areas, utility lines, drive, canopy roads, topographic changes, and natural features.

Sketch: A graphically drawn scaled plan view of a site which shows all proposed or existing man-made improvements which includes buildings, parking areas, utility lines, drives, roads, topographic changes, and natural features.

Specimen tree: A tree which has been determined by the town in consultation with a suitable professional registered in the State of Florida selected by the town to be of high aesthetic or ecological value because of its type, size, age or other professional criteria.

Specimen tree stands: A contiguous grouping of trees which has been determined to be at a height of at least eight feet and normally growing to an overall height of at least 15 feet in the vicinity of the town.

Substantial improvement. The repair, reconstruction or improvement to a structure built prior to the enactment of the ordinance codified in this chapter, the cost of which equals or exceeds 50 percent of the market value of the structure, either before the repair or improvement is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Tree topping: The drastic removal, or cutting back, of large branches in mature trees, leaving large, open wounds which subject the tree to disease and decay. Topping causes immediate injury to the tree and ultimately results in early failure or death of the tree. Other names for this malpractice include stubbing, heading, heading-back, stubbing-off, tipping hatracking, topping off, dehorning, lopping, or roundover.

Transplant: The digging up of a tree from one place on a site and the planting of the same tree in another place on the same site.

Tree: A tree with a minimum caliper of one and one-half inches and eight feet tall at time of planting and which is a Florida Department of Agricultural Nursery Grade No. 1 or better.

Tree inventory: A written list of all trees on the site showing the common name and caliper.

Undeveloped site: A site upon which a primary residence or commercial building has not been built under a permit issued by the town.

Upland buffer area: The area of land from the mean high waterline inland ten feet.

Vehicular use area: All areas used for the circulation or parking of any and all types of vehicles or heavy construction equipment, whether self-propelled or not, and all land upon which vehicles traverse as a function of the primary use.

Secs. 70-2—70-20. Reserved.

ARTICLE II. HABITAT MANAGEMENT PERMITS FOR EXISTING DEVELOPED SINGLE-FAMILY LOTS

Sec. 70-21. Minimum tree requirements for residential properties.

Any applicant requesting a tree removal permit on an existing residential property with an existing residence must submit a mitigation plan for approval with the application and meet the following minimum requirements:

- (1) *Lots not exceeding one-half acre:* At least eight non-invasive trees (excluding citrus) with a minimum caliper of three inches and a trunk at least eight feet tall. Palm trees of all types shall be counted at one-fourth of their caliper.
- (2) *Lots greater than one-half acre, but not exceeding one acre:* At least 12 non-invasive trees (excluding citrus) with a minimum caliper of three inches and a trunk at least eight feet tall. Palm trees of all types shall be counted at one-fourth of their caliper.
- (3) *Lots greater than one-acre: for the first acre at least ~~12~~ 16 non-invasive trees (excluding citrus) with a minimum caliper of three inches and a trunk at least eight feet tall.* Palm trees of all types shall be counted at one-fourth of their caliper. For each additional one-half acre or portion thereof: Eight non-invasive trees with a minimum caliper of three inches and a trunk at least eight feet tall. Palm trees of all types shall be counted at one-fourth of their caliper.
- (4) Any ancillary structures or improvements (such as driveways, sidewalks, walkways, and fences) on any lot must occur without a tree removal unless approved by the Chief Building Official.
- (5) A mitigation plan must be submitted with any tree removal permit application. The Chief Building Official or his designee may allow either one-for-one tree mitigation for existing residences already constructed or the caliber of the trees if the number of trees is less than the requirements in this section.

Sec. 70-22. Permit required for tree removal.

A tree removal permit and mitigation plan, as provided for in this chapter, shall be required for the removal (or transplant) of any tree with a two-inch caliber caliper or more upon any parcel upon which there is already a lawfully permitted residence. Permit requirements are outlined under article V. If the town has to procure the services of a suitable professional licensed in the State of Florida to ascertain the state or type of a tree(s) prior to or after removal of the tree(s) then the cost of such will be borne by the property owner.

Sec. 70-23. Permit not required for tree removal.

A permit is not required for the removal of the following trees:

- (1) *Citrus trees.* If the town has to procure the services of a suitable professional licensed in the State of Florida to ascertain the type of tree(s) prior to or after removal of the tree(s), then the cost of such will be borne by the property owner.
- (2) The Town may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the ISA or a Florida licensed landscape architect that the tree poses an unacceptable risk to persons or property. If a tree is obviously dead, diseased, or a hazard, the Chief Building Official or their designee, may make the determination without the need for a certified arborist report.

Secs. 70-24—70-40. Reserved.

**ARTICLE III. HABITAT MANAGEMENT PERMITS FOR NEW RESIDENTIAL DEVELOPMENT OR
SUBSTANTIAL IMPROVEMENTS**

Sec. 70-41. Minimum tree requirements for residential properties.

Except as provided in section 70-44, Aany applicant requesting a tree removal permit on undeveloped residential property or residential property with an existing residence requesting a substantial improvement to the property must meet the minimum requirements provided for under Section 70-21.

Sec. 70-42. Permit required for tree removal.

A tree removal permit and mitigation plan as provided for in this chapter shall be required for the removal (or transplant) of any tree unless specifically exempted under this Chapter. Permit requirements are outlined under article V. If the town has to procure the services of a suitable professional registered in the State of Florida to ascertain the state or type of a tree(s) prior to before or after removal of the tree(s) then the cost of such will be borne by the property owner.

Sec. 70-43. Tree and vegetation installation and maintenance.

All trees and vegetation planted in conformance with this chapter shall be installed in accordance with good planting procedures as prescribed by the American Society of Landscape Architects. All existing trees and trees being planted on the site, and other required plant material shall be permanently maintained in healthy growing condition or shall be promptly replaced within 30 days. Severe pruning or maintenance practice(s) upon any tree with a minimum caliper of two inches that results in stunted, abnormal, or other unreasonable deviation from normal healthy growth shall be considered as removal of vegetation, which requires a permit. This may include hat-racking or topping, or lions-tail pruning.

Sec. 70-44. Prohibited species removal.

Prohibited species as defined under article I are considered undesirable vegetation due to their growth characteristics which may result in human health problems and the elimination of habitat for more desirable native species as a condition of permitting pursuant to this chapter. There shall be no fee for permits to remove prohibited species, but a tree removal permit application must be approved to confirm that the tree in question is a prohibited species as defined in section 70-1, and the minimum tree requirements must be met. ~~If the town has to procure the services of a suitable professional registered in the State of Florida to ascertain the state or type of a tree(s) prior to or after removal of the tree(s), then the cost of such will be borne by the property owner.~~

Sec. 70-45. Site stabilization and protective barriers.

- (a) All construction sites including sites grubbed or cleared pursuant to the provisions of this chapter shall be stabilized prior to the commencement of any construction or other development. Stabilization shall be in a manner to minimize airborne dust, erosion and off-site sediment transfer. The applicant shall install silt barriers, hay bales, or similar erosion control barriers along all property lines and in any area where erosion or siltation may cause vegetation to be damaged. No trees may be removed unless a tree removal application with a mitigation plan is approved.

- (b) Prior to development activity, the owner or his agent shall erect a suitable protective barrier(s) for all protected vegetation with placards, posted on the barricades, indicating the purpose of the barriers and the penalties for unauthorized removal. The protective barrier(s) and placards shall remain in place until the department authorizes removal or upon completion of final lot grading and placement of final ground cover. During construction, no attachments or wires shall be attached to any protected vegetation.

Sec. 70-46. Placement of solvents, material, construction machinery, or soil.

It shall be unlawful for any person engaged in development activity to place solvents, construction material, construction machinery, or temporary soil deposits within six feet of the trunk or two-thirds of the dripline whichever is greater, of any tree four inches in caliper or greater or within six feet of other protected vegetation.

Secs. 70-47—70-60. Reserved.

ARTICLE IV. HABITAT MANAGEMENT PERMITS FOR LARGE-SCALE DEVELOPMENT AND NATIVE HABITAT PRESERVATION AREAS

Sec. 70-61. Application of articles I through III.

The provision of articles I through III applicable to single family lots are applicable to large-scale development with the modification and additions of this article:

- (1) In lieu of a sketch, the applicant shall provide a survey signed and sealed by an appropriately licensed professional with the information listed in article V shown on the survey.
- (2) The permit fee shall be \$500.00.

Sec. 70-62. Native habitat preservation areas.

- (a) *Purpose.* It is the purpose of a native habitat preservation area to provide for the preservation of viable wildlife habitats and representative native vegetative plant communities. The protection of these areas will help to ensure that adequate feeding, nesting and cover necessary for the continued survival of native wildlife species is available while protecting naturally occurring vegetative communities.
- (b) *Criteria.* All large-scale developments shall preserve a parcel as a native habitat preservation area (native habitat and vegetative community) as outlined below:
 - (1) A minimum of 25 percent of the total site if more than six lots; or
 - (2) Ten percent of the total site if six or fewer lots, are being developed. The native habitat preservation area may be provided on one or more other lots if all lots are contiguous and are considered as a single, master planned development under unified control.

The native habitat preservation area shall be located in a manner that maximizes the contiguity and retention of native vegetation including understory vegetation. Where wetland vegetation exists and upland buffers are provided, the preservation area shall, wherever feasible, be contiguous to the upland buffer. Upland buffers shall be credited toward the percentage required by this section.

Upon submittal of a development application, the Department shall inspect the parcel and use the evaluation criteria of article V to evaluate the native habitat and vegetative community area(s) of the parcel. If the Department determines that the vegetation of the site is of poor quality, the habitat preservation area shall be planted with one native tree with at least a minimum caliper of at least three inches or multiple native trees with combined calipers equivalent to the three-inch requirement ~~or~~ and with a trunk eight feet tall at the time of planting (of Florida Department of Agriculture Nursery Fancy Grade No. 1 or better) per 400 square feet and native understory or native ground cover on three-foot centers. Such plan shall be submitted for approval to the building official.

Secs. 70-63—70-80. Reserved.

ARTICLE V. GENERAL PROVISION FOR ISSUANCE OF PERMITS AND EMERGENCY CONDITIONS

Sec. 70-81. Permit location and expiration.

The permit shall be posted and maintained in a conspicuous place on the nearest public road right-of-way to the subject property. Permits shall expire if permitted work is not commenced ~~within three months~~ thirty (30) days three months of permit issuance or if development activity is interrupted for a period in excess of 45 days.

Sec. 70-82. Variances and waiver.

The code enforcement board may, upon appropriate application in writing and a \$100.00 fee paid, reduce the fines established under section ~~70-134~~ 70-154 of this chapter in specific cases due to unreasonable hardship, overriding public interest, or the general public welfare. Requests for a waiver/reduction may occur within thirty days of the date the tree(s) was removed without a permit or fourteen days after an application for tree removal with a mitigation plan was submitted, whichever is soonest, after approval of the Town Manager.

Sec. 70-83. Emergencies.

In case of emergencies, such as hurricane, windstorm, flood, freeze, or other disasters, the requirements of these regulations may be waived by the ~~mayor~~ Mayor, Town Manager or other designated official designee upon finding that the waiver is necessary to ensure public or private work to restore order in the town will not be impeded.

Sec. 70-84. Appeal.

Any person may appeal a decision denying a permit (or conditions in a permit issued) required by this chapter within 30 days from the date of the decision. Appeals shall be made to the ~~town code enforcement board~~ Town Commission Code Enforcement Board by filing a written notice of appeal with the town clerk in duplicate along with a \$250.00 fee.

Sec. 70-85. Permit application procedures for single family lots, substantial revisions and single residential lot development.

- (a) *Procedure.* Application shall be made by filing a written application, with a mitigation plan, with the department and paying a \$125.00 application fee. ~~Tree relocation can also qualify for mitigation.~~ No fee shall be required to remove prohibited species, dead, dying, or damaged trees; however permits are required. The department may require the written opinion of a suitable professional registered in the State of Florida selected by the town to support the application, the cost of the arborist to be reimbursed by the applicant. The application shall be field verified by the building official, Town Manager, or the Building Official's designee, who shall indicate the verification by signing and dating the sketch(s) on file before issuing or denying the permit. The applicant shall submit the following to the department:
- (1) A scaled sketch, site plan or survey showing:
 - a. where the trees to be removed are located;
 - b. the tree species;
 - c. the tree diameter, and approximate height of the trees to be removed;
 - d. the location, size, and species of other trees on the parcel;
 - ~~d.e.~~ the shape and dimensions of the lot or parcel, together with the existing and proposed locations of structures and improvements, if any; and
 - e.f. a mitigation plan showing all proposed new or moved trees or other vegetation, by species and size, along with the type of ground cover to be installed, including the proposed new location for the trees or vegetation. In the case of a permit application in connection with the construction of a structure, the applicant shall provide a site plan in lieu of a sketch. The sketch, site plan or survey shall be prepared in accordance with Chapter ~~11.5~~ 80 of this Code titled Surveys and Drawings.
 - (2) If the applicant is not the owner of the property, the applicant must submit a written authorization from the owner of the property authorizing the applicant to submit and/or represent the application.
 - (3) The applicant shall mark the tree(s) subject to the permit on the site by tagging the tree(s) with ~~red, yellow or~~ orange marking tape. The department may photograph the tree(s) marked for removal and place the photograph(s) in the permit file no later than 30 days after issuing or denying the permit.
 - (4) If land clearing is intended, an erosion control plan, showing topography of the site where trees are located and effective removal of the same would have on: erosion, soil, moisture, retention, increased or decreased flow or diversion in the flow of surface waters, and impact on overall surface water management, together with the reasons for clearing or grubbing of the site.
 - ~~(5) Additionally required is a mitigation site plan with all proposed new trees identified by species and size along with the type of ground cover to be installed.~~
 - ~~(6)~~ Any other information requested by the department.
 - ~~(7)~~ The applicable ~~appropriate~~ permit fee.

Sec. 70-86. Evaluation criteria.

The department shall consider the following requirements and potential adverse impacts on urban and natural environment in evaluating the application:

- (1) *Minimum number of trees*: Must meet requirements as outlined under section 70-21 ~~and 70-41~~
- (2) *Soil stabilization*: Whether the removal of tree(s) or other vegetation will result in uncontrollable erosion of soils into surface waters, or adjacent properties.
- (3) *Water quality and/or aquifer recharge*: Whether the removal of tree(s) or other vegetation will lessen the ability for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substance from ground and surface waters.
- (4) *Ecological impacts*: Whether the removal of tree(s) or other vegetation will have an adverse impact upon existing biological and ecological systems.
- (5) *Noise pollution*: Whether the removal of tree(s) or other vegetation will significantly increase ambient noise levels.
- (6) *Wildlife habitat*: Whether the removal of tree(s) or other vegetation will significantly reduce available habitat for wildlife existence and reproduction, or are likely to result in the emigration of wildlife from adjacent or associated ecosystems.
- (7) *Aesthetic degradation*: Whether the removal of tree(s) or other vegetation will have an adverse effect on property values in the neighborhood where the applicant's property is located or on other existing vegetation in the vicinity.
- (8) *Endangered, threatened and species of special concern*: Whether the removal of tree(s) or other protected species will significantly affect endangered, threatened, or other protected plants.
- (9) *Wetland vegetation*: Whether any alterations are planned for mangroves or other wetlands which are recognized to be of special ecological value. No mangroves or other wetland vegetation shall be removed, trimmed, pruned, chemically treated, filled upon or altered unless completed in accordance with state law and unless a state permit or written exemption is provided to the department.
- (10) *Specimen tree or specimen tree stands*: Whether the application calls for removal, trimming, pruning, or alteration to a specimen tree or specimen tree stand which has been designated as such under the provisions of this chapter.

Sec. 70-87. Permit issuance or denial.

The department shall issue the permit if:

- (1) The application complies with the provisions of this chapter;
- (2) The application of the evaluation criteria shows no significant adverse impacts; and
- (3) One or more of the following conditions exist:
 - a. The vegetation is located in an area where new structures, utilities or improvements may be placed according to the Town Code; and to preserve the vegetation would unreasonably restrict the economic enjoyment of the property; ~~and~~ the vegetation

cannot be relocated on the site because of age, type or size. ~~and the residence cannot be reconfigured to avoid trees and vegetation.~~

- b. The vegetation or tree is diseased, injured, located too close to the existing, interferes with existing utility service, or creates an unsafe visual obstruction.
- c. The vegetation is to be moved to another location on the owner's property or is to be replaced by another tree or shrub on the owner's property, regardless of location.
- d. If the permit is denied, the department shall notify the applicant in writing of the basis for denial using the criteria listed in this section.

Sec. 70-88. Permit conditions.

Every permit issued by the department under this chapter shall contain the following conditions:

- (1) Plan approval by the town that satisfies the requirements of ~~a~~Article II of this chapter.
- (2) Tree species shall be compatible with soil conditions. All required tree(s) must be maintained in good condition and be planted in locations with adequate open space to allow mature tree canopy development. Replanted trees shall be located to avoid underground and overhead utilities.
- (3) The applicant shall remove all prohibited species from the site in connection with a permit issued for development activity or substantial improvements.
- (4) The town may inspect the trees and the site permanently after the certificate of occupancy is issued, or a final inspection is conducted in order to ascertain that the required trees or other vegetation are healthy and stabilized.

Sec. 70-89. Conflicts and distance from utilities.

No tree shall be planted where it could, at mature height, conflict with overhead power lines. Large trees (height at maturity of greater than 30 feet) shall be planted no closer than a horizontal distance of 30 feet from the nearest overhead power line. Medium-height trees (height at maturity between 20 and 30 feet) shall be offset at least 20 feet. Small trees (height at maturity of less than 20 feet) require no offset. No tree shall be planted within five feet of any existing or proposed utility pole, guy wire or pad mounted transformer. Palms should be planted at a distance equal to or greater than the average frond length plus six feet from power lines. When shade trees do not meet the above-required setbacks, small ornamental trees shall be substituted at a rate of one and one-half trees for each required shade tree. No vine shall be planted within five feet of any existing or proposed utility pole, guy wire or pad mounted transformer.

Secs. 70-90—70-110. Reserved.

ARTICLE VI. PROTECTION OF SHORELINES

Sec. 70-111. Upland buffers adjacent to shorelines.

- (a) *Purpose.* It is the purpose of an upland buffer to protect shorelines, their associated vegetation, wildlife and water quality attributes from adjacent development impacts. The impacts include siltation, erosion, surface water runoff, and human and domestic animal intrusion. Upland buffers also provide for the preservation of upland wildlife habitat.
- (b) *Prohibited activities within upland buffers.* The following activities within an upland buffer area shall be prohibited unless a permit, variance or waiver has been issued (permits, variances and waivers shall be reviewed based on the evaluation criteria within article V):
 - (1) Placement of a structure, road or utilities (other than extension of dock or walkway to dock).
 - (2) Planting of prohibited vegetation.
 - (3) Removal of native vegetation.
 - (4) Fill with dirt, topsoil, sand, gravel or other similar material.
 - (5) Excavation.
 - (6) Storage of equipment, supplies, materials, machinery, and portable buildings.
 - (7) Application of herbicides, pesticides, fertilizers, or chemical agents injurious to vegetation.

Secs. 70-112—70-130. Reserved.

ARTICLE VII. LANDSCAPE REQUIREMENTS FOR COMMERCIAL PARKING LOTS

Sec. 70-131. Development permit applications.

All nonresidential development permit applications which propose vehicular use areas with more than three parking spaces shall conform to the minimum landscaping requirements defined below. In instances where healthy plant material exists on a site prior to its development, in part or in whole, for purposes of off-street parking or other vehicular use areas, the department shall adjust the application of the below-mentioned standards to allow credit for the plant material if such an adjustment is in keeping with and will preserve the intent of this chapter.

Sec. 70-132. Permit required for tree removal.

A permit as provided for in this chapter shall be required for the removal (or transplant) of any tree with a two-inch caliper or more upon any commercial parcel upon which there is a structure under a validly issued permit. Permit requirements are outlined under article V.

Sec. 70-133. Perimeter landscaping.

The exterior perimeters of all vehicular use areas adjacent to other property pursuant to the Zoning Code or public right-of-way shall be landscaped with a strip of land which is at least three feet in width. Within this landscape strip, a hedge shall be installed which, at the time of planting, shall be three feet in height and be allowed to grow to and be maintained so as to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than two and one-half to three feet on center, depending on the species.

Sec. 70-134. Trees.

An area equal to ten percent of the total vehicular use area shall be devoted to landscape open space for planting of tree(s). There shall be a minimum of one tree for each 200 square feet or fraction thereof of required landscape open space. All existing shade trees shall be maintained and applied as a credit to this requirement. Each tree shall be planted within a minimum five-foot by five-foot hole and newly planted or transplanted trees shall have a minimum caliper of six inches. Trees shall be located wherever possible to avoid underground and overhead utilities. These trees shall be located at the perimeter and interior of the vehicular use area to most effectively provide shade and cool pavement areas as well as to relieve the monotony of large expanses of paving and contribute to the orderly circulation of vehicular and pedestrian traffic.

Sec. 70-135. Vehicular use landscape plan approval.

The developer must submit for approval by the Department a combination site plan/landscape plan ("vehicular use landscape plan"). The use of xeriscape design is preferred. The design should include: low maintenance design; low volume irrigation; use of mulch ground cover; use of drought tolerant plant material; soil augmentation; and limited use of turf to allow for low maintenance. The vehicular use landscape plan shall be submitted to the Department and shall contain the following information: The name, address, and telephone number of the owner and designer; landscape architect and irrigation maintenance contractor; a site plan indicating all dimensions and property lines, northpoint, clearly delineated existing and proposed easements, utility lines, parking spaces, access aisles, driveways, sidewalks, curbs and other vehicular use controls, the location of curb cuts on adjacent property and median openings on abutting street; lighting; irrigation system; proposed planting areas; decorative or screen walls; and existing trees and related buildings. Proposed planting areas must indicate the quantity, spacing, size and name of proposed plant material.

Sec. 70-136. Parking lot divider strips.

Landscaped divider strips shall be used to separate double rows of parking spaces and such divider strips shall have a minimum width of six feet. All such divider strips shall be planted with trees spaced no more than 20 feet apart. Tree species are to be selected on the bases of (a) size at maturity, and (b) expected life, in order to maximize shaded areas for many years under tree canopies within parking areas.

Sec. 70-137. Irrigation requirements.

Irrigation systems shall utilize low volume design to provide direct application and low evaporation. Water supply shall be piped to each individual planter island and, in no case, shall any planted vegetation area required pursuant to this section be more than 50 feet from a water supply hose bib. Trees shall be irrigated for at least five years after planting and irrigation systems shall be properly maintained for such minimum period. Aside from tree selection, the Department shall encourage the use of plants which do not have ongoing watering and fertilization requirements in order to reduce the demand on the potable water supply.

Sec. 70-138. Sight distance restrictions at intersections and street vertical clearance.

All landscape plant material shall be planted in accordance with sight distance restrictions determined by the department. Additionally, all trees and plant material must be trimmed higher than

14 feet vertical clearance, curb to curb or street edge to street edge of any roadway. This is the property owner's responsibility to maintain.

ARTICLE VIII. TREE REGULATIONS FOR ALL PARCELS

Sec. 70-139 — No Signs or other attachments to Trees

—All persons are prohibited from placing, posting or erecting signs upon trees anywhere in the Town. — Any other object, such as flag poles or bird feeders, cannot be affixed using nails into the tree.

Secs. 70-139—70-150. Reserved.

ARTICLE ~~VIII~~IX. ENFORCEMENT

Sec. 70-151. Withholding certificate of occupancy.

The department shall withhold the issuance of a certificate of occupancy, or permits and inspections, on any development until the provisions of this chapter, or conditions of any permits issued under this chapter, have been fully complied with, and until any fines levied under this chapter have been paid.

Sec. 70-152. Cease and desist order.

The department or designee may issue a cease and desist order for any permit issued under this chapter for fraud, misrepresentation, or violation of conditions imposed under this chapter pursuant to the permit or other good cause or for any site where work has commenced and a permit has not been obtained but is required pursuant to this chapter. Any person receiving an order for cessation of operations shall immediately comply with the requirements of the order. It shall be a "D" violation of this chapter for any person to fail to or refuse to comply with a cease and desist order issued and serviced under the provisions of this chapter.

Sec. 70-153. Liability.

Whenever a violation of this chapter occurs or exists, or has occurred or existed, any person, individually or otherwise, who has a legal, beneficial or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which the violation occurs or exists, or has occurred or existed, shall be jointly and severally liable for the violation regardless of fault and regardless of knowledge of the violation. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all person(s), individually or otherwise, who although the persons may no longer have any such legal, beneficial or equitable interest in such facility or instrumentality or real property, did have an interest at any time during which the violation existed or occurred or continued to exist or to occur. This provision shall be liberally construed and shall be retroactively applied to protect the public health, safety, and welfare to accomplish the purposes of this chapter.

Sec. 70-154. Civil penalties.

Any person who violates any provision of this chapter shall forfeit and pay to the town a civil penalty for the vegetation illegally removed or damaged, based on the caliper of the vegetation, as follows for each tree:

- (1) Two to five inches— ~~\$500~~ \$1,000.00;
- (2) Over five to ten inches— ~~\$1,500~~ \$2,500.00;
- (3) Over ten to 15 inches— ~~\$3,000~~ \$4,000.00;
- (4) Over 15 inches—up to \$5,000.00 or the maximum amount permitted by law.

The foregoing schedule of civil penalties by caliper shall be reduced by 50 percent for palm trees. The sum shall accrue to the town and may be recovered as a condition to the issuance of further permits or certificates of occupancy or in a civil action brought by the town.

Sec. 70-155. Mitigation.

In addition to or in lieu of civil penalties as provided for by this chapter, the town may require replacement of illegally removed trees or other protected vegetation on ~~an double an~~ an inch-for- ~~single~~ inch basis or accumulation of tree diameters ~~equaling~~ doubling ~~equaling~~ the diameter of the tree(s) removed. A combination of money and tree replants may be required.

TOWN OF SEWALL'S POINT



TO: Town of Sewall's Point Commission
FROM: Maria Pierce, Finance Director
SUBJECT: Town Manager Annual Performance Appraisal
DATE: Regular Commission Meeting – August 15, 2023

History:

On April 25, 2023, the Town Manager's six month review was presented to the Commission and discussed. At this time, the Town Manager received a rating of 4.81 out of 5 for his performance. The Town's agreement for the Town Manager's employment calls for an annual evaluation at which time an adjustment to his salary may be discussed and decided on.

The Town Commission was asked to complete the Town Manager's annual review in preparation for the FY24 preliminary budget. I have received the last annual evaluation on July 17, 2023 and have summarized the scores and comments on the attached performance evaluation form. The overall rating the Town Manager received for his 1st year of service was a 4.86 out of a 5 for his performance. The Town Manager's performance goals are also attached for your review.

Recommendation:

Provide direction regarding the Town Manager's salary.

**Town of Sewall's Point
Town Manager Performance Appraisal**

Town Manager: Robert Daniels

Evaluation period: August 8, 2022 to February 8, 2023

INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the Town Manager performance.

Evaluation Rating Chart				
5. Consistently Exceeds Performance Expectations	4. Frequently Exceeds Performance Expectations	3. Performance Expectations Fulfilled	2. Inconsistently Fulfills Performance Expectations	1. Fails to Meet Performance Expectations
<ul style="list-style-type: none"> • Consistently exceeds performance expectations • Demonstrates exceptional quality of work in all essential areas of responsibility • Always makes an exceptional or unique contribution in achievement of unit, department, and Town objectives 	<ul style="list-style-type: none"> • Always achieves performance expectations and frequently exceeds them • Demonstrates performance of a very high level of quality • Significantly contributes to the success of the services and projects they support 	<ul style="list-style-type: none"> • Consistently fulfills performance expectations and <i>periodically</i> may exceed them • Work is of high quality in all significant areas of responsibility • Any performance concerns are resolved through coaching, feedback, and self-initiative 	<ul style="list-style-type: none"> • The Town Manager's work does not consistently meet the most basic job requirements of the position. While the employee may have performed acceptably in some areas, overall job performance needs to be improved • A performance improvement plan is to be discussed and agreed to by the employee and the supervisor • Failure to demonstrate improvement may result in additional action 	<ul style="list-style-type: none"> • The Town Manager's work is below the basic requirements and immediate and continued improvement is required • A performance improvement plan is to be discussed and agreed to by the employee and the supervisor • Continued failure to show improvement may result in additional action

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period.

TOWN MANAGER'S PERFORMANCE APPRAISAL PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS (Rating "1" Poor/Low – "5" Excellent)

- 5 • Diligent and thorough in the discharge of duties, "self-starter"
- 5 • Exercises good judgment
- 5 • Displays enthusiasm, cooperation, and will to adapt
- 5 • Exhibits composure, appearance and attitude appropriate for the position

The overall average for this category is 5.

Rating Explanation - *Individual Characteristics*

- Definitely has all of the individual characteristics mentioned above. He is highly motivated, hard working, easy to work with and exemplifies the qualities one would look for in a Town Manager.
- Bob is a self-starter, which is an invaluable asset. Bob has shown passion when it comes to his job.
- Bob has done an excellent job in his first year as Town Manager. He works well with his staff, Commission and residents.
- Bob performs his Town Manager responsibilities with the proper level of enthusiasm and care for our Town. Walking the balancing act between resident desires and legal restrictions is a difficult task. Bob demonstrates an understanding of the resident's need for a single point of contact and open door to address concerns.

TOWN MANAGER'S PERFORMANCE APPRAISAL PERFORMANCE CATEGORY SCORING

2. PROFESSIONAL SKILLS AND STATUS (Rating "1" Poor/Low – "5" Excellent)

- 5 • Maintains knowledge of current developments affecting municipal operations
- 4.6 • Demonstrates a capacity for innovation and creativity
- 4.6 • Anticipates and analyzes problems to develop effective approaches for solving them
- 5 • Willing to try new ideas proposed by governing body members and/or staff

The overall average for this category is 4.8.

Rating Explanation - *Professional Skills & Status*

- Works hard to address problems in an effective and efficient manner, and also stays up to date on municipal issues.
- Bob stays current with the on-going projects in the Town and keeps the Commission and public updated.
- Bob has demonstrated good knowledge of current municipal issues. He's done a good job in investigating past Commission actions to assure good decisions in the future.
- Bob's professionalism and care for the Town Manager's role are evident and he demonstrates a professional "the buck stops here" ownership of difficult issues.

**TOWN MANAGER’S PERFORMANCE APPRAISAL
PERFORMANCE CATEGORY SCORING**

3. PRODUCTIVITY AND ACCOUNTABILITY (Rating “1” Poor/Low – “5” Excellent)

- 4.8 • Consistently performs work accurately and completely
- 5 • Assumes personal responsibility for completion of assigned tasks on or before deadlines without being reminded
- 5 • Holds all employees accountable for their actions and conduct and administers discipline in accordance with Department and Town Employee policies and procedures
- 4.8 • Provides regular information and reports to the governing body concerning matters of importance

The overall average for this category is 4.9.

Rating Explanation – *Productivity and Accountability*

- Not only assumes personal responsibility and accountability for the management of the staff, but also for the work done by the Town. A good leader.
- Bob is actively involved in the day-to-day needs of the Town. Bob is a hands-on manager.
- Agenda packages have been complete and issued with enough time for Commission review. Bob has been very responsive to Commissioner request and questions.
- Bob takes ownership of issues affecting our Town and demonstrates continual deliverables towards the betterment of our community. He seems to recognize when staff can use some additional guidance and acts an effective leader in stepping in to assist when appropriate.

**TOWN MANAGER’S PERFORMANCE APPRAISAL
PERFORMANCE CATEGORY SCORING**

4. POLICY EXECUTION (Rating “1” Poor/Low – “5” Excellent)

- 4.8 • Consults with the Town Commission, as appropriate, in formulating policies and regulations governing the activities of the Town
- 4.8 • Understands local government’s laws, policies, and ordinances
- 4.8 • Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- 4.6 • Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

The overall average for this category is 4.75 .

Rating Explanation – Policy Execution

- Heritage Lot Sale.
- Good at objectively presenting issues to the commission and objectively providing recommendations.
- Bob stays in constant contact with the Commission and has a very thorough understanding of local government, laws, etc.
- Now that Bob has a year of experience under his belt, he'll have more time to dedicate to this area.
- Bob understands the laws of the State effecting our community and works to establish a balance between home rule and state control. That is often a difficult line to walk in a community with higher standards than the state requirement. In a past review, I took a point off for the lack of understanding of our "Tree City" initiatives (understandable for a new Town Manager), but Bob has demonstrated a desire to assist in the protection of our communities tress, and is working to strengthen our Tree Ordinance in this regard.

TOWN MANAGER'S PERFORMANCE APPRAISAL PERFORMANCE CATEGORY SCORING

5. CITIZEN RELATIONS (Rating "1" Poor/Low – "5" Excellent)

- 4.8 • Responsive to requests from citizens
- 5 • Demonstrates a dedication to service to the community and its citizens
- 4.6 • Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- 5 • Gives an appropriate effort to maintain citizen satisfaction with the Town

The overall average for this category is 4.85.

Rating Explanation – *Citizen Relations*

- Need Communication Plan.
- Works hard to maintain good relationships with residents. On the rare occasion that I have been told by a resident of an unsatisfactory interaction with him, he listened objectively and worked to rectify the situation.
- Bob is available to residents and promptly responds to request.
- Bob has done an excellent job working with the residents. Feedback has been very favorable.
- There are several issues facing the Town that have resident opinions on opposite sides of the topic. Bob is working hard to balance the line on those issues. To date I have not heard a resident complain that he is unreachable. Being available to residents is a critical part of the Town Manager's role and Bob makes a point to be present.

TOWN MANAGER'S PERFORMANCE APPRAISAL PERFORMANCE CATEGORY SCORING

6. STAFFING (Rating "1" Poor/Low – "5" Excellent)

- 5 • Applies an appropriate level of supervision to improve any areas of substandard performance
- 5 • Stays accurately informed and appropriately concerned about employee relations
- 5 • Promotes training and development opportunities for employees at all levels of the organization
- 4.8 • Sustains or improves staff performance by evaluating the performance of department staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback

The overall average for this category is 4.95.

Rating Explanation – *Staffing*

- I have somewhat limited knowledge in this area, but based on the fact that the staff seems to be satisfied and working well together, it appears Bob is doing very well in these areas.
- Received good feedback from staff, additional training opportunities are available to staff.
- There are several issues facing the Town that have resident opinions on opposite sides of the topic. Bob is working hard to balance the line on those issues. To date I have not heard a resident complain that he is unreachable. Being available to residents is critical part of the Town Manager role and Bob makes a point to be present.

**TOWN MANAGER’S PERFORMANCE APPRAISAL
PERFORMANCE CATEGORY SCORING**

7. SUPERVISION (Rating “1” Poor/Low – “5” Excellent)

- 5 • Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their duties
- 5 • Develops and maintains a friendly and informal relationship with the staff and work force in general
- 5 • Set high standards of professional excellence, moral character, and integrity for the Town
- 5 • Delegates responsibility and authority for employees to effectively execute their duties

The overall average for this category is 5.

Rating Explanation – *Supervision*

- I have somewhat limited knowledge in this area, but based on the fact that the staff seems to be satisfied and working well together, it appears Bob is doing very well in these areas.
- The staff respect Bob as the Town Manager and the office runs smoothly. The staff know their responsibilities and work cooperatively with Bob.
- Staff is working well together as a team, indicating good management.
- Bob seems to be leading an effective team of professionals on Town staff. Turnover has been low and the interactions I have with staff have been positive and productive. The initiatives we have underway seem to be making good progress. Our Town continues to present itself professionally with care towards the community within which we are a part.

TOWN MANAGER'S PERFORMANCE APPRAISAL PERFORMANCE CATEGORY SCORING

8. MANAGEMENT AND FISCAL RESPONSIBILITY (Rating "1" Poor/Low – "5" Excellent)

- 4.6 • Appropriately monitors and manages fiscal activities of the Town
- 4.8 • Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- 4.8 • Seeks continuous improvement by identifying and trying work methods that will improve service or efficiency of the Town
- 4.8 • Provides leadership, direction and guidance with regard to the Town's strategies and priorities

The overall average for this category is 4.75 .

Rating Explanation – *Management and Fiscal Responsibility*

- Understands the importance of fiscal responsibility in general and to this Town, and incorporates it accordingly.
- Bob continually monitors the budget and understands the Town's needs for emergency funds and monies necessary to complete ongoing projects. This includes monitoring grants and line of credit.
- While we have not been through a complete budget cycle, Bob was involved with the last budget submission and has come up to speed on the financial structure and responsibilities of the Town. It will be important for Bob to maintain control of the Town expenses and keep a handle on costs as we navigate the significant projects we have under way.

**TOWN MANAGER'S PERFORMANCE APPRAISAL
PERFORMANCE CATEGORY SCORING**

9. COMMUNITY

- 4.8 • Shares responsibility for addressing the difficult issues facing the town
- 5 • Avoids unnecessary controversy
- 4.6 • Cooperates with neighboring communities and the county
- 4.6 • Helps the commission address future needs and develop adequate plans to address long term trends

The overall average for this category is 4.75.

Rating Explanation – *Community*

- In my opinion Bob really cares about the Town of Sewall's Point, its residents and staff, and works hard to promote the Town and its interest throughout our area in a way that is cooperative and productive.
- Bob explains our projects to the public. Bob keeps the community up to date via many forms on communication (emails, videos, meetings, etc.).
- Bob has worked well with the community and has fostered an atmosphere of cooperation.
- There are several issues facing the Town that have resident opinions on opposite sides of the topic. Bob is working hard to balance the line on those issues. On several occasions Bob has stepped in to provide leadership to difficult Town issues. He is also starting to establish relationships with other officials in our neighboring communities.

The above scoring and comments are an accumulation of all five Town Commissioners.

Human Resource Director's Signature:  Date: 7/17/23

TOWN MANAGER PERFORMANCE GOALS

Develop and implement a new communications plan by the end of 1st quarter of FY2023.

This goal is still in progress. FireFly Communications have developed a communications plan and is in the process of implementation.

Develop a plan for employee retention by the end of the 2nd quarter of FY2023.

Management strategies have been modified, and the Personnel Benefits manual is being modified. The Chief has been working to fill openings in the police department, hiring three new officers since I have been with the Town. There are two additional openings. Retention has been hampered in the Police Department due to the inability to meet with the bargaining unit. The next meeting is on July 25, 2023.

Develop a Safety Plan to assist in a safer working environment.

The Safety Manual was completed in draft form and is being reviewed. Done.

Negotiate and complete a new collective bargaining agreement with the PBA.

The next bargaining session is on July 25, 2023.

Develop and maintain a working relationship with local, state, and federal legislators with face-to-face meetings twice a year.

I have met several times with representatives from Ocean Breeze, Stuart, Stuart Fire/Rescue, Martin County Fire/Rescue, Martin County Sheriff's Office, Martin County Utilities, Martin County Administrator and Deputy Administrator, Martin County Emergency Operations, Martin County Public Works, Martin County Engineer, Martin County Technical Advisory Committee, State Representative

John Snyder, and Senator Gail Harrell. Additional meetings have occurred with Martin County Commissioners and Stuart Commissioners.

Develop proposals, scenarios, and cost estimates for Septic to Sewer conversion for the Town Commission’s consideration by the end of the 1st quarter FY 2023.

The Town Commission approved septic to Sewer in December 2022.

Manage the development, award, and implementation of grant programs.

The Town was successful in obtaining a \$8.4 million dollar grant for septic to sewer and a \$2.9 million dollar grant for Phase 2. Additional funding is being sought for Phases 3 and 2, and a new proposal is being made for South River Road.

“Substantial construction completion” of the Phase 3 stormwater water project by the end of 2023.

This project is estimated to take over 500 days once the contract is signed. This goal should be changed to the end of 2025.

Conduct annual strategic planning sessions for capital improvement projects and other planning functions in the 2nd quarter of FY 2023.

The Strategic Planning Session was held on January 21, 2023, and the follow-up session should be held in September 2023

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT



ROBERT DANIELS
Town Manager

APRIL C. STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official

MARIA PIERCE
Finance/HR Director

August 9, 2023

Mayor and Commissioners,

I am pleased to provide the proposed Fiscal Year 2023–2024 (FY24) for the Town of Sewall's Point. The recommended FY24 budget is presented in a "Budget-In-Brief" format. Significant issues are highlighted, with a brief statement of policy intent. The following reports are included in this document:

Page 2.	Budget Calendar
Page 3.	Policy Issues Overview
Page 5.	Property Tax Recommendation
Page 7.	Budget by Fund
Page 14.	Fire Rescue Contract
Page 15.	Employee Retention Policies
Page 16.	Budget Position Control and Pay Plan
Page 17.	Capital Improvement Plan
Page 20.	Unfunded/Future Items
Appendix	Zero based budget line item detail report

In preparing the operating budget, staff has utilized a "zero based budget" technique, evaluating and calculating the specific content of each line item. This provides important background information and documents the intended use of the monies. For those who wish to review the detail, this report is provided as an appendix to the Budget in Brief.

Respectfully Submitted,

Robert Daniels
Town Manager

TOWN OF SEWALL'S POINT FY 2024 BUDGET CALENDAR

- April 05, 2023 Begin budget preparation – Departments Provided Budget History & Asked to Prepare FY24 Budget Request
- May 30, 2023 – Departmental Budgets due to Town Manager
- June 1, 2023 - Preliminary estimate of tax roll is released
- June 27, 2023 – Commission Meeting
 - Capital Improvement Plan
- July 1, 2023 Certified tax roll is released
- July 18, 2023 – Commission Meeting
 - Set Tentative Millage Rate
 - Adopt policy resolutions
 - Adopt 0.40 capital millage dedication for FY24
 - Resolution Adopting Capital Improvement Plan
 - Resolution continuing the 0.40 capital millage dedication for FY24
- August 15, 2023 – Budget Workshop/Commission Meeting
 - Overview of Budget
 - Review Personnel Policies & Classification and Pay Plan
 - Review Previous adopted policy resolutions
 - Adopt policy resolutions – *These may be deferred to a public hearing*
- September 6, 2023 Tentative Budget Hearing
 - Required preliminary statements
 - Receive public comment
 - Motion to adopt the tentative millage rate
 - Motion to adopt the tentative budget
- September 19, 2023 Final Budget Hearing
 - Required preliminary statements
 - Receive public comment
 - Motion to adopt the final millage rate
 - Motion to adopt the final the budget

**TOWN OF SEWALL'S POINT
POLICY ISSUES OVERVIEW**

The following is a summary of the central policy issues to be considered in adopting the budget. A brief rationale for each is described in the following pages.

Property taxes. Maintain a level tax rate to avoid year to year ups and downs. Tax base increased by 9.46%, generating revenue increase of about \$250,000.

Policy Considerations:

- ***Recommend 2.87 mill tax rate for General Fund***
- ***Recommend 0.40 mill tax rate for Capital Improvement Fund***
 - ***FY24 designated for Road Resiliency once again, with a special focus on Phase 3.***

Fiscal Sustainability – Budget by Fund. Establish a structurally balanced budget by separating recurring revenues from non-recurring revenues.

Policy Considerations:

- Continue budgeting three funds: General Fund, Building Fund, & Capital Improvement Fund
 - Continue formally adopting existing reserves.
 - Operating reserve \$500,000
 - Disaster reserve \$1,000,000
 - Fire-Rescue reserve \$400,000*
- *\$200k from FY23 & up to \$200k from FY24

Fiscal Sustainability – Funding for Fire-Rescue contract in FY25. The contract increases from \$532,783 this year to \$763,061 in fiscal year 2025, with the increase funded by the Fire-Rescue Reserve.

Policy Considerations:

- Recommend a portion of the net revenues at the end of FY23 to be added to the restricted balance dedicated to Fire-Rescue increase. The future cost of this contract will have a significant budget impact beginning in FY25 and the long-term funding after FY26. Discussions on funding mechanisms for this continued services contract should be discussed prior to FY25.

Employee retention. Continue to focus on employee retention in a tight labor market.

Policy Considerations:

- Recommend increase in Non-Unionized employee wages - combination of merit and cost of living; includes additional cost for employer taxes and retirement. (\$60,000)
- Recommend accelerating the retirement vesting schedule (no budgetary impact).
- Update Human Resource Manual policies regarding leave accruals (no budgetary impact).
- Update Position Control and Pay Plan (annual update).

**TOWN OF SEWALL'S POINT
POLICY ISSUES OVERVIEW
(continued)**

Capital Improvements Plan (Resolution No. 962 - Adopted July 18, 2023). Continued focus on South Sewall's Point Road Resiliency looking for additional funding to help minimize the financial impact to the residents. Does the Town Commission want to accelerate the projects via a loan?

Policy Considerations:

- The South River Road drainage project is estimated at \$2.5 Million. Initial funding is provided for South River Road drainage, while the balance is anticipated to be funded by grants.
- Capital Maintenance exceeds recurring revenue. Discussions on funding mechanisms, such as a stormwater utility fee, should be discussed prior to FY25 to assist in funding ongoing and increasing capital maintenance due to additional infrastructure.
- The next Septic to Sewer projects in South Sewall's Point. The Town currently has a grant for this project that is utilizing the residential connection fees as the Town's 50% match.

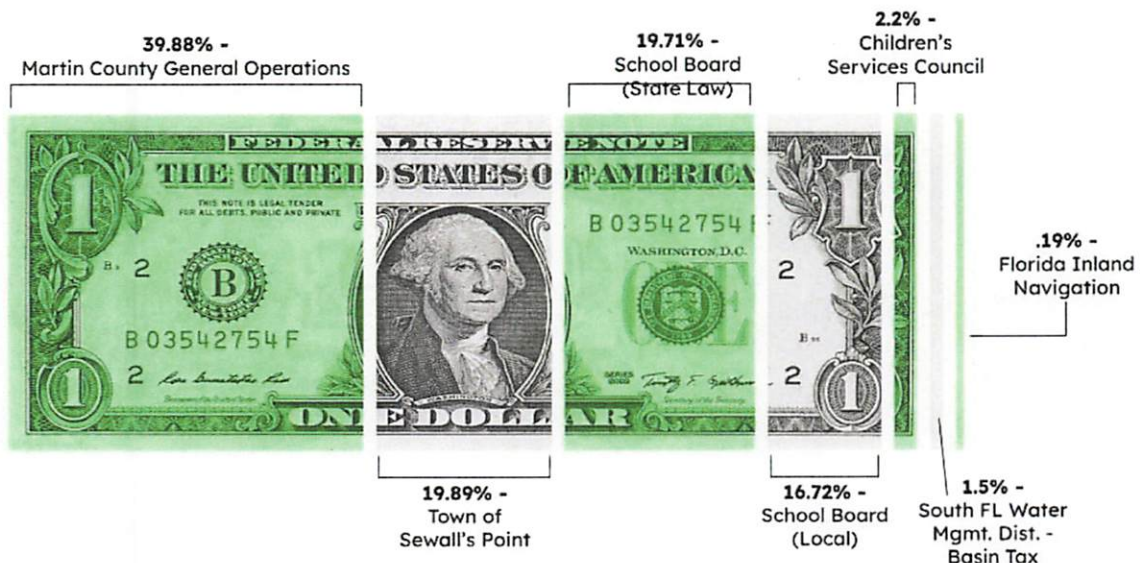
TOWN OF SEWALL'S POINT PROPERTY TAX RECOMMENDATION

Property taxes are of course the most important policy ingredient of municipal budgeting. The tax base has increased by over nine percent (9.46%). Total tax base of \$907.3 million produces additional General Fund income of \$250,000 at 2.87 mills. The Capital Improvement tax rate will produce approximately \$345,000 for FY24, an increase of about \$30,000.

Staff recommends continuing the same millage rate. Maintaining a level millage rate avoids having ups and downs from year to year and fully supports fiscal sustainability. The town has taken a great first step by classifying its property tax rate into two types:

- **Operating millage of 2.87 mills is recommended.** The Town has painstakingly maintained its operating millage for seven years running now. This is excellent public policy because it matches recurring revenue to important recurring town operations. Current recurring operations are fully funded at this level. However, as recurring operations continue to steadily increase, there may be a need to re-evaluate the future millage rate for sustainability.
- **Capital millage rate of 0.40 mills is recommended.** Given the tremendous policy step the town has already taken, the Manager strongly recommends maintaining this rate again for FY24. Although this produces a modest income of \$345,000, it provides an important local contribution to the ambitious level of effort in the town's Road Resiliency Program.
- **Combined millage rate of 3.27 mills** represents a 9.46% increase over the Roll-Back Rate.

Where Do Your Property Tax Dollars Go?



TOWN OF SEWALL'S POINT
TAX ROLL

	FY19	FY20	FY21	FY22	FY23	FY24
TAX ROLL	672,700,666	698,857,493	716,105,754	736,690,940	828,050,178	907,273,420
TAX FUNDING TOTAL	1,834,118	1,905,435	1,952,462	2,287,691	2,572,338	2,818,445
OPERATING 2.87	1,834,118	1,905,435	1,952,462	2,007,748	2,257,679	2,473,681
CAPITAL 0.40	-	-	-	279,943	314,659	344,764
		103.89%	102.47%	102.87%	112.40%	109.57%
COMBINED TOTAL TAX RATES						
Sewall's Point	2.8700	2.8700	2.8700	2.8688	2.8700	2.8700
				0.4000	0.4000	0.4000
Ocean Breeze			3.0800	1.4000	1.0000	
Stuart			5.0000	5.2004	5.1700	
Jupiter Island			2.6983	2.9320	3.0622	
Indiantown			1.6304	1.6304	1.6304	
Martin District One			0.0829	0.0790	0.0790	
Martin Countywide			6.7618	6.7934	6.5559	
School Board			6.4470	6.3230	5.9888	
Fire/Rescue Unincorporated			2.7010	2.6835	2.6325	
County Unincorporated Stormwater			0.6156	0.6017	0.5916	
Other Taxing Authorities			0.6613	0.6510	0.6239	
Martin District One Total			17.4682	17.3198	16.6546	
Sewall's Point Total			20.0567	17.0362	16.4378	
Ocean Breeze			19.6502	17.8509	16.8003	
Stuart			19.0837	18.9678	18.3378	
Jupiter Island (TPP Only)*			16.7576	16.6994	16.2300	
Jupiter Island (RP Only)**			17.8195	17.7888	17.1893	
Indiantown			18.2006	18.0813	17.4307	

*Town operations

**Town operations plus beach renourishment

TOWN OF SEWALL'S POINT
PROPERTY TAX RECOMMENDATION
(continued)

**TOWN OF SEWALL'S POINT
BUDGET BY FUND
SOURCES AND USES**

In FY23, the Town's management proposed moving from a single fund for accounting purposes to a conventional fund structure commonly utilized by municipalities. This allowed the Town to clearly align the sources of income with the type of expenditure it supports¹. The following three funds were created and continue to be budgeted:

1. **General Fund.** About sixty percent (60%) of the General Fund goes to public safety – Sewall's Point Police Department and Stuart Fire-Rescue. Forty percent (40%) goes to Town Hall operations (Manager, Clerk, finance, insurance, maintenance, park maintenance, etc.).
 - Funded by recurring revenues which are not restricted to any specific uses. Seventy-seven percent (80%) of the funding comes from the 2.87 mill property tax, with about twenty-three percent (20%) coming from other recurring general revenues.
2. **Building Fund.** Building department costs including overhead.
 - Funded by building permit fees which are restricted to paying for permit related costs. These are recurring but may vary substantially from year to year. Excess fees should be held in reserve in order to maintain continuity of operations during periods of economic downturn. A separate fund will allow clear accountability for the collection and use of permit fees.
3. **Capital Improvement Fund**
 - **Capital Improvements Program.** Major capital improvements.
 - Majority funding comes from one-time sources such as grants. Recurring funding serving as local grant match is from road improvement fees and the dedicated 0.40 mills property tax. This budget should directly correspond with the first year of the five-year Capital Improvement Program.
 - **Capital Maintenance.** Costs of maintaining the Town's capital assets, e.g., road resurfacing, bridge repairs, and stormwater drainage systems.
 - Funded mostly with recurring road-related fees.
 - As infrastructure is added, additional funding will be required.

Recommend formal adoption of operating reserves, disaster reserves, and fire-rescue reserves.
See attached budget summaries.

¹ "Most state and local governments are subject to a requirement to pass a balanced budget. However, a budget that may fit the statutory definition of a "balanced budget" may not, in fact, be financially sustainable. For example, a budget that is balanced by such standards could include the use of non-recurring resources, such as asset sales or reserves, to fund ongoing expenditures, and thus not be in structural balance. A true structurally balanced budget is one that supports financial sustainability for multiple years into the future. A government needs to make sure that it is aware of the distinction between satisfying the statutory definition and achieving a true structurally balanced budget... As a first step, the government should identify key items related to structural balance. These include: *recurring and non-recurring revenues, recurring and non-recurring expenditures, and reserves.*"

Reference: <https://www.gfoa.org/materials/achieving-a-structurally-balanced-budget>

**Town of Sewall's Point
2024 Budget All Funds**

	FUND 001	FUND 101	FUND 301	2024
	General Fund	Building Permits Fund	Capital Projects Fund	Budget
REVENUES				
311.000 AD VALOREM TAXES	\$ 2,818,445	\$ -	\$ -	\$ 2,818,445
312.410 GAS TAX	-	-	100,000	100,000
312.420 GAS TAX SECOND LOCAL OPTION	-	-	81,000	81,000
315.000 COMMUNICATIONS SERVICES TAX	52,000	-	-	52,000
316.000 LOCAL BUSINESS TAX	3,000	-	-	3,000
322.000 BUILDING PERMIT FEES	-	430,000	-	430,000
322.001 TECHNOLOGY FEE	-	21,000	-	21,000
323.100 ELECTRIC FRANCHISE FEES	200,000	-	-	200,000
325.200 BUILDING DEPT ROAD IMPROVEMENT FEE	-	-	150,000	150,000
329.001 PLANNING & ZONING FEES	5,000	-	-	5,000
331.100 AMERICAN RESCUE GRANT	-	-	557,450	557,450
331.353 HMPG GRANT	-	-	4,914,000	4,914,000
334.362 RESILIENT FLORIDA GRANT	-	-	8,650,000	8,650,000
334.364 FDEP LPA 0217	-	-	185,000	185,000
334.366 LEGISLATIVE APPROPRIATIONS	-	-	1,000,000	1,000,000
335.120 STATE REVENUE SHARING	70,000	-	-	70,000
335.180 SALES TAX	250,000	-	-	250,000
337.100 MARTIN COUNTY ILA - WATER LINES	-	-	1,550,000	1,550,000
351.500 TRAFFIC FINES	12,000	-	-	12,000
351.501 POLICE EDUCATION - TRAFFIC FINES	1,200	-	-	1,200
351.901 CODE ENFORCEMENT VIOLATIONS	2,500	-	-	2,500
354.000 FINES-LOCAL ORDINANCE VIOLATIONS TR	1,000	-	-	1,000
361.100 INTEREST	50,000	-	-	50,000
366.001 CONTRIBUTIONS - SEPTIC TO SEWER	-	-	-	-
367.000 TOWN LICENSES	5,000	-	-	5,000
369.900 MISCELLANEOUS REVENUE	2,000	-	-	2,000
369.902 MISC REVENUE - PARK	1,200	-	-	1,200
381.000 RESERVE UTILIZATION	-	-	-	-
381.001 TRANSFER FROM GENERAL FUND	-	-	412,909	412,909
TOTAL REVENUES	3,473,345	451,000	17,600,359	21,524,704

**Town of Sewall's Point
2024 Budget All Funds**

		FUND 001	FUND 101	FUND 301	
		General Fund	Building Permits Fund	Capital Projects Fund	2024 Budget
EXPENDITURES					
Reserves					
582.000	RESERVE ADDITION	\$ -	\$ 21,946	\$ -	\$ 21,946
	FIRE RESCUE RESERVE	-			-
Executive					
512.000	SALARIES & WAGES	81,250	-	-	81,250
521.000	FICA	6,250	-	-	6,250
522.000	RETIREMENT	12,200	-	-	12,200
523.000	HEALTH INSURANCE	21,910	-	-	21,910
523.003	LIFE & DISABILITY INSURANCE	600			600
531.000	PROFESSIONAL SERVICES	93,000	-	-	93,000
531.004	PLANNING SERVICES	20,000	-	-	20,000
532.000	AUDIT SERVICES	30,000	-	-	30,000
541.000	COMMUNICATION NETWORK	2,520	-	-	2,520
548.000	TOWN EVENTS	10,000	-	-	10,000
549.001	OTHER GENERAL GOVERNMENT	25,000	-	-	25,000
554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	2,150	-	-	2,150
591.301	TRANSFER TO CAPITAL PROJECTS	344,764	-	-	344,764
	Total Executive	649,644	-	-	649,644
Finance					
512.000	SALARIES & WAGES	61,152	-	-	61,152
521.000	FICA	4,700	-	-	4,700
522.000	RETIREMENT	9,200	-	-	9,200
523.000	HEALTH INSURANCE	13,500			13,500
523.003	LIFE & DISABILITY INSURANCE	650			650
531.000	PROFESSIONAL SERVICES	24,000	-	-	24,000
549.000	BANK FEES	480	-	-	480
554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	240			240
555.000	TRAINING/EDUCATION	2,000	-	-	2,000
	Total Finance	115,922	-	-	115,922

**Town of Sewall's Point
2024 Budget All Funds**

		FUND 001	FUND 101	FUND 301	
		General Fund	Building Permits Fund	Capital Projects Fund	2024 Budget
Legal					
531.301	LEGAL COUNSEL - GENERAL	80,000	-	-	80,000
531.302	LEGAL COUNSEL - BZA	3,000	-	-	3,000
531.303	LEGAL COUNSEL - CEB	12,000	-	-	12,000
531.304	LEGAL COUNSEL - LITIGATION	10,000	-	-	10,000
531.306	LEGAL COUNSEL - POLICE UNION MAT	10,000	-	-	10,000
	Total Legal	115,000	-	-	115,000
DEBT SERVICE					
571.000	DEBT SERVICE - PRINCIPAL	65,654	-	-	65,654
571.000	DEBT SERVICE - INTEREST	85,126	-	-	85,126
	Total Debt Service	150,780	-	-	150,780
General Government					
512.000	SALARIES & WAGES	67,506	-	-	67,506
514.002	OVERTIME - STORM	1,200	-	-	1,200
517.000	SICK LEAVE INCENTIVE	1,000	-	-	1,000
521.000	FICA	5,200	-	-	5,200
522.000	RETIREMENT	10,130	-	-	10,130
523.000	HEALTH INSURANCE	25,600	-	-	25,600
523.003	LIFE & DISABILITY	600	-	-	600
524.000	WORKERS' COMPENSATION INSURANCE	18,000	-	-	18,000
531.400	ENGINEERING SERVICES	-	-	75,000	75,000
541.000	COMMUNICATION NETWORK	7,740	-	-	7,740
541.001	COMMUNICATION WEB HOSTING	9,337	-	-	9,337
541.003	IT SERVICE LEVEL AGREEMENTS MC	28,580	-	-	28,580
542.000	POSTAGE	3,000	-	-	3,000
543.000	UTILITIES	60,000	-	-	60,000
545.000	INSURANCE - PROPERTY & LIABILITY	90,000	-	-	90,000
546.003	LANDSCAPING MAINTENANCE	48,000	-	48,000	96,000
546.004	VEHICLE MAINTENANCE	2,500	-	-	2,500
546.005	BUILDING & FACILITIES MAINTENANCE	24,100	-	-	24,100

**Town of Sewall's Point
2024 Budget All Funds**

	FUND 001	FUND 101	FUND 301	
	General Fund	Building Permits Fund	Capital Projects Fund	2024 Budget
546.006	PARKS MAINTENANCE	20,400	-	20,400
546.007	TREE MAINTENANCE	24,000	-	34,000
546.008	STREET MAINTENANCE	24,000	-	24,000
547.000	PRINTING	10,000	-	10,000
551.000	OFFICE SUPPLIES	17,200	-	17,200
552.000	FUEL AND OIL	960	-	960
552.001	ARCHIVES AND STORAGE	8,400	-	8,400
552.003	ORDINANCE CODIFICATION	3,000	-	3,000
552.004	SOFTWARE/LICENSING	9,815	-	9,815
552.005	OPERATING SUPPLIES	1,400	-	1,400
554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	350	-	350
555.000	TRAINING/EDUCATION	5,000	-	5,000
562.001	TOWN HALL CIP	-	102,359	102,359
564.001	VEHICLES	-	-	-
564.002	IT EQUIPMENT	-	-	-
564.003	TOWN HALL EQUIPMENT	-	-	-
	Total General Government	527,018	-	762,377
Police				
512.000	SALARIES & WAGES	740,000	-	740,000
514.000	OVERTIME	15,000	-	15,000
514.001	OVERTIME - COURT TIME	2,000	-	2,000
514.002	OVERTIME - STORM	6,000	-	6,000
514.003	OVERTIME - SSPR PHASE 3 TRAFFIC	10,000	-	10,000
515.001	SPECIAL PAY - FTO/BOOTS	2,500	-	2,500
515.002	PD MILEAGE	12,000	-	12,000
515.003	PD STATUTORY INCENTIVE	10,000	-	10,000
517.000	SICK LEAVE INCENTIVE	5,000	-	5,000
521.000	FICA	59,000	-	59,000
522.000	RETIREMENT	117,200	-	117,200
523.000	HEALTH INSURANCE	195,000	-	195,000
523.003	LIFE & DISABILITY	4,500	-	4,500

**Town of Sewall's Point
2024 Budget All Funds**

		FUND 001	FUND 101	FUND 301	
		General Fund	Building Permits Fund	Capital Projects Fund	2024 Budget
531.000	PROFESSIONAL SERVICES	13,241	-	-	13,241
534.002	CONTRACTED SERVICES	54,223	-	-	54,223
541.000	COMMUNICATION NETWORK	8,440	-	-	8,440
545.000	INSURANCE - PROPERTY & LIABILITY	1,000	-	-	1,000
546.002	EQUIPMENT MAINTENANCE	4,991	-	-	4,991
546.004	VEHICLE MAINTENANCE	22,000	-	-	22,000
547.000	PRINTING	1,827	-	-	1,827
551.000	OFFICE SUPPLIES	1,000	-	-	1,000
552.000	FUEL AND OIL	32,000	-	-	32,000
552.005	OPERATING SUPPLIES	10,000	-	-	10,000
552.006	ENFORCEMENT SUPPLIES	12,643	-	-	12,643
554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	2,260	-	-	2,260
555.000	TRAINING/EDUCATION	7,925	-	-	7,925
564.000	MACHINERY & EQUIPMENT				
564.001	VEHICLES				
	Total Police	1,349,750	-	-	1,349,750
Fire					
534.001	FIRE RESCUE CONTRACTED	565,231	-	-	565,231
Building					
512.000	SALARIES & WAGES	-	273,434	-	273,434
517.000	SICK LEAVE INCENTIVE	-	1,000	-	1,000
521.000	FICA	-	20,920	-	20,920
522.000	RETIREMENT	-	41,100	-	41,100
523.000	HEALTH INSURANCE	-	40,000	-	40,000
523.003	LIFE & DISABILITY INSURANCE	-	2,000	-	2,000
531.000	PROFESSIONAL SERVICES	-	-	-	-
531.002	BUILDING INSPECTOR SERVICES	-	7,000	-	7,000
534.002	CONTRACTED SERVICES	-	-	-	-
541.000	COMMUNICATION NETWORK	-	1,400	-	1,400
541.004	TECHNOLOGY EXPENSE	-	6,000	-	6,000
542.000	POSTAGE	-	500	-	500
545.000	INSURANCE - PROPERTY & LIABILITY	-	10,000	-	10,000
546.004	VEHICLE MAINTENANCE	-	1,000	-	1,000
551.000	OFFICE SUPPLIES	-	10,000	-	10,000

**Town of Sewall's Point
2024 Budget All Funds**

		FUND 001	FUND 101	FUND 301	
		General Fund	Building Permits Fund	Capital Projects Fund	2024 Budget
552.000	FUEL AND OIL	-	1,200	-	1,200
552.004	SOFTWARE/LICENSING	-	7,500	-	7,500
554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS		3,000		3,000
555.000	TRAINING/EDUCATION		3,000		3,000
564.001	VEHICLES				
	Total Building	-	429,054	-	429,054
Stormwater					
546.001	STORMWATER-INLET-OUTFALL MAINTENA	-	-	100,000	100,000
563.002	STORMWATER IMPROVEMENTS	-	-	3,250,000	3,250,000
	Total Stormwater	-	-	3,350,000	3,350,000
Roads and Bridges					
546.000	STREETLIGHT & SIGN MAINTENANCE	-	-	15,000	15,000
546.008	STREET MAINTENANCE	-	-	50,000	50,000
546.009	BRIDGE MAINTENANCE	-	-	50,000	50,000
563.030	ROAD & BRIDGE CAPITAL PROJECTS	-	-	13,900,000	13,900,000
	Total Roads and Bridges	-	-	14,015,000	14,015,000
TOTAL EXPENDITURE S		\$ 3,473,345	\$ 451,000	\$ 17,600,359	\$ 21,524,704

**TOWN OF SEWALL'S POINT
FIRE RESCUE AGREEMENT**

The Town contracts with the City of Stuart for Fire-Rescue services for town residents. This is a very cost-effective means of providing the service. However, the contract calls for a major increase in compensation in fiscal year 2025. This results in an increase of \$197,830 between the proposed FY24 budget and the future FY25 budget.

- In FY23, \$200,000 was earmarked toward the Fire-Rescue contract. Management is currently recommending that any additional revenue at the end of FY23, up to \$200,000, be added to the current restricted Fire-Rescue monies. Below is the payment schedule for the remaining 6 years. It is important to note, that an increase of this magnitude will have a significant bearing on future budgets.

Fire-Rescue Contract Cost

PREVIOUSLY PAID		UPCOMING PYMTS	
YEAR	AMOUNT	YEAR	AMOUNT
2018	\$ 182,875.00	2024	\$ 565,231.00
2019	\$ 365,750.00	2025	\$ 763,061.00
2020	\$ 502,200.00	2026	\$ 785,953.00
2021	\$ 517,266.00	2027	\$ 809,532.00
2022	\$ 532,784.00	2028	\$ 833,818.00
2023	\$ 548,767.00	2029	\$ 858,832.00
Sub-Total	\$ 2,649,642.00	Sub-Total	\$ 4,616,427.00
Total Fire-Rescue Contract Cost:		\$ 7,266,069.00	

**TOWN OF SEWALL'S POINT
EMPLOYEE RETENTION POLICIES**

Recruiting and retention once again deserve special attention this budget year. The current labor market continues to be very difficult. Employers across all segments of the economy are having difficulty filling positions and many are resorting to hiring bonuses. The Town is very fortunate to have highly competent staff. The following policies are recommended to help assure retention of current personnel² and recruitment.

- Recommend overall wage increase for non-bargaining employees of five percent (5%), in a combination of across the board (2.5%) and merit evaluation (up to 2.5%). \$60,000 of property tax increase is allocated to wage enhancements.
- Recommend amending the retirement plan to accelerate vesting. Presently vesting begins at 20% at the end of two years, then graduates 20% each year, and full vesting occurs at the end of the sixth year of employment.
 - Suggested vesting at the rate of 30% at the end of year one, followed by additional 30% at end of year two and final 40% at end of year three. This will encourage employees to remain with the Town during the critical 2- to 5-year employment tenure.

Recommend Approve the Position Control and Pay Plan, below.

² The Town is presently in labor negotiations, so certain of these policies may or may not be applicable to police officers, unless or until they are negotiated.

**TOWN OF SEWALL'S POINT
POSITION CONTROL AND PAY RANGES**

AUTHORIZED POSITIONS		NOTE	LOW	MID	HIGH
		S			
TOWN MANAGER	1	(1)			
TOWN CLERK	1		\$ 46,800	\$ 57,200	\$ 67,600
FINANCE DIRECTOR	1		\$ 65,000	\$ 80,000	\$ 95,000
BUILDING OFFICIAL / PW	1		\$ 83,200	\$ 98,800	\$ 130,000
PUBLIC WORKS MAINTENANCE	1		\$ 31,200	\$ 41,600	\$ 52,000
TOWN / BUILDING ASSISTANT	1	(2)	\$ 46,800	\$ 57,200	\$ 67,600
POLICE CHIEF	1		\$ 98,800	\$ 119,600	\$ 137,000
POLICE ASSISTANT	1		\$ 36,400	\$ 46,800	\$ 57,200
POLICE LIEUTENANT	1		\$ 77,151	\$ 92,200	\$ 104,154
POLICE SERGEANT	1	(3)			
POLICE OFFICER	7	(3)			
TOTAL	17				

- (1) Town Manager salary is per contract wording
Town/Building Assistant – Title change to Town/Finance/Building Assistant
- (2) Assistant
- (3) Police Sergeant and Police Officers are subject to negotiation;
current step plan remains in effect until replaced.

**TOWN OF SEWALL'S POINT
CAPITAL IMPROVEMENTS PLAN (ALREADY APPROVED)**

Background Guidance

Over the past three years, the Town Commission has undertaken significant policy steps to guide the future character of the town. The January 2020 workshops resulted in three important priorities: Financial responsibility, environmental stewardship, and mobility, each encompassing a range of activities. This was followed in 2021 & 2023 with a strategic plan which detailed road resiliency (mobility), stormwater (environmental stewardship), and other capital project needs over the next decades. Last year the Town Commission adopted a comprehensive plan revision, including a first ever capital improvement element, complete with goals, objectives, and policies.

These policy guidance documents have been studied and form the basis of the proposed Capital Improvement Plan (CIP). Most notably, the CIP updates cost and timing of the planned projects with the best current information. It also delineates the revenue sources required to fund the projects, thereby addressing financial responsibility.

Capital Improvement Projects. Capital projects are funded primarily with non-recurring revenues and are segregated into a separate fund to preserve the dedicated revenues being used such as the 0.40 dedicated millage and one-time revenues such as grants.

Capital Maintenance. The town's major investments in capital projects should be matched with an ongoing recurring maintenance program funded with recurring revenues.

Policy considerations:

- Additional grants are being sought in amounts between \$1 million and \$3 million for multiple projects. Some projects might not have any funding source currently identified.
- Does the Town wish to consider a loan to accelerate some of these efforts?
- Other revenue sources for ongoing capital maintenance needs to be identified, i.e. stormwater fee.

The Capital Improvement Plan was adopted by Resolution No. 962 on July 19, 2023. The below sheets, at this time, summarize the best cost estimate with available data for each project as well as current funding and proposed funding sources. As the Town has seen recently, these figures will fluctuate. This is presented as a 5-year plan, knowing that additional monies will need to be sought and secured to move forward with the unfunded capital projects.

Please see the adopted CIP on the next page.



PROJECT COSTS

CAPITAL PROJECTS

	FY24	FY25	FY26	FY27	FY28	5-YR TOTAL
South Sewall's Point Road Phase 1 Part 4	\$ -	\$ -	\$ -	\$ 2,500,000	\$ -	\$ 2,500,000
South Sewall's Point Road Phase 2	\$ 4,850,000	\$ 9,700,000	\$ 150,000	\$ -	\$ -	\$ 14,700,000
South Sewall's Point Road Phase 3	\$ 8,800,000	\$ 4,750,000	\$ -	\$ -	\$ -	\$ 13,550,000
South Sewall's Point Road Phase 4	\$ -	\$ -	\$ 7,500,000	\$ 6,900,000	\$ -	\$ 14,400,000
North Sewall's Point Road	\$ 250,000	\$ 250,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 15,500,000
Stormwater/Vulnerability Master Plan	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
South Sewall's Point Septic to Sewer	\$ 3,050,000	\$ 3,850,000	\$ 1,500,000	\$ -	\$ -	\$ 8,400,000
Police Department Remodel	\$ 84,060	\$ -	\$ -	\$ -	\$ 84,060	\$ 168,120
Town Hall Resiliency Project				\$ 2,500,000	\$ 2,500,000	\$ 5,000,000
TOTAL	\$ 17,234,060	\$ 18,550,000	\$ 14,150,000	\$ 16,900,000	\$ 7,584,060	\$ 74,418,120

CAPITAL MAINTENANCE

Engineering	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 375,000
Streetlights & Signs	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
Streets & Bridges/Seawalls	\$ 100,000	\$ 100,000	\$ 350,000	\$ 350,000	\$ 350,000	\$ 1,250,000
Storm Water System Maintenance	\$ 100,000	\$ 125,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,125,000
Parks & Landscaping						
Streetscaping	\$ 28,000	\$ 25,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 158,000
Tree Maintenance	\$ 30,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 110,000
Town Hall	\$ 18,299	\$ 20,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 113,299
TOTAL	\$ 366,299	\$ 380,000	\$ 820,000	\$ 820,000	\$ 820,000	\$ 3,206,299

COST GRAND TOTAL	\$ 17,600,359	\$ 18,930,000	\$ 14,970,000	\$ 17,720,000	\$ 8,404,060	\$ 77,624,419
-------------------------	----------------------	----------------------	----------------------	----------------------	---------------------	----------------------

TOWN OF SEWALL'S POINT
CAPITAL IMPROVEMENT PLAN



FUNDING

	FY24	FY25	FY26	FY27	FY28	5-YR TOTAL
CAPITAL PROJECTS						
CAPITAL MILLAGE	\$ 362,909	\$ 381,054	\$ 400,107	\$ 420,113	\$ 441,118	\$ 2,005,301
DONATION - FOR POLICE DEPARTMENT	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
AWARDED GRANTS						
ARPA 2	\$ 557,450	\$ -	\$ -	\$ -	\$ -	\$ 557,450
RESILIENCY PLANNING GRANT (PHASE 3)	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
MARTIN COUNTY ILA (WATER LINES)	\$ 1,550,000	\$ 1,500,000	\$ 900,000	\$ 600,000	\$ -	\$ 4,550,000
FDEP RESILIENCY (SEPTIC 2 SEWER)	\$ 3,050,000	\$ 3,850,000	\$ 1,500,000	\$ -	\$ -	\$ 8,400,000
RESILIENCY A (PHASE 2)	\$ 2,100,000	\$ 800,000	\$ -	\$ -	\$ -	\$ 2,900,000
HMGP GRANT (PHASE 2)	\$ 1,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 2,000,000
*LEGISLATIVE APPROPRIATION (PHASE 2)	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
*RESILIENT FLORIDA GRANT - (PHASE 3)	\$ 3,400,000	\$ -	\$ -	\$ -	\$ -	\$ 3,400,000
HMGP GRANT (PHASE 3)	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -	\$ 1,700,000
HMGP GRANT (N. SEWALL'S POINT)	\$ 64,000	\$ -	\$ -	\$ -	\$ -	\$ 64,000
SUBTOTAL AWARDED GRANTS	\$ 14,521,450	\$ 7,150,000	\$ 2,400,000	\$ 600,000	\$ -	\$ 24,671,450
<i>*No Town match required.</i>						
FUTURE GRANTS TBD						
PHASE 2						
RESILIENCY B	\$ -	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000
FDEP IRL	\$ -	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000
PHASE 3						
HMGP GRANT (ADDT'L REQUESTED)	\$ 2,150,000	\$ -	\$ -	\$ -	\$ -	\$ 2,150,000
FDEP RESILIENCY	\$ -	\$ 3,500,000	\$ -	\$ -	\$ -	\$ 3,500,000
FDEP IRL	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,000,000
PHASE 4						
FDEP RESILIENCY	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000	\$ -	\$ 5,000,000
FEMA HMGP	\$ -	\$ -	\$ 2,000,000	\$ 1,900,000	\$ -	\$ 3,900,000
FDEP IRL	\$ -	\$ -	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
LEGISLATIVE APPROPRIATION	\$ -	\$ -	\$ 1,000,000	\$ 1,000,000	\$ -	\$ 2,000,000
S. RIVER ROAD						
FDEP IRL	\$ -	\$ -	\$ -	\$ 2,500,000	\$ -	\$ 2,500,000
N. SEWALL'S POINT RD						
AGENCY TBD	\$ 186,000	\$ 250,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 15,436,000
Subtotal Future Grants TBD	\$ 2,336,000	\$ 10,750,000	\$ 11,500,000	\$ 12,900,000	\$ 5,000,000	\$ 42,486,000
TOTAL CAPITAL PROJECT FUNDING	\$ 17,270,359	\$ 18,281,054	\$ 14,300,107	\$ 13,920,113	\$ 5,441,118	\$ 69,162,751
CAPITAL MAINTENANCE						
GAS TAX 1	\$ 80,000	\$ 80,000	\$ 85,000	\$ 90,000	\$ 125,000	\$ 460,000
GAS TAX 2	\$ 100,000	\$ 110,000	\$ 120,000	\$ 130,000	\$ 140,000	\$ 600,000
ROAD IMPROVEMENT FEES	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ -	\$ 600,000
TOTAL CAPITAL MAINTENANCE FUNDING	\$ 330,000	\$ 340,000	\$ 355,000	\$ 370,000		\$ 1,743,000
FUNDING GRAND TOTAL	\$ 17,600,359	\$ 18,621,054	\$ 14,655,107	\$ 14,290,113	\$ 5,441,118	\$ 70,905,751
CAPITAL CARRYOVER / SHORTFALL	\$ -	\$ (308,946)	\$ (314,893)	\$ (3,429,887)	\$ (2,962,942)	\$ (6,718,668)

**TOWN OF SEWALL'S POINT
UNFUNDED ITEMS/FUTURE ITEMS**

Not every budget item that is examined gets funded and there are some items that the Town has been notified about that will need to be funded in future years.

The following items are noted as unfunded, but the Town Commission should be aware of these matters.

- **Vehicle replacement.** The Town will need to replace up to three police vehicle within the next two to three years. The Town may wish to set aside monies for this purpose. Vehicle replacement cost is estimated at \$50,000 per vehicle to acquire and fully equip the vehicle for police work.
- **IT Upgrade –** The Town of Sewall's Point will be required to obtain a dedicated server along with upgrading to G365, which meets the legal requirements of government agencies and police departments. This is estimated to cost an additional \$50,000 - \$75,000 in FY25.
- **Capital maintenance.** The Town engineer has identified future capital maintenance costs for Streets, Bridges, & Seawalls which currently are not budgeted for, along with increased Stormwater System maintenance as infrastructure is added. These additional expenses are anticipated to exceed current recurring revenues.
 - Recommend a thorough review of all existing infrastructure. This may then be used to construct a more formalized renewal and replacement program.

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 000 - RESERVES					
001-000-311.000	AD VALOREM TAXES	2,323,659	2,615,267	2,572,340	2,818,445
	FOOTNOTE AMOUNTS:				2,473,681
	MILLAGE RATE OF 2.87				
	FOOTNOTE AMOUNTS:				344,764
	MILLAGE RATE OF .40				
	GL # FOOTNOTE TOTAL:				2,818,445
001-000-312.410	GAS TAX	111,843			
001-000-312.420	GAS TAX SECOND LOCAL OPTION	89,096			
001-000-315.000	COMMUNICATIONS SERVICES TAX	51,416	38,953	55,000	52,000
	FOOTNOTE AMOUNTS:				52,000
001-000-316.000	COMMUNICATION TAX				
	LOCAL BUSINESS TAX	893	2,445	5,000	3,000
	FOOTNOTE AMOUNTS:				3,000
	COUNTY SHARED BUSINESS TAX				
001-000-322.000	BUILDING PERMIT FEES	778,725			
001-000-322.001	TECHNOLOGY FEE	40,849			
001-000-323.100	ELECTRIC FRANCHISE FEES	211,038	160,362	210,000	200,000
	FOOTNOTE AMOUNTS:				200,000
	ELECTRIC FRANCHISE FEE				
001-000-325.200	BUILDING DEPT ROAD IMPROVEMENT FE	424,675			
001-000-329.001	PLANNING & ZONING FEES	15,116	6,975	22,000	5,000
	FOOTNOTE AMOUNTS:				5,000
	PLANNING FEES				
001-000-331.100	AMERICAN RESCUE GRANT	557,450			
001-000-331.200	FEMA - HURRICANE DORIAN DR4468	18,470			
001-000-331.351	HMGP 4283-58R DRAINAGE	38,452			
001-000-331.352	HMGP 4283-84-A H0603	30,525			
001-000-334.360	INDIAN RIVER LAGOON #1	150,000			
001-000-334.361	INDIAN RIVER LAGOON #2	180,000			
001-000-334.363	FLORIDA DEO GRANT	50,000			
001-000-334.364	FDEP LPA 0217	76,618			
001-000-334.365	FDEP S0819	(1,502)			
001-000-335.120	STATE REVENUE SHARING	93,282	56,937	78,000	70,000
	FOOTNOTE AMOUNTS:				70,000
	STATE REVENUE SHARING				
001-000-335.150	STATE REVENUE SHARING - ALCOHOLIC	1,725		1,200	
	STATE SHARE ALCOHOLIC BEVERAGE LICENSES				
001-000-335.180	SALES TAX	298,003	224,030	257,000	250,000
	FOOTNOTE AMOUNTS:				250,000
	STATE SHARED SALES TAX				
001-000-337.200	LOCAL GRANT - PD	5,578			
001-000-337.300	MCU SSPR REIMBURSEMENT	50,226			
001-000-351.500	TRAFFIC FINES	14,989	10,788	15,000	12,000
	FOOTNOTE AMOUNTS:				12,000
	TRAFFIC FINES				
001-000-351.501	POLICE EDUCATION - TRAFFIC FINES	750	1,279	1,500	1,200
	FOOTNOTE AMOUNTS:				1,200
	POLICE EDUCATION				
001-000-351.901	CODE ENFORCEMENT VIOLATIONS	450	5,450	2,000	2,500
	FOOTNOTE AMOUNTS:				2,500
	CODE ENFORCEMENT FEES				
001-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS	31,837		1,000	1,000
	FOOTNOTE AMOUNTS:				1,000
	LOCAL FINES				
001-000-361.100	INTEREST	10,755	134,216	125,000	50,000
	FOOTNOTE AMOUNTS:				50,000
	INTEREST				
001-000-366.002	CONTRIBUTIONS - SAFETY EQUIPMENT	1,854			
001-000-366.003	CONTRIBUTIONS - TOWN EVENTS		2,500	500	
001-000-366.004	CONTRIBUTIONS - POLICE DEPARTMENT		50,000	50,000	
001-000-367.000	TOWN LICENSES	7,843	6,060	6,500	5,000
	FOOTNOTE AMOUNTS:				5,000
	TOWN LICENSES				
001-000-369.900	MISCELLANEOUS REVENUE	6,665	1,941	6,500	2,000
	FOOTNOTE AMOUNTS:				2,000
	OTHER REVENUE				
001-000-369.901	MISCELLANEOUS REVENUE POLICE	5	243	250	
001-000-369.902	MISC REVENUE - PARK	2,160	1,000	1,200	1,200
	FOOTNOTE AMOUNTS:				1,200
	MOM'S W/STROLLERS				
001-000-381.000	RESERVE UTILIZATION			42,735	
	UTILIZE RESERVE				
001-000-384.001.012	SEACOAST BANK NOTE		2,000,000	2,000,000	
001-000-582.000	RESERVE ADDITION			212,110	
	FIRE RESCUE RESERVE				
NET OF REVENUES/APPROPRIATIONS - 000 - RESERVES		5,673,445	5,318,446	5,240,615	3,473,216

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 512 - EXECUTIVE					
001-512-512.000	SALARIES & WAGES	91,991	67,954	87,500	81,250
	FOOTNOTE AMOUNTS:				81,250
	TOWN MANAGER - 70%				
001-512-521.000	FICA	7,022	4,866	6,700	6,250
	FOOTNOTE AMOUNTS:				6,250
	FICA				
001-512-522.000	RETIREMENT	1,903	10,193	13,125	12,200
	FOOTNOTE AMOUNTS:				12,200
	15% EMPLOYER CONTRIBUTION				
001-512-523.000	HEALTH INSURANCE	87,725	16,975	25,570	21,910
	FOOTNOTE AMOUNTS:				21,910
	INSURANCE				
001-512-523.003	LIFE & DISABILITY INSURANCE	7,207	495	600	600
	FOOTNOTE AMOUNTS:				600
001-512-531.000	PROFESSIONAL SERVICES	25,341	45,000	93,000	93,000
	FOOTNOTE AMOUNTS:				20,000
	COMMUNICATIONS PLAN				
	FOOTNOTE AMOUNTS:				60,000
	GRANT WRITING/LOBBYIST				
	FOOTNOTE AMOUNTS:				13,000
	WATER SUPPLY PLAN				
	GL # FOOTNOTE TOTAL:				93,000
001-512-531.003	GRANT SERVICES	10,343			
001-512-531.004	PLANNING SERVICES	2,711	1,135	20,000	20,000
	FOOTNOTE AMOUNTS:				15,000
	CURRENT PLANNING PROJECTS				
	FOOTNOTE AMOUNTS:				5,000
	LDR UPDATE				
	GL # FOOTNOTE TOTAL:				20,000
001-512-531.100	COMPREHENSIVE PLANNING SERVICES	98,850	11,280	10,000	
001-512-532.000	AUDIT SERVICES	21,100	26,250	28,000	30,000
	FOOTNOTE AMOUNTS:				30,000
	ANNUAL AUDIT				
001-512-541.000	COMMUNICATION NETWORK	24,398	3,704	3,520	2,520
	FOOTNOTE AMOUNTS:				2,520
	COMMISSION CELL PHONES \$210 PER MONTH				
001-512-542.000	POSTAGE	2,730			
001-512-543.000	UTILITIES	17,963			
001-512-545.000	INSURANCE - PROPERTY & LIABILITY	64,538			
001-512-547.000	PRINTING	13,199			
001-512-548.000	TOWN EVENTS	11,766	11,448	10,000	10,000
	FOOTNOTE AMOUNTS:				5,000
	EASTER EGG HUNT				
	FOOTNOTE AMOUNTS:				3,000
	FOURTH OF JULY				
	FOOTNOTE AMOUNTS:				2,000
	OTHER EVENTS				
	GL # FOOTNOTE TOTAL:				10,000
001-512-549.000	BANK FEES	4			
001-512-549.001	OTHER GENERAL GOVERNMENT	540	952	20,000	25,000
	FOOTNOTE AMOUNTS:				25,000
	TOWN MANAGER CONTINGENCY				
001-512-551.000	OFFICE SUPPLIES	647			
001-512-552.001	ARCHIVES AND STORAGE	8,168			
001-512-552.003	ORDINANCE CODIFICATION	3,211			
001-512-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	1,809	1,934	2,150	2,150
	FOOTNOTE AMOUNTS:				200
	TREASURE COAST REGIONAL				
	FOOTNOTE AMOUNTS:				600
	FLORIDA LEAGUE OF CITIES				
	FOOTNOTE AMOUNTS:				350
	FLORIDA LEAGUE OF MAYORS				
	FOOTNOTE AMOUNTS:				1,000
	ICMA				
	GL # FOOTNOTE TOTAL:				2,150
001-512-591.101	TRANSFER TO BUILDNG FUND	436,652			
001-512-591.301	TRANSFER TO CAPITAL PROJECTS	1,272,392	2,314,660	2,314,660	344,764
	FOOTNOTE AMOUNTS:				344,764
	MILLAGE .40 FOR CAPTIAL PROJECTS				
NET OF REVENUES/APPROPRIATIONS - 512 - EXECUTIVE		(2,212,210)	(2,516,846)	(2,634,825)	(649,644)
Dept 513 - FINANCE					
001-513-512.000	SALARIES & WAGES	30,420	45,924	59,000	61,152
	FOOTNOTE AMOUNTS:				61,152
	ACCOUNTANT				

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 513 - FINANCE					
001-513-521.000	FICA	2,319	3,347	4,640	4,700
	FOOTNOTE AMOUNTS:				4,700
001-513-522.000	FICA RETIREMENT	2,798	6,699	8,550	9,200
	FOOTNOTE AMOUNTS:				9,200
001-513-523.000	15% EMPLOYER CONTRIBUTION HEALTH INSURANCE		10,068	13,100	13,500
	FOOTNOTE AMOUNTS:				13,500
001-513-523.003	MEDICAL INS LIFE & DISABILITY INSURANCE		471	650	650
	FOOTNOTE AMOUNTS:				650
001-513-531.000	PROFESSIONAL SERVICES	17,940	8,730	24,000	24,000
	FOOTNOTE AMOUNTS:				24,000
001-513-549.000	FINANCE CONSULTANT BANK FEES			480	480
	FOOTNOTE AMOUNTS:				480
001-513-554.000	BANK FEES - \$40 MONTH DUES/SUBSCRIPTIONS/MEMBERSHIPS		50	240	240
	FOOTNOTE AMOUNTS:				40
	FGFOA				200
	FOOTNOTE AMOUNTS:				200
	GFOA				
	GL # FOOTNOTE TOTAL:				240
001-513-555.000	TRAINING/EDUCATION		1,814	1,500	2,000
	FOOTNOTE AMOUNTS:				2,000
NET OF REVENUES/APPROPRIATIONS - 513 - FINANCE		(53,477)	(77,103)	(112,160)	(115,922)
Dept 514 - LEGAL					
001-514-531.301	LEGAL COUNSEL - GENERAL	1,821	45,956	84,000	80,000
	FOOTNOTE AMOUNTS:				80,000
001-514-531.302	GENERAL LEGAL MATTERS \$7,000 PER MONTH LEGAL COUNSEL - BZA		3,945	3,000	3,000
	FOOTNOTE AMOUNTS:				3,000
001-514-531.303	BZA LEGAL FEES LEGAL COUNSEL - CEB		15,529	12,000	12,000
	FOOTNOTE AMOUNTS:				12,000
001-514-531.304	CODE ENFORCEMENT LEGAL FEES - \$1000 PER MONTH LEGAL COUNSEL - LITIGATION			10,000	10,000
	FOOTNOTE AMOUNTS:				10,000
001-514-531.306	LEGAL LITAGATION FEES LEGAL SERVICES - POLICE UNION MAT		10,449	15,000	10,000
	FOOTNOTE AMOUNTS:				10,000
NET OF REVENUES/APPROPRIATIONS - 514 - LEGAL		(1,821)	(75,879)	(124,000)	(115,000)
Dept 517 - DEBT SERVICE					
001-517-571.000	DEBT SERVICE - PRINCIPAL		32,013	32,013	65,654
	FOOTNOTE AMOUNTS:				32,473
	12/1/23 PRINCIPAL PYMT				
	FOOTNOTE AMOUNTS:				33,181
	6/1/24 PRINCIPAL PYMT				
	GL # FOOTNOTE TOTAL:				65,654
001-517-572.000	DEBT SERVICE - INTEREST		43,377	43,377	85,126
	FOOTNOTE AMOUNTS:				42,917
	12/1/23 INT PYMT				
	FOOTNOTE AMOUNTS:				42,209
	6/1/23 INT PYMT				
	GL # FOOTNOTE TOTAL:				85,126
NET OF REVENUES/APPROPRIATIONS - 517 - DEBT SERVICE			(75,390)	(75,390)	(150,780)
Dept 519 - GOVERNMENTAL SERVICES					
001-519-512.000	SALARIES & WAGES	46,028	56,366	69,270	67,506
	FOOTNOTE AMOUNTS:				67,506
001-519-514.002	PW MAINTENANCE, OFFICE ASSISTANT, TOWN CLERK OVERTIME - STORM		1,224	1,250	1,200
	FOOTNOTE AMOUNTS:				1,200
001-519-517.000	SICK LEAVE INCENTIVE	529		1,000	1,000
	FOOTNOTE AMOUNTS:				1,000
001-519-521.000	SICK LEAVE INCENTIVE FICA	1,911	4,173	5,070	5,200
	FOOTNOTE AMOUNTS:				5,200
001-519-522.000	FICA RETIREMENT	1,846	8,301	12,000	10,1

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 519 - GOVERNMENTAL SERVICES					10,130
	FOOTNOTE AMOUNTS:				10,130
	15% EMPLOYER CONTRIBUTION				
001-519-523.000	HEALTH INSURANCE	884	20,666	25,650	25,600
	FOOTNOTE AMOUNTS:				25,600
	HEALTH INSURANCE				
001-519-523.003	LIFE & DISABILITY INSURANCE		432	600	600
	FOOTNOTE AMOUNTS:				600
001-519-524.000	WORKERS' COMPENSATION INSURANCE	15,346	18,358	20,000	18,000
	FOOTNOTE AMOUNTS:				18,000
	WORKERS COMPENSATION INSURANCE				
001-519-531.000.001	PROFESSIONAL SERVICES	4,500			
001-519-531.301	LEGAL COUNSEL - GENERAL	100,337			
001-519-531.302	LEGAL COUNSEL - BZA	3,021			
001-519-531.303	LEGAL COUNSEL - CEB	9,272			
001-519-531.304	LEGAL COUNSEL - LITIGATION	7,658			
001-519-531.306	LEGAL SERVICES - POLICE UNION MAT	4,513			
001-519-531.500	ENGINEERING SERVICES	328,753			
001-519-531.503	CEI SERVICES	744			
001-519-534.001	FIRE RESCUE CONTRACTED	532,784			
001-519-540.000	TRAVEL	1,814			
001-519-541.000	COMMUNICATION NETWORK	425	2,798	4,240	7,740
	FOOTNOTE AMOUNTS:				7,200
	LANDLINE PHONES \$600 MONTH				
	FOOTNOTE AMOUNTS:				540
	CELL PHONE PUBLIC WORKS \$45 MONTH				
	GL # FOOTNOTE TOTAL:				7,740
001-519-541.002	COMMUNICATIONS WEB HOSTING	12,517	8,426	8,000	9,337
	FOOTNOTE AMOUNTS:				2,337
	GRANICUS				
	FOOTNOTE AMOUNTS:				3,000
	BREST CONSULTING SVCS				
	FOOTNOTE AMOUNTS:				4,000
	MARTIN COUNTY WEB HOSTING				
	GL # FOOTNOTE TOTAL:				9,337
001-519-541.003	IT SERVICE LEVEL AGREEMENTS MC	37,404	15,146	28,580	28,580
	FOOTNOTE AMOUNTS:				1,680
	COMPUTER EMAIL HOSTING				
	FOOTNOTE AMOUNTS:				3,900
	BROADBAND SERVICE				
	FOOTNOTE AMOUNTS:				23,000
	COMPUTER MAINTENANCE AND SERVERS				
	GL # FOOTNOTE TOTAL:				28,580
001-519-542.000	POSTAGE	27	1,719	3,000	3,000
	FOOTNOTE AMOUNTS:				3,000
001-519-543.000	UTILITIES	27,640	45,013	60,000	60,000
	FOOTNOTE AMOUNTS:				48,000
	ELECTRIC - \$4,000 PER MONTH				
	FOOTNOTE AMOUNTS:				12,000
	WATER - \$1,000 PER MONTH				
	GL # FOOTNOTE TOTAL:				60,000
001-519-545.000	INSURANCE - PROPERTY & LIABILITY		80,079	77,000	90,000
	FOOTNOTE AMOUNTS:				90,000
	PROPERTY AND GENERAL LIABILITY				
001-519-546.000	STREETLIGHT & SIGN MAINTENANCE	33,879			
001-519-546.001	STORMWATER-INLET-OUTFALL MAINTENA	30,110			
001-519-546.003	LANDSCAPING MAINTENANCE	86,716	37,365	48,000	48,000
	FOOTNOTE AMOUNTS:				48,000
	MONTHLY MEDIAN MAINTENANCE				
001-519-546.004	VEHICLE MAINTENANCE	2,370	4,040	4,500	2,500
	FOOTNOTE AMOUNTS:				2,500
001-519-546.005	BUILDING & FACILITIES MAINTENANCE	18,766	21,953	19,200	24,100
	FOOTNOTE AMOUNTS:				6,000
	CITY HALL BATHROOM SUPPLIES - \$500 MONTH				
	FOOTNOTE AMOUNTS:				2,400
	AIR CONDITIONER MAINTENANCE				
	FOOTNOTE AMOUNTS:				5,000
	OTHER BUILDING MAINTENANCE				
	FOOTNOTE AMOUNTS:				6,000
	CITY HALL CLEANING				
	FOOTNOTE AMOUNTS:				1,200
	PEST CONTROL				
	FOOTNOTE AMOUNTS:				3,500
	FLOORING				
	GL # FOOTNOTE TOTAL:				24,100

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 519 - GOVERNMENTAL SERVICES					
001-519-546.006	PARKS MAINTENANCE	19,726	17,282	20,400	20,400
	FOOTNOTE AMOUNTS:				3,600
	IRRIGATION MAINTENANCE				
	FOOTNOTE AMOUNTS:				3,600
	PORTABLE TOLIET				
	FOOTNOTE AMOUNTS:				2,400
	LIGHTING MAINTENANCE				
	FOOTNOTE AMOUNTS:				7,200
	LANDSCAPING MAINTENANCE				
	FOOTNOTE AMOUNTS:				3,600
	FOUNTAIN AND POND MAINTENANCE				
	GL # FOOTNOTE TOTAL:				20,400
001-519-546.007	TREE MAINTENANCE	6,750	19,818	24,000	24,000
	FOOTNOTE AMOUNTS:				24,000
	TREE TRIMMING				
001-519-546.008	STREET MAINTENANCE	35,604	22,080	24,000	24,000
	FOOTNOTE AMOUNTS:				24,000
	STREET SWEEPING				
001-519-547.000	PRINTING		10,513	12,400	10,000
	FOOTNOTE AMOUNTS:				2,400
	MAIN COPIER LEASE AND COPIES				
	FOOTNOTE AMOUNTS:				7,600
	ADVERTISEMENTS				
	GL # FOOTNOTE TOTAL:				10,000
001-519-549.001	OTHER GENERAL GOVERNMENT		798		
001-519-551.000	OFFICE SUPPLIES	17,105	7,649	7,200	17,200
	FOOTNOTE AMOUNTS:				7,200
	PAPER, PENS, MEETING SUPPLIES, ETC \$600 PER MONTH				
	FOOTNOTE AMOUNTS:				10,000
	FRONT OFFICE DESK/REMODEL				
	GL # FOOTNOTE TOTAL:				17,200
001-519-552.000	FUEL AND OIL	2,283	859	960	960
	FOOTNOTE AMOUNTS:				960
	PUBLIC WORKS FUEL \$80 PER MONTH				
001-519-552.001	ARCHIVES AND STORAGE		8,885	8,250	8,400
	FOOTNOTE AMOUNTS:				2,400
	STORAGE AREA				
	FOOTNOTE AMOUNTS:				6,000
	OFF SITE ARCHIVES				
	GL # FOOTNOTE TOTAL:				8,400
001-519-552.003	ORDINANCE CODIFICATION		2,706	3,000	3,000
	FOOTNOTE AMOUNTS:				3,000
	UPDATES TO CODES				
001-519-552.004	SOFTWARE/LICENSING	3,105	9,360	10,000	9,815
	FOOTNOTE AMOUNTS:				3,000
	BSA SOFTWARE				
	FOOTNOTE AMOUNTS:				4,500
	SOCIAL ARCHIVE SOFTWARE				
	FOOTNOTE AMOUNTS:				2,315
	GRANICU - HOSTING/LICENSING				
	GL # FOOTNOTE TOTAL:				9,815
001-519-552.005	OPERATING SUPPLIES	237	687	1,400	1,400
	FOOTNOTE AMOUNTS:				400
	LICENSE PLATE REGISTRATION				
	FOOTNOTE AMOUNTS:				400
	VEHICLE DECALS				
	FOOTNOTE AMOUNTS:				400
	OTHER SUPPLIES				
	FOOTNOTE AMOUNTS:				200
	RECORDING FEES				
	GL # FOOTNOTE TOTAL:				1,400
001-519-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	3,160	1,294	350	350
	FOOTNOTE AMOUNTS:				200
	INTERNATIONAL MUNICIPAL CLERKS				
	FOOTNOTE AMOUNTS:				150
	ONLINE NEWSPAPER				
	GL # FOOTNOTE TOTAL:				350
001-519-555.000	TRAINING/EDUCATION	680	2,868	3,000	5,000
	FOOTNOTE AMOUNTS:				5,000
001-519-563.002	STORMWATER IMPROVEMENTS	367,405			
001-519-564.001	VEHICLES	44,202			
001-519-564.003	TOWN HALL EQUIPMENT	7,508			
NET OF REVENUES/APPROPRIATIONS - 519 - GOVERNMENTAL SE		(1,817,559)	(430,858)	(502,320)	(527,018)

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 521 - POLICE					
001-521-512.000	SALARIES & WAGES	602,469	556,040	727,730	740,000
	FOOTNOTE AMOUNTS:				740,000
	POLICE CHIEF, LIEUTENANT, SERGEANT, ADMIN ASSISTANT 7 POLICE OFFICERS				
001-521-514.000	OVERTIME	10,782	7,116	13,500	15,000
	FOOTNOTE AMOUNTS:				15,000
001-521-514.001	OVERTIME				
	OVERTIME - COURT TIME	942	2,633	3,000	2,000
	FOOTNOTE AMOUNTS:				2,000
001-521-514.002	OVERTIME COURT TIME				
	OVERTIME - STORM	2,916	6,022	6,100	6,000
	FOOTNOTE AMOUNTS:				6,000
001-521-514.014	OVERTIME - SSPR PHASE 3 TRAFFIC C			10,000	10,000
	FOOTNOTE AMOUNTS:				10,000
001-521-515.001	SPECIAL PAY - FTO/BOOTS	3,140	1,660	2,500	2,500
	FOOTNOTE AMOUNTS:				2,500
	ANNUAL BOOT ALLOWANCE				
001-521-515.002	PD MILEAGE	8,680	8,960	12,000	12,000
	FOOTNOTE AMOUNTS:				12,000
	MILEAGE PAY				
001-521-515.003	PD STATUTORY INCENTIVE	6,050	4,405	10,000	10,000
	FOOTNOTE AMOUNTS:				10,000
	INCENTIVE PAY				
001-521-517.000	SICK LEAVE INCENTIVE	4,252	3,833	5,000	5,000
	FOOTNOTE AMOUNTS:				5,000
	SICK LEAVE INCENTIVE PAY				
001-521-521.000	FICA	46,864	42,769	56,700	59,000
	FOOTNOTE AMOUNTS:				59,000
	FICA				
001-521-522.000	RETIREMENT	12,028	83,683	97,090	117,200
	FOOTNOTE AMOUNTS:				117,200
	15% EMPLOYER CONTRIBUTION				
001-521-523.000	HEALTH INSURANCE	46,106	132,943	166,780	195,000
	FOOTNOTE AMOUNTS:				195,000
	HEALTH, DENTAL AND LIFE INSURANCE				
001-521-523.003	LIFE & DISABILITY INSURANCE		3,932	6,500	4,500
	FOOTNOTE AMOUNTS:				4,500
001-521-531.000	PROFESSIONAL SERVICES	12,619	11,745	12,500	13,241
	FOOTNOTE AMOUNTS:				4,000
	INDIAN RIVER CRIME LAB				
	FOOTNOTE AMOUNTS:				7,141
	LEXIPOL				
	FOOTNOTE AMOUNTS:				675
	PSYCHOLOGICAL EXAMS				
	FOOTNOTE AMOUNTS:				600
	POLYGRAPH EXAMS				
	FOOTNOTE AMOUNTS:				825
	MEDICAL EXAMS				
	GL # FOOTNOTE TOTAL:				13,241
001-521-534.002	CONTRACTED SERVICES		80	17,080	54,223
	MCSO POLICE SOFTWARE MAINTENANCE				
	FOOTNOTE AMOUNTS:				1,874
	POLICE RADIO MAINTENANCE				
	FOOTNOTE AMOUNTS:				400
	NET MOTION				
	FOOTNOTE AMOUNTS:				842
	BOCC MARTIN CO - ITS EMAIL HOSTING				
	FOOTNOTE AMOUNTS:				1,500
	BOCC MARTIN CO - ITS SVC LEVEL AGREEMENT				
	FOOTNOTE AMOUNTS:				7,580
	MCSO - SVC LEVEL AGREEMENT - TYLER RECORDS MGMT LEASE PYMT				
	FOOTNOTE AMOUNTS:				6,428
	MCSO - SVC LEVEL AGREEMENT - TYLER RECORDS MGMT ANNUAL LICENSE				
	FOOTNOTE AMOUNTS:				11,499
	MCSO - SVC LEVEL AGREEMENT - COMP SVCS, SERVER USE, DOMAIN ETC				
	FOOTNOTE AMOUNTS:				10,000
	MICROSOFT/MCSO/EMAIL -				
	FOOTNOTE AMOUNTS:				6,100
	AXON - TASER 7 - 5 YEAR FINANCING				
	FOOTNOTE AMOUNTS:				8,000
	BWC REPLACEMENT				
	GL # FOOTNOTE TOTAL:				54,223
001-521-541.000	COMMUNICATION NETWORK	1,948	2,598	6,600	8,000
	FOOTNOTE AMOUNTS:				4,100

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 521 - POLICE					
	CELLPHONE/DATA SERVICES - \$370 PER MONTH				2,500
	FOOTNOTE AMOUNTS:				
	PD HARD LINE PHONES POTS SERVICE - 33% OF BILL \$147 MONTH				400
	FOOTNOTE AMOUNTS:				
	A&R TELECOM - REPAIR/PHONE INFRASTRUCTURE - ESTIMATE \$400				740
	FOOTNOTE AMOUNTS:				
	AT&T INTERNET				
	GL # FOOTNOTE TOTAL:				8,440
001-521-542.000	POSTAGE		56	200	
001-521-545.000	INSURANCE - PROPERTY & LIABILITY		694	700	1,000
	FOOTNOTE AMOUNTS:				1,000
001-521-546.002	EQUIPMENT MAINTENANCE	6,275	5,848	6,005	4,991
	FOOTNOTE AMOUNTS:				100
	TINT METER CERTS				800
	FOOTNOTE AMOUNTS:				
	RADAR/LASER CERTS				480
	FOOTNOTE AMOUNTS:				
	SPEEDOMETER CALIBRATIONS - 7 VEHICLES X 20 X 2 PER YEAR				
	BWCS REPAIR/REPLACE (BODY WORN CAMERAS) - EST 3 PER YEAR @ 300				640
	FOOTNOTE AMOUNTS:				
	AED BATTERIES - EST 3 PER YEAR @ 320				1,300
	FOOTNOTE AMOUNTS:				
	AED ELECTRODES ADULT & PEDIATRIC				250
	FOOTNOTE AMOUNTS:				
	METRO - FIRE EXTINGUISHER RECHARGES - BLDG & ALL VEHICLES				200
	FOOTNOTE AMOUNTS:				
	MISC DISPOSABLE BATTERIES PORTABLE W/T'S CALCULATORS/CAMERA/ETC				171
	FOOTNOTE AMOUNTS:				
	RADAR BATTERY				800
	FOOTNOTE AMOUNTS:				
	MOTOROLA BATTERIES FOR W/TS - \$95 X 8				100
	FOOTNOTE AMOUNTS:				
	MOTOROLA ANTENNAS - \$35 X 3				150
	FOOTNOTE AMOUNTS:				
	BATTERY BACKUPS FOR OFFICE PCS - \$75 X 2				
	GL # FOOTNOTE TOTAL:				4,991
001-521-546.004	VEHICLE MAINTENANCE	4,356	16,426	11,000	22,000
	FOOTNOTE AMOUNTS:				7,000
	21 TIRES @ 238 - BASED ON 2021 REPLACEMENTS				15,000
	FOOTNOTE AMOUNTS:				
	PREVENTATIVE MAINTENANCE & REPAIRS - BASED ON R/M FY 2020				
	GL # FOOTNOTE TOTAL:				22,000
001-521-547.000	PRINTING	122	887	2,570	1,827
	FOOTNOTE AMOUNTS:				92
	ID CARDS FOR TOWN & PD - \$20 X 4				250
	FOOTNOTE AMOUNTS:				
	BUSINESS CARDS - \$60 X 6				160
	FOOTNOTE AMOUNTS:				
	CARBONLESS ON DEMAND - FORMS				125
	FOOTNOTE AMOUNTS:				
	ENVELOPES				1,200
	FOOTNOTE AMOUNTS:				
	COPIER LEASE AND USAGE				
	GL # FOOTNOTE TOTAL:				1,827
001-521-551.000	OFFICE SUPPLIES	1,377	58	400	1,000
	FOOTNOTE AMOUNTS:				500
	PH PRESCRIPTION - WATER COOLER				500
	FOOTNOTE AMOUNTS:				
	OFFICE SUPPLIES				
	GL # FOOTNOTE TOTAL:				1,000
001-521-552.000	FUEL AND OIL	24,158	21,781	37,500	32,000
	FOOTNOTE AMOUNTS:				32,000
001-521-552.005	WEX - GASOLINE - BASED ON APRIL 2022 BILL OF \$2500 W/8 OFFICERS EMPLOYED = \$3125 X 12				
	OPERATING SUPPLIES		1,562	10,000	10,000
	FOOTNOTE AMOUNTS:				10,000
	SMALL EQUIPMENT REPLACEMENTS				
001-521-552.006	ENFORCEMENT SUPPLIES	12,641	6,337	15,380	12,643
	FOOTNOTE AMOUNTS:				1,640
	BODY ARMOR FOR OFFICERS - \$820 X 2				3,000
	FOOTNOTE AMOUNTS:				
	AMMUNITION VARIES BASED ON CALIBER - APPROX \$200 X 15				2,200
	FOOTNOTE AMOUNTS:				
	UNIFORMS \$550 PER SET - ESTIMATE 4				200
	FOOTNOTE AMOUNTS:				
	MISC CRIME SCENE SUPPLIES				
	FOOTNOTE AMOUNTS:				

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 521 - POLICE					
	BLOOD/URINE KITS				
	FOOTNOTE AMOUNTS:				150
	OC PEPPERSPRAY - \$15 X 10				
	FOOTNOTE AMOUNTS:				100
	GUN CLEANING SUPPLIES				
	FOOTNOTE AMOUNTS:				114
	NAME TAGS METAL & EMBROIDED - \$40 X 3				
	FOOTNOTE AMOUNTS:				250
	MISC DUTY GEAR				
	TASER - TRAINING CARTRIDGES - \$33 X 20				
	TASER - DUTY CARTRIDGES - \$38 X 20				
	TASER - BATTERIES - \$94 X 5				
	FOOTNOTE AMOUNTS:				150
	DRY CLEANING - BUNNY AND SANTA SUIT				
	FOOTNOTE AMOUNTS:				195
	RAINCOATS - \$65 X 3				
	FOOTNOTE AMOUNTS:				300
	HOLSTERS - \$150 X 2				
	FOOTNOTE AMOUNTS:				90
	OFFICER OF THE YEAR - AWARD/TROPHY				
	FOOTNOTE AMOUNTS:				336
	TRAFFIC CONES - \$30 X 12				
	FOOTNOTE AMOUNTS:				350
	CAR WASH SUPPLIES -				
	FOOTNOTE AMOUNTS:				450
	STREAMLIGHT STINGER & STRION BATTERIES - \$45 X 10				
	FOOTNOTE AMOUNTS:				50
	TRL-1 BATTERIES				
	FOOTNOTE AMOUNTS:				2,868
	GLOCK 42, GLOCK 43, GLOCK 26, G45 - \$480 X 6				
	FOOTNOTE AMOUNTS:				12,643
	GL # FOOTNOTE TOTAL:				12,643
001-521-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	715	1,779	1,790	2,260
	FOOTNOTE AMOUNTS:				50
	FBI-LEEDA - TRAINING ORGANIZATIONS				
	FOOTNOTE AMOUNTS:				210
	FPCA FLORIDA POLICE CHIEF'S ASSOC - TRAINING/ADVOCACY ORGANIZATION				
	FOOTNOTE AMOUNTS:				200
	FPCA - JOB ADVERTISING				
	FOOTNOTE AMOUNTS:				165
	IALEFI - INTNL ASSOC OF LAW ENFORCEMENT FIREARMS-TRAINING QUAGLIA/CIECHANOWSKI/WADE				
	FOOTNOTE AMOUNTS:				115
	FBINA - FBI NATIONAL ACADEMY ASSOC - TRAINING ORGANIZATION				
	FOOTNOTE AMOUNTS:				190
	IACP - INTERNATIONAL ASSOC OF CHIEF OF POLICE - TRAINING/ADVOCACY ORGANIZATION				
	FOOTNOTE AMOUNTS:				275
	IACP NET - DATABASE OF POLICIES/PAPERS/RESEARCH MATERIALS				
	FOOTNOTE AMOUNTS:				125
	TREASURE COAST POLICE CHIEF'S ASSOC - LOCAL CHIEFS NETWORK				
	FOOTNOTE AMOUNTS:				620
	BLUE 360 MEDIA - FL STATUTE BOOKS				
	FOOTNOTE AMOUNTS:				100
	FLORIDA INTELLIGENCE UNIT - CRIMINAL INTELLIGENCE SHARING NETWORK				
	FOOTNOTE AMOUNTS:				100
	RECRUITING EVENTS				
	FOOTNOTE AMOUNTS:				110
	SAMS CLUB MEMBERSHIP				
	FOOTNOTE AMOUNTS:				2,260
	GL # FOOTNOTE TOTAL:				2,260
001-521-555.000	TRAINING/EDUCATION	1,900	3,015	4,525	7,925
	FOOTNOTE AMOUNTS:				375
	TASER INSTRUCTION - INSTRUCTOR REQUALIFICATIONS				
	FOOTNOTE AMOUNTS:				150
	OC (PEPPER SPRAY) INSTRUCTOR REQUALIFICATIONS				
	FOOTNOTE AMOUNTS:				800
	FIREARMS - INSTRUCTOR REQUALIFICATIONS				
	FOOTNOTE AMOUNTS:				3,600
	TUITION REIMBURSEMENT - \$400 PER CLASS X 9				
	FOOTNOTE AMOUNTS:				3,000
	OTHER PD TRAINING - OFFICER TRAINING				
	FOOTNOTE AMOUNTS:				7,925
	GL # FOOTNOTE TOTAL:				7,925
001-521-564.000	MACHINERY & EQUIPMENT		388		
001-521-564.001	VEHICLES	8,637			
NET OF REVENUES/APPROPRIATIONS - 521 - POLICE		(818,977)	(927,250)	(1,243,150)	(1,349,750)
Dept 522 - FIRE					
001-522-534.001	FIRE RESCUE CONTRACTED		548,767	548,770	565,231
	FOOTNOTE AMOUNTS:				565,2

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 522 - FIRE					
ANNUAL CONTRACT WITH CITY OF STUART					
NET OF REVENUES/APPROPRIATIONS - 522 - FIRE			(548,767)	(548,770)	(565,231)
Dept 524 - BUILDING					
001-524-511.001	SPECIAL PAY	750			
001-524-512.000	SALARIES & WAGES	233,332			
001-524-515.000	SPECIAL PAY	300			
001-524-517.000	SICK LEAVE INCENTIVE	312			
001-524-521.000	FICA	16,990			
001-524-522.000	RETIREMENT	27,654			
001-524-523.000	HEALTH INSURANCE	7,881			
001-524-531.000	PROFESSIONAL SERVICES	13,151			
001-524-531.002	BUILDING INSPECTOR SERVICES	3,893			
001-524-541.004	TECHNOLOGY EXPENSE	7,811			
001-524-546.004	VEHICLE MAINTENANCE	187			
001-524-552.000	FUEL AND OIL	1,069			
001-524-552.004	SOFTWARE/LICENSING	5,675			
001-524-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	145			
001-524-564.001	VEHICLES	23,043			
NET OF REVENUES/APPROPRIATIONS - 524 - BUILDING		(342,193)			
Dept 538 - STORMWATER					
001-538-531.000.011	PROFESSIONAL SERVICES	34,200			
001-538-531.500	ENGINEERING SERVICES	6,930			
001-538-546.001	STORMWATER-INLET-OUTFALL MAINTENA	893			
NET OF REVENUES/APPROPRIATIONS - 538 - STORMWATER		(42,023)			
Dept 541 - STREETS AND BRIDGES					
001-541-531.000	PROFESSIONAL SERVICES	11,825			
001-541-563.030	ROAD & BRIDGE CAPITAL PROJECTS	168,732			
NET OF REVENUES/APPROPRIATIONS - 541 - STREETS AND BRI		(180,557)			
ESTIMATED REVENUES - FUND 001		5,673,445	5,318,446	5,452,725	3,473,345
APPROPRIATIONS - FUND 001		5,468,817	4,652,093	5,452,725	3,473,345
NET OF REVENUES/APPROPRIATIONS - FUND 001		204,628	666,353		
BEGINNING FUND BALANCE		2,084,907	2,289,541	2,289,541	2,955,894
FUND BALANCE ADJUSTMENTS		1			
ENDING FUND BALANCE		2,289,536	2,955,894	2,289,541	2,955,894

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU	2022-23 ACTIVITY 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 000 - RESERVES					
101-000-322.000	BUILDING PERMIT FEES		433,504	400,000	430,000
	FOOTNOTE AMOUNTS:				430,000
101-000-322.001	PERMIT FEES				
	TECHNOLOGY FEE		19,612	30,000	21,000
	FOOTNOTE AMOUNTS:				21,000
101-000-381.001	TECHNOLOGY FEE				
101-000-582.000	TRANSFER FROM GENERAL FUND	436,652			
	RESERVE ADDITION			50,080	21,946
	FOOTNOTE AMOUNTS:				21,946
	RESERVES				
NET OF REVENUES/APPROPRIATIONS - 000 - RESERVES		436,652	453,116	379,920	429,054
Dept 524 - BUILDING					
101-524-512.000	SALARIES & WAGES		210,003	250,140	273,434
	FOOTNOTE AMOUNTS:				273,434
	PERSONNEL				
101-524-517.000	SICK LEAVE INCENTIVE			1,000	1,000
	FOOTNOTE AMOUNTS:				1,000
	SICK LEAVE INCENTIVE				
101-524-521.000	FICA		15,551	18,530	20,920
	FOOTNOTE AMOUNTS:				20,920
	FICA				
101-524-522.000	RETIREMENT		30,776	36,350	41,100
	FOOTNOTE AMOUNTS:				41,100
	15% EMPLOYER CONTRIBUTION				
101-524-523.000	HEALTH INSURANCE		29,469	36,500	40,000
	FOOTNOTE AMOUNTS:				40,000
	HEALTH, DENTAL AND LIFE				
101-524-523.003	LIFE & DISABILITY INSURANCE		1,656	2,000	2,000
	FOOTNOTE AMOUNTS:				2,000
101-524-531.002	BUILDING INSPECTOR SERVICES		6,063	7,000	7,000
	FOOTNOTE AMOUNTS:				7,000
	CONTRACTED BUILDING INSPECTOR				
101-524-534.002	CONTRACTED SERVICES		800		
101-524-541.000	COMMUNICATION NETWORK		108		1,400
	FOOTNOTE AMOUNTS:				1,400
	CELL PHONES				
101-524-541.004	TECHNOLOGY EXPENSE		1,906	6,000	6,000
	FOOTNOTE AMOUNTS:				4,000
	CREDIT CARD PROCESSING FEES				
	FOOTNOTE AMOUNTS:				2,000
	MC WEBSITE HOSTING				
	GL # FOOTNOTE TOTAL:				6,000
101-524-542.000	POSTAGE		175	500	500
	FOOTNOTE AMOUNTS:				500
	POSTAGE				
101-524-545.000	INSURANCE - PROPERTY & LIABILITY		6,885	7,000	10,000
	FOOTNOTE AMOUNTS:				10,000
101-524-546.004	VEHICLE MAINTENANCE		3,791	7,000	1,000
	FOOTNOTE AMOUNTS:				1,000
	VEHICLE MAINTENANCE				
101-524-551.000	OFFICE SUPPLIES		615	1,000	10,000
	FOOTNOTE AMOUNTS:				3,000
	OFFICE SUPPLIES				
	FOOTNOTE AMOUNTS:				7,000
	NEW FRONT COUNTER/DESK/CABINETS				
	GL # FOOTNOTE TOTAL:				10,000
101-524-552.000	FUEL AND OIL		560	1,200	1,200
	FOOTNOTE AMOUNTS:				1,200
	MONTHLY FUEL COSTS \$100 PER MONTH				
101-524-552.004	SOFTWARE/LICENSING		200	5,700	7,500
	FOOTNOTE AMOUNTS:				300
	POINT AND PAY - \$25 PER MONTH				
	FOOTNOTE AMOUNTS:				7,200
	BUILDING PERMIT SOFTWARE				
	GL # FOOTNOTE TOTAL:				7,500
101-524-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS				3,000
	FOOTNOTE AMOUNTS:				2,000
	NEW BUILDING CODE				
	FOOTNOTE AMOUNTS:				1,000
	OTHER BLDG OFFICIAL DUES				
	GL # FOOTNOTE TOTAL:				3,000
101-524-555.000	TRAINING/EDUCATION				3,000
	FOOTNOTE AMOUNTS:				2,500

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 524 - BUILDING					
	BLDG OFFICIAL TRAINING				500
	FOOTNOTE AMOUNTS:				
	PERMIT TECH TRAINING/CERT				
	GL # FOOTNOTE TOTAL:				3,000
NET OF REVENUES/APPROPRIATIONS - 524 - BUILDING			(308,558)	(379,920)	(429,054)
ESTIMATED REVENUES - FUND 101		436,652	453,116	430,000	451,000
APPROPRIATIONS - FUND 101			308,558	430,000	451,000
NET OF REVENUES/APPROPRIATIONS - FUND 101		436,652	144,558		
BEGINNING FUND BALANCE			436,652	436,652	581,210
ENDING FUND BALANCE		436,652	581,210	436,652	581,210

Calculations as of 07/31/2023

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 000 - RESERVES					
301-000-312.410	GAS TAX		101,943	89,000	100,000
	FOOTNOTE AMOUNTS:				100,000
	GAS TAX				
301-000-312.420	GAS TAX SECOND LOCAL OPTION		73,592	100,000	81,000
	FOOTNOTE AMOUNTS:				81,000
	LOCAL OPTION GAS TAX				
301-000-325.200	BUILDING DEPT ROAD IMPROVEMENT FE		241,938	200,000	150,000
	FOOTNOTE AMOUNTS:				150,000
	ROAD IMPROVEMENT FEES				
301-000-331.100	AMERICAN RESCUE GRANT			557,450	557,450
	FOOTNOTE AMOUNTS:				557,450
	2ND PAYMENT				
301-000-331.353	HMPG GRANT			1,854,500	4,914,000
	HMPG PHASE 2				
	FOOTNOTE AMOUNTS:				1,700,000
	HMPG PHASE 3				64,000
	FOOTNOTE AMOUNTS:				
	HMPG NORTH SEWALLS POINT				1,000,000
	FOOTNOTE AMOUNTS:				
	HMPG PHASE 2				2,150,000
	FOOTNOTE AMOUNTS:				
	HMPG - ADDITIONAL REQUESTING - PHASE 3				
	GL # FOOTNOTE TOTAL:				4,914,000
301-000-334.362	RESILIENT FLORIDA GRANT			3,400,000	8,650,000
	FOOTNOTE AMOUNTS:				3,400,000
	RESILIENT FLORIDA GRANT				
	FOOTNOTE AMOUNTS:				3,050,000
	RESILENCY - SEPTIC 2 SEWER				
	FOOTNOTE AMOUNTS:				2,100,000
	RESILENCY A - PHASE 2				
	FOOTNOTE AMOUNTS:				100,000
	RESILENCY PLANNING - PHASE 3				
	GL # FOOTNOTE TOTAL:				8,650,000
301-000-334.364	FDEP LPA 0217			185,000	185,000
	FOOTNOTE AMOUNTS:				185,000
	FDEP LPA 0217				
301-000-334.366.020	LEGISLATIVE APPROPRIATIONS				1,000,000
	FOOTNOTE AMOUNTS:				1,000,000
	LEGISLATIVE APPROPRIATION				
301-000-337.310	MARTIN COUNTY ILA - WATER LINES				1,550,000
	FOOTNOTE AMOUNTS:				1,550,000
	MARTIN COUNTY REIMB FOR WATER LINES				
301-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS			20,000	
	LOCAL ORDINANCE VIOLATION FEES				
301-000-366.001	CONTRIBUTIONS - SEPTIC TO SEWER			120,000	
	OFFICE BUILDING				
301-000-381.000	RESERVE UTILIZATION			331,796	
	ROAD IIMPROVEMENT FEES				
	CAPITAL MILLAGE				
301-000-381.001	TRANSFER FROM GENERAL FUND	1,272,392	2,314,660	2,314,660	412,909
	FOOTNOTE AMOUNTS:				362,909
	.40 MILLS				
	FOOTNOTE AMOUNTS:				50,000
	DONATION FOR POLICE DEPARTMENT				
	GL # FOOTNOTE TOTAL:				412,909
NET OF REVENUES/APPROPRIATIONS - 000 - RESERVES		1,272,392	2,732,133	9,172,406	17,600,359
Dept 519 - GOVERNMENTAL SERVICES					
301-519-531.400	ENGINEERING SERVICES		125,095	60,000	75,000
	FOOTNOTE AMOUNTS:				75,000
	NON CAPITAL PROJECT ENGINEERING				
301-519-531.401	ENGINEERING SERVICES - GRANT RELA		13,938		
301-519-546.003	LANDSCAPING MAINTENANCE		15,966	41,500	48,000
	FOOTNOTE AMOUNTS:				48,000
	MAINTENANCE`				
NET OF REVENUES/APPROPRIATIONS - 519 - GOVERNMENTAL SE			(154,999)	(101,500)	(123,000)
Dept 538 - STORMWATER					
301-538-531.307.003	LEGAL - BOND COUNSEL		18,600	18,600	
301-538-531.400	ENGINEERING SERVICES		189,721		
301-538-531.401.002	ENGINEERING SERVICES - GRANT RELA		17,880		
301-538-531.401.017	ENGINEERING SERVICES - GRANT RELA		540		
301-538-531.401.020	ENGINEERING SERVICES - GRANT RELA		509		
301-538-546.001	STORMWATER-INLET-OUTFALL MAINTENA		17,645	80,000	100,000
	FOOTNOTE AMOUNTS:				100,000
	STORMWATER MAINTENANCE				

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY THRU 07/31/23	2022-23 ACTIVITY	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 538 - STORMWATER					
301-538-561.000.012	CAPITAL - LAND		1,029,000	1,029,000	
301-538-562.000.012	BUILDING IMPROVEMENTS		1,141,805	1,141,806	102,359
	FOOTNOTE AMOUNTS:				84,060
	POLICE DEPARTMENT REMODEL				
	FOOTNOTE AMOUNTS:				18,299
	TOWN HALL				
	GL # FOOTNOTE TOTAL:				102,359
301-538-563.002	STORMWATER IMPROVEMENTS		23,538	575,000	3,250,000
	FOOTNOTE AMOUNTS:				3,050,000
	S. SEWALL'S POINT SEPTIC TO SEWER				
	FOOTNOTE AMOUNTS:				200,000
	STORMWATER/VULNERABILITY MASTER PLAN				
	GL # FOOTNOTE TOTAL:				3,250,000
NET OF REVENUES/APPROPRIATIONS - 538 - STORMWATER			(2,439,238)	(2,844,406)	(3,452,359)
Dept 541 - STREETS AND BRIDGES					
301-541-546.000	STREETLIGHT & SIGN MAINTENANCE		19,034	15,000	15,000
	FOOTNOTE AMOUNTS:				15,000
	STREETLIGHT AND SIGN MAINTENANCE				
301-541-546.007	TREE MAINTENANCE		1,825	1,500	10,000
	FOOTNOTE AMOUNTS:				10,000
	TREE MAINTENANCE				
301-541-546.008	STREET MAINTENANCE		3,313	75,000	50,000
	FOOTNOTE AMOUNTS:				50,000
	STREET MAINTENANCE				
301-541-546.009	BRIDGE MAINTENANCE			75,000	50,000
	FOOTNOTE AMOUNTS:				50,000
	BRIDGE MAINTENANCE				
301-541-563.030	ROAD & BRIDGE CAPITAL PROJECTS			6,060,000	13,900,000
	FOOTNOTE AMOUNTS:				8,800,000
	SSPR PHASE 3				
	FOOTNOTE AMOUNTS:				4,850,000
	SSPR PHASE 2				
	SSPR PHASE 1 PART 4				
	FOOTNOTE AMOUNTS:				250,000
	NORTH SEWALL'S POINT ROAD				
	GL # FOOTNOTE TOTAL:				13,900,000
NET OF REVENUES/APPROPRIATIONS - 541 - STREETS AND BRI			(24,172)	(6,226,500)	(14,025,000)
ESTIMATED REVENUES - FUND 301		1,272,392	2,732,133	9,172,406	17,600,359
APPROPRIATIONS - FUND 301			2,618,409	9,172,406	17,600,359
NET OF REVENUES/APPROPRIATIONS - FUND 301		1,272,392	113,724		
BEGINNING FUND BALANCE			1,272,392	1,272,392	1,386,116
ENDING FUND BALANCE		1,272,392	1,386,116	1,272,392	1,386,116
ESTIMATED REVENUES - ALL FUNDS		7,382,489	8,503,695	15,055,131	21,524,704
APPROPRIATIONS - ALL FUNDS		5,468,817	7,579,060	15,055,131	21,524,704
NET OF REVENUES/APPROPRIATIONS - ALL FUNDS		1,913,672	924,635		
BEGINNING FUND BALANCE - ALL FUNDS		2,084,907	3,998,585	3,998,585	4,923,220
FUND BALANCE ADJUSTMENTS - ALL FUNDS			1		
ENDING FUND BALANCE - ALL FUNDS		3,998,580	4,923,220	3,998,585	4,923,220

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
FUND 001 - GENERAL FUND					
Dept 000 - RESERVES					
001-000-311.000	AD VALOREM TAXES	2,323,659	2,615,267	2,572,340	2,818,445
001-000-312.410	GAS TAX	111,843			
001-000-312.420	GAS TAX SECOND LOCAL OPTION	89,096			
001-000-315.000	COMMUNICATIONS SERVICES TAX	51,416	38,953	55,000	52,000
001-000-316.000	LOCAL BUSINESS TAX	893	2,445	5,000	3,000
001-000-322.000	BUILDING PERMIT FEES	778,725			
001-000-322.001	TECHNOLOGY FEE	40,849			
001-000-323.100	ELECTRIC FRANCHISE FEES	211,038	160,362	210,000	200,000
001-000-325.200	BUILDING DEPT ROAD IMPROVEMENT FEE	424,675			
001-000-329.001	PLANNING & ZONING FEES	15,116	6,975	22,000	5,000
001-000-331.100	AMERICAN RESCUE GRANT	557,450			
001-000-331.200	FEMA - HURRICANE DORIAN DR4468	18,470			
001-000-331.351	HMGP 4283-58R DRAINAGE	38,452			
001-000-331.352	HMGP 4283-84-A H0603	30,525			
001-000-334.360	INDIAN RIVER LAGOON #1	150,000			
001-000-334.361	INDIAN RIVER LAGOON #2	180,000			
001-000-334.363	FLORIDA DEO GRANT	50,000			
001-000-334.364	FDEP LPA 0217	76,618			
001-000-334.365	FDEP S0819	(1,502)			
001-000-335.120	STATE REVENUE SHARING	93,282	56,937	78,000	70,000
001-000-335.150	STATE REVENUE SHARING - ALCOHOLIC BEVE	1,725		1,200	
001-000-335.180	SALES TAX	298,003	224,030	257,000	250,000
001-000-337.200	LOCAL GRANT - PD	5,578			
001-000-337.300	MCU SSPR REIMBURSEMENT	50,226			
001-000-351.500	TRAFFIC FINES	14,989	10,788	15,000	12,000
001-000-351.501	POLICE EDUCATION - TRAFFIC FINES	750	1,279	1,500	1,200
001-000-351.901	CODE ENFORCEMENT VIOLATIONS	450	5,450	2,000	2,500
001-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS TREE I	31,837		1,000	1,000
001-000-361.100	INTEREST	10,755	134,216	125,000	50,000
001-000-366.002	CONTRIBUTIONS - SAFETY EQUIPMENT GRAN	1,854			
001-000-366.003	CONTRIBUTIONS - TOWN EVENTS		2,500	500	
001-000-366.004	CONTRIBUTIONS - POLICE DEPARTMENT		50,000	50,000	
001-000-367.000	TOWN LICENSES	7,843	6,060	6,500	5,000
001-000-369.900	MISCELLANEOUS REVENUE	6,665	1,941	6,500	2,000
001-000-369.901	MISCELLANEOUS REVENUE POLICE	5	243	250	
001-000-369.902	MISC REVENUE - PARK	2,160	1,000	1,200	1,200
001-000-381.000	RESERVE UTILIZATION			42,735	
001-000-384.001.012	SEACOAST BANK NOTE		2,000,000	2,000,000	
001-000-582.000	RESERVE ADDITION			212,110	
NET OF REVENUES/APPROPRIATIONS - 000 - RESERVES		5,673,445	5,318,446	5,240,615	3,473,345
Dept 512 - EXECUTIVE					
001-512-512.000	SALARIES & WAGES	91,991	67,954	87,500	81,250
001-512-521.000	FICA	7,022	4,866	6,700	6,250
001-512-522.000	RETIREMENT	1,903	10,193	13,125	12,200
001-512-523.000	HEALTH INSURANCE	87,725	16,975	25,570	21,910
001-512-523.003	LIFE & DISABILITY INSURANCE	7,207	495	600	600
001-512-531.000	PROFESSIONAL SERVICES	25,341	45,000	93,000	93,000
001-512-531.003	GRANT SERVICES	10,343			
001-512-531.004	PLANNING SERVICES	2,711	1,135	20,000	20,000
001-512-531.100	COMPREHENSIVE PLANNING SERVICES	98,850	11,280	10,000	
001-512-532.000	AUDIT SERVICES	21,100	26,250	28,000	30,000
001-512-541.000	COMMUNICATION NETWORK	24,398	3,704	3,520	2,520
001-512-542.000	POSTAGE	2,730			

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
001-512-543.000	UTILITIES	17,963			
001-512-545.000	INSURANCE - PROPERTY & LIABILITY	64,538			
001-512-547.000	PRINTING	13,199			
001-512-548.000	TOWN EVENTS	11,766	11,448	10,000	10,000
001-512-549.000	BANK FEES	4			
001-512-549.001	OTHER GENERAL GOVERNMENT	540	952	20,000	25,000
001-512-551.000	OFFICE SUPPLIES	647			
001-512-552.001	ARCHIVES AND STORAGE	8,168			
001-512-552.003	ORDINANCE CODIFICATION	3,211			
001-512-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	1,809	1,934	2,150	2,150
001-512-591.101	TRANSFER TO BUILDNG FUND	436,652			
001-512-591.301	TRANSFER TO CAPITAL PROJECTS	1,272,392	2,314,660	2,314,660	344,764
NET OF REVENUES/APPROPRIATIONS - 512 - EXECUTIVE		(2,212,210)	(2,516,846)	(2,634,825)	(649,644)
Dept 513 - FINANCE					
001-513-512.000	SALARIES & WAGES	30,420	45,924	59,000	61,152
001-513-521.000	FICA	2,319	3,347	4,640	4,700
001-513-522.000	RETIREMENT	2,798	6,699	8,550	9,200
001-513-523.000	HEALTH INSURANCE		10,068	13,100	13,500
001-513-523.003	LIFE & DISABILITY INSURANCE		471	650	650
001-513-531.000	PROFESSIONAL SERVICES	17,940	8,730	24,000	24,000
001-513-549.000	BANK FEES			480	480
001-513-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS		50	240	240
001-513-555.000	TRAINING/EDUCATION		1,814	1,500	2,000
NET OF REVENUES/APPROPRIATIONS - 513 - FINANCE		(53,477)	(77,103)	(112,160)	(115,922)
Dept 514 - LEGAL					
001-514-531.301	LEGAL COUNSEL - GENERAL	1,821	45,956	84,000	80,000
001-514-531.302	LEGAL COUNSEL - BZA		3,945	3,000	3,000
001-514-531.303	LEGAL COUNSEL - CEB		15,529	12,000	12,000
001-514-531.304	LEGAL COUNSEL - LITIGATION			10,000	10,000
001-514-531.306	LEGAL SERVICES - POLICE UNION MATTERS		10,449	15,000	10,000
NET OF REVENUES/APPROPRIATIONS - 514 - LEGAL		(1,821)	(75,879)	(124,000)	(115,000)
Dept 517 - DEBT SERVICE					
001-517-571.000	DEBT SERVICE - PRINCIPAL		32,013	32,013	65,654
001-517-572.000	DEBT SERVICE - INTEREST		43,377	43,377	85,126
NET OF REVENUES/APPROPRIATIONS - 517 - DEBT SERVICE			(75,390)	(75,390)	(150,780)
Dept 519 - GOVERNMENTAL SERVICES					
001-519-512.000	SALARIES & WAGES	46,028	56,366	69,270	67,506
001-519-514.002	OVERTIME - STORM		1,224	1,250	1,200
001-519-517.000	SICK LEAVE INCENTIVE	529		1,000	1,000
001-519-521.000	FICA	1,911	4,173	5,070	5,200
001-519-522.000	RETIREMENT	1,846	8,301	12,000	10,130
001-519-523.000	HEALTH INSURANCE	884	20,666	25,650	25,600
001-519-523.003	LIFE & DISABILITY INSURANCE		432	600	600
001-519-524.000	WORKERS' COMPENSATION INSURANCE	15,346	18,358	20,000	18,000
001-519-531.000.001	PROFESSIONAL SERVICES	4,500			
001-519-531.301	LEGAL COUNSEL - GENERAL	100,337			
001-519-531.302	LEGAL COUNSEL - BZA	3,021			
001-519-531.303	LEGAL COUNSEL - CEB	9,272			
001-519-531.304	LEGAL COUNSEL - LITIGATION	7,658			
001-519-531.306	LEGAL SERVICES - POLICE UNION MATTERS	4,513			
001-519-531.500	ENGINEERING SERVICES	328,753			
001-519-531.503	CEI SERVICES	744			
001-519-534.001	FIRE RESCUE CONTRACTED	532,784			
001-519-540.000	TRAVEL	1,814			
001-519-541.000	COMMUNICATION NETWORK	425	2,798	4,240	7,740

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
001-519-541.002	COMMUNICATIONS WEB HOSTING	12,517	8,426	8,000	9,337
001-519-541.003	IT SERVICE LEVEL AGREEMENTS MC	37,404	15,146	28,580	28,580
001-519-542.000	POSTAGE	27	1,719	3,000	3,000
001-519-543.000	UTILITIES	27,640	45,013	60,000	60,000
001-519-545.000	INSURANCE - PROPERTY & LIABILITY		80,079	77,000	90,000
001-519-546.000	STREETLIGHT & SIGN MAINTENANCE	33,879			
001-519-546.001	STORMWATER-INLET-OUTFALL MAINTENANC	30,110			
001-519-546.003	LANDSCAPING MAINTENANCE	86,716	37,365	48,000	48,000
001-519-546.004	VEHICLE MAINTENANCE	2,370	4,040	4,500	2,500
001-519-546.005	BUILDING & FACILITIES MAINTENANCE	18,766	21,953	19,200	24,100
001-519-546.006	PARKS MAINTENANCE	19,726	17,282	20,400	20,400
001-519-546.007	TREE MAINTENANCE	6,750	19,818	24,000	24,000
001-519-546.008	STREET MAINTENANCE	35,604	22,080	24,000	24,000
001-519-547.000	PRINTING		10,513	12,400	10,000
001-519-549.001	OTHER GENERAL GOVERNMENT		798		
001-519-551.000	OFFICE SUPPLIES	17,105	7,649	7,200	17,200
001-519-552.000	FUEL AND OIL	2,283	859	960	960
001-519-552.001	ARCHIVES AND STORAGE		8,885	8,250	8,400
001-519-552.003	ORDINANCE CODIFICATION		2,706	3,000	3,000
001-519-552.004	SOFTWARE/LICENSING	3,105	9,360	10,000	9,815
001-519-552.005	OPERATING SUPPLIES	237	687	1,400	1,400
001-519-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	3,160	1,294	350	350
001-519-555.000	TRAINING/EDUCATION	680	2,868	3,000	5,000
001-519-563.002	STORMWATER IMPROVEMENTS	367,405			
001-519-564.001	VEHICLES	44,202			
001-519-564.003	TOWN HALL EQUIPMENT	7,508			
NET OF REVENUES/APPROPRIATIONS - 519 - GOVERNMENTAL SERVICES		(1,817,559)	(430,858)	(502,320)	(527,018)
Dept 521 - POLICE					
001-521-512.000	SALARIES & WAGES	602,469	556,040	727,730	740,000
001-521-514.000	OVERTIME	10,782	7,116	13,500	15,000
001-521-514.001	OVERTIME - COURT TIME	942	2,633	3,000	2,000
001-521-514.002	OVERTIME - STORM	2,916	6,022	6,100	6,000
001-521-514.014	OVERTIME - SSPR PHASE 3 TRAFFIC CONTROL			10,000	10,000
001-521-515.001	SPECIAL PAY - FTO/BOOTS	3,140	1,660	2,500	2,500
001-521-515.002	PD MILEAGE	8,680	8,960	12,000	12,000
001-521-515.003	PD STATUTORY INCENTIVE	6,050	4,405	10,000	10,000
001-521-517.000	SICK LEAVE INCENTIVE	4,252	3,833	5,000	5,000
001-521-521.000	FICA	46,864	42,769	56,700	59,000
001-521-522.000	RETIREMENT	12,028	83,683	97,090	117,200
001-521-523.000	HEALTH INSURANCE	46,106	132,943	166,780	195,000
001-521-523.003	LIFE & DISABILITY INSURANCE		3,932	6,500	4,500
001-521-531.000	PROFESSIONAL SERVICES	12,619	11,745	12,500	13,241
001-521-534.002	CONTRACTED SERVICES		80	17,080	54,223
001-521-541.000	COMMUNICATION NETWORK	1,948	2,598	6,600	8,440
001-521-542.000	POSTAGE		56	200	
001-521-545.000	INSURANCE - PROPERTY & LIABILITY		694	700	1,000
001-521-546.002	EQUIPMENT MAINTENANCE	6,275	5,848	6,005	4,991
001-521-546.004	VEHICLE MAINTENANCE	4,356	16,426	11,000	22,000
001-521-547.000	PRINTING	122	887	2,570	1,827
001-521-551.000	OFFICE SUPPLIES	1,377	58	400	1,000
001-521-552.000	FUEL AND OIL	24,158	21,781	37,500	32,000
001-521-552.005	OPERATING SUPPLIES		1,562	10,000	10,000
001-521-552.006	ENFORCEMENT SUPPLIES	12,641	6,337	15,380	12,643
001-521-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS	715	1,779	1,790	2,260
001-521-555.000	TRAINING/EDUCATION	1,900	3,015	4,525	7,925
001-521-564.000	MACHINERY & EQUIPMENT		388		
001-521-564.001	VEHICLES	8,637			
NET OF REVENUES/APPROPRIATIONS - 521 - POLICE		(818,977)	(927,250)	(1,243,150)	(1,349,750)

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Dept 522 - FIRE					
001-522-534.001	FIRE RESCUE CONTRACTED		548,767	548,770	565,231
NET OF REVENUES/APPROPRIATIONS - 522 - FIRE			(548,767)	(548,770)	(565,231)
Dept 524 - BUILDING					
001-524-511.001	SPECIAL PAY		750		
001-524-512.000	SALARIES & WAGES		233,332		
001-524-515.000	SPECIAL PAY		300		
001-524-517.000	SICK LEAVE INCENTIVE		312		
001-524-521.000	FICA		16,990		
001-524-522.000	RETIREMENT		27,654		
001-524-523.000	HEALTH INSURANCE		7,881		
001-524-531.000	PROFESSIONAL SERVICES		13,151		
001-524-531.002	BUILDING INSPECTOR SERVICES		3,893		
001-524-541.004	TECHNOLOGY EXPENSE		7,811		
001-524-546.004	VEHICLE MAINTENANCE		187		
001-524-552.004	FUEL AND OIL		1,069		
001-524-552.004	SOFTWARE/LICENSING		5,675		
001-524-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS		145		
001-524-564.001	VEHICLES		23,043		
NET OF REVENUES/APPROPRIATIONS - 524 - BUILDING			(342,193)		
Dept 538 - STORMWATER					
001-538-531.000.011	PROFESSIONAL SERVICES		34,200		
001-538-531.500	ENGINEERING SERVICES		6,930		
001-538-546.001	STORMWATER-INLET-OUTFALL MAINTENANC		893		
NET OF REVENUES/APPROPRIATIONS - 538 - STORMWATER			(42,023)		
Dept 541 - STREETS AND BRIDGES					
001-541-531.000	PROFESSIONAL SERVICES		11,825		
001-541-563.030	ROAD & BRIDGE CAPITAL PROJECTS		168,732		
NET OF REVENUES/APPROPRIATIONS - 541 - STREETS AND BRIDGES			(180,557)		
ESTIMATED REVENUES - FUND 001		5,673,445	5,318,446	5,452,725	3,473,345
APPROPRIATIONS - FUND 001		5,468,817	4,652,093	5,452,725	3,473,345
NET OF REVENUES/APPROPRIATIONS - FUND 001		204,628	666,353		

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Fund 101 - BUILDING PERMIT FUND					
Dept 000 - RESERVES					
101-000-322.000	BUILDING PERMIT FEES		433,504	400,000	430,000
101-000-322.001	TECHNOLOGY FEE		19,612	30,000	21,000
101-000-381.001	TRANSFER FROM GENERAL FUND	436,652			
101-000-582.000	RESERVE ADDITION			50,080	21,946
NET OF REVENUES/APPROPRIATIONS - 000 - RESERVES		436,652	453,116	379,920	429,054
Dept 524 - BUILDING					
101-524-512.000	SALARIES & WAGES		210,003	250,140	273,434
101-524-517.000	SICK LEAVE INCENTIVE			1,000	1,000
101-524-521.000	FICA		15,551	18,530	20,920
101-524-522.000	RETIREMENT		30,776	36,350	41,100
101-524-523.000	HEALTH INSURANCE		29,469	36,500	40,000
101-524-523.003	LIFE & DISABILITY INSURANCE		1,656	2,000	2,000
101-524-531.002	BUILDING INSPECTOR SERVICES		6,063	7,000	7,000
101-524-534.002	CONTRACTED SERVICES		800		
101-524-541.000	COMMUNICATION NETWORK		108		1,400
101-524-541.004	TECHNOLOGY EXPENSE		1,906	6,000	6,000
101-524-542.000	POSTAGE		175	500	500
101-524-545.000	INSURANCE - PROPERTY & LIABILITY		6,885	7,000	10,000
101-524-546.004	VEHICLE MAINTENANCE		3,791	7,000	1,000
101-524-551.000	OFFICE SUPPLIES		615	1,000	10,000
101-524-552.000	FUEL AND OIL		560	1,200	1,200
101-524-552.004	SOFTWARE/LICENSING		200	5,700	7,500
101-524-554.000	DUES/SUBSCRIPTIONS/MEMBERSHIPS				3,000
101-524-555.000	TRAINING/EDUCATION				3,000
NET OF REVENUES/APPROPRIATIONS - 524 - BUILDING			(308,558)	(379,920)	(429,054)
ESTIMATED REVENUES - FUND 101		436,652	453,116	430,000	451,000
APPROPRIATIONS - FUND 101			308,558	430,000	451,000
NET OF REVENUES/APPROPRIATIONS - FUND 101		436,652	144,558		

GL NUMBER	DESCRIPTION	2021-22 ACTIVITY	2022-23 ACTIVITY THRU 07/31/23	2022-23 AMENDED BUDGET	2023-24 RECOMMENDED BUDGET
Fund 301 - CAPITAL PROJECTS					
Dept 000 - RESERVES					
301-000-312.410	GAS TAX		101,943	89,000	100,000
301-000-312.420	GAS TAX SECOND LOCAL OPTION		73,592	100,000	81,000
301-000-325.200	BUILDING DEPT ROAD IMPROVEMENT FEE		241,938	200,000	150,000
301-000-331.100	AMERICAN RESCUE GRANT			557,450	557,450
301-000-331.353	HMPG GRANT			1,854,500	4,914,000
301-000-334.362	RESILIENT FLORIDA GRANT			3,400,000	8,650,000
301-000-334.364	FDEP LPA 0217			185,000	185,000
301-000-334.366.020	LEGISLATIVE APPROPRIATIONS				1,000,000
301-000-337.310	MARTIN COUNTY ILA - WATER LINES				1,550,000
301-000-354.000	FINES-LOCAL ORDINANCE VIOLATIONS TREE MI			20,000	
301-000-366.001	CONTRIBUTIONS - SEPTIC TO SEWER			120,000	
301-000-381.000	RESERVE UTILIZATION			331,796	
301-000-381.001	TRANSFER FROM GENERAL FUND	1,272,392	2,314,660	2,314,660	412,909
NET OF REVENUES/APPROPRIATIONS - 000 - RESERVES		1,272,392	2,732,133	9,172,406	17,600,359
Dept 519 - GOVERNMENTAL SERVICES					
301-519-531.400	ENGINEERING SERVICES		125,095	60,000	75,000
301-519-531.401	ENGINEERING SERVICES - GRANT RELATED		13,938		
301-519-546.003	LANDSCAPING MAINTENANCE		15,966	41,500	48,000
NET OF REVENUES/APPROPRIATIONS - 519 - GOVERNMENTAL SERVICES			(154,999)	(101,500)	(123,000)
Dept 538 - STORMWATER					
301-538-531.307.003	LEGAL - BOND COUNSEL		18,600	18,600	
301-538-531.400	ENGINEERING SERVICES		189,721		
301-538-531.401.002	ENGINEERING SERVICES - GRANT RELATED		17,880		
301-538-531.401.017	ENGINEERING SERVICES - GRANT RELATED		540		
301-538-531.401.020	ENGINEERING SERVICES - GRANT RELATED		509		
301-538-546.001	STORMWATER-INLET-OUTFALL MAINTENANCE		17,645	80,000	100,000
301-538-561.000.012	CAPITAL - LAND		1,029,000	1,029,000	
301-538-562.000.012	BUILDING IMPROVEMENTS		1,141,805	1,141,806	102,359
301-538-563.002	STORMWATER IMPROVEMENTS		23,538	575,000	3,250,000
NET OF REVENUES/APPROPRIATIONS - 538 - STORMWATER			(2,439,238)	(2,844,406)	(3,452,359)
Dept 541 - STREETS AND BRIDGES					
301-541-546.000	STREETLIGHT & SIGN MAINTENANCE		19,034	15,000	15,000
301-541-546.007	TREE MAINTENANCE		1,825	1,500	10,000
301-541-546.008	STREET MAINTENANCE		3,313	75,000	50,000
301-541-546.009	BRIDGE MAINTENANCE			75,000	50,000
301-541-563.030	ROAD & BRIDGE CAPITAL PROJECTS			6,060,000	13,900,000
NET OF REVENUES/APPROPRIATIONS - 541 - STREETS AND BRIDGES			(24,172)	(6,226,500)	(14,025,000)
ESTIMATED REVENUES - FUND 301		1,272,392	2,732,133	9,172,406	17,600,359
APPROPRIATIONS - FUND 301			2,618,409	9,172,406	17,600,359
NET OF REVENUES/APPROPRIATIONS - FUND 301		1,272,392	113,724		
ESTIMATED REVENUES - ALL FUNDS		7,382,489	8,503,695	15,055,131	21,524,704
APPROPRIATIONS - ALL FUNDS		5,468,817	7,579,060	15,055,131	21,524,704
NET OF REVENUES/APPROPRIATIONS - ALL FUNDS		1,913,672	924,635		

Senate Bill 774 (Form 6)

New Financial Disclosure Requirements For Local Officials

Presented by: Glen J. Torcivia, Esq

July 28, 2023

Overview of SB 774

- Amended F.S. § 112.3144(1)(d) to requires elected members of a governing municipal body to file a Full Disclosure of Financial Interests (Form 6) with the Florida Commission on Ethics.
 - Filing deadline is July 1st
- The disclosure form is a public record and is required by law to be posted to the Commission's website

Who Do New Financial Disclosure Requirements Apply To?

- Mayors
- Elected members of the governing body of a municipality
- Any individual appointed to replace an elected official for the remainder of a term

When Do New Financial Disclosure Requirements Take Effect?

- New financial disclosure requirements apply to elected officials who hold their positions on or after January 1, 2024
- If an elected official resigns **before** January 1, 2024, they will not have to file a Form 6
- If an elected official resigns on or **after** January 1, 2024, they will be required to file a Form 6F
 - Form 6F must be filed within 60 days after leaving office or employment
 - Form 6F is used to report financial interests between January 1st of the last year of office and the last day of office

What Financial Information Must Be Included In Form 6 or Form 6F

- Net Worth
- Assets (valued over \$1,000)
- Liabilities (valued over \$1,000)
- Income
- Interests in specified businesses

FORM 6	FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS	2021
Please print or type your name, mailing address, agency name, and position below:		FOR OFFICE USE ONLY:
LAST NAME — FIRST NAME — MIDDLE NAME:		
MAILING ADDRESS:		
CITY : ZIP : COUNTY :		
NAME OF AGENCY :		
NAME OF OFFICE OR POSITION HELD OR SOUGHT :		
CHECK IF THIS IS A FILING BY A CANDIDATE <input type="checkbox"/>		
PART A -- NET WORTH		
Please enter the value of your net worth as of December 31, 2021 or a more current date. [Note: Net worth is not calculated by subtracting your reported liabilities from your reported assets, so please see the instructions on page 3.]		
My net worth as of _____, 20____ was \$ _____.		
PART B -- ASSETS		
HOUSEHOLD GOODS AND PERSONAL EFFECTS: Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes: jewelry, collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use, whether owned or leased.		
The aggregate value of my household goods and personal effects (described above) is \$ _____		
ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:		
DESCRIPTION OF ASSET (specific description is required - see instructions p.4)	VALUE OF ASSET	
PART C -- LIABILITIES		
LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):		
NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY	
JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:		
NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY	

PART D -- INCOME			
Identify each separate source and amount of income which exceeded \$1,000 during the year, including secondary sources of income. Or attach a complete copy of your 2021 federal income tax return, including all W2s, schedules, and attachments. Please redact any social security or account numbers before attaching your returns, as the law requires these documents be posted to the Commission's website.			
<input type="checkbox"/> I elect to file a copy of my 2021 federal income tax return and all W2's, schedules, and attachments. [If you check this box and attach a copy of your 2021 tax return, you need not complete the remainder of Part D.]			
PRIMARY SOURCES OF INCOME (See instructions on page 5):			
NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT	
SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person--see instructions on page 5]:			
NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
PART E -- INTERESTS IN SPECIFIED BUSINESSES [Instructions on page 6]			
	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			
PART F - TRAINING			
This section applies only to officers required to complete annual ethics training pursuant to section 112.3142, F.S. [See instructions p. 6]			
<input type="checkbox"/> I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.			
OATH		STATE OF FLORIDA	
I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.		COUNTY OF _____ Sworn to (or affirmed) and subscribed before me by means of <input type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this _____ day of _____, 20____ by _____ (Signature of Notary Public--State of Florida) (Print, Type, or Stamp Commissioned Name of Notary Public)	
SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE _____		Personally Known _____ OR Produced Identification _____ Type of Identification Produced _____	
If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:			
I, _____, prepared the CE Form 6 in accordance with Art. II, Sec. 8, Florida Constitution, Section 112.3144, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.			
Signature _____		Date _____	
Preparation of this form by a CPA or attorney does not relieve the filer of the responsibility to sign the form under oath.			
IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE <input type="checkbox"/>			

Net Worth (Part A)

- Add value of all assets
 - Aggregate value of household good and personal effects reported in Part B,
 - Value of all assets worth over \$1,000 reported in Part B, and
 - Value of any asset worth less than \$1,000 that were not reported in Part B
- Then subtract value of all liabilities
 - Total value of liabilities reported in Part C, and
 - Total value of unreported liabilities
 - Does **not** include joint and several liabilities

Assets (Part B)

- Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000
 - *E.g.*, jewelry, guns, art, furniture, vehicles for personal use (whether owned or leased)
- Assets individually valued at over \$1,000
 - *E.g.*, interests in real property; cash; stocks; bonds; bank accounts; Deferred Retirement Option Program accounts; Florida Prepaid College Plan; investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan

Liabilities (Part C)

- Generally, must report liabilities over \$1,000
 - *E.g.*, accounts, notes, and interest payable; debts or obligations to governmental entities; judgments; unpaid portion of vehicle leases
- Do not have to report the following liabilities
 - Credit card and retail installment accounts
 - Taxes owed (unless the taxes have been reduced to a judgment)
 - Contingent liabilities
 - Liabilities that are solely spouse's responsibility
- Must also report joint and several liabilities
 - Example: If you and a business partner have a \$100,000 business loan from a bank, you should report \$50,000 as a personal liability and \$50,000 as a joint and several liability

Income (Part D)

- Can either complete Part D or attach a copy of complete federal income tax return including all schedules, W2's and attachments
- Income means the same as “gross income” for federal income tax purposes, even if the income is not actually taxable
 - *E.g.* compensation for services, gross income from business, gains from property dealings, interests, rents, dividends, pensions, IRA distributions, alimony (but not child support)
- Must also report Secondary Income, which only applies if:
 1. You owned during the disclosure period, more than 5% of the total assets or capital stock of a business entity, **and**
 2. You received more than \$1,000 in gross income from that business entity during the period

Interests in Specified Business (Part E)

- Must disclose if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period, more than 5% of the total assets or capital stock of certain types of businesses
 - State and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies; entities controlled by the Public Service Commission; entities granted a franchise to operate by either a city or a county government
- Must disclose if you are or were at any time during the reporting period an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process)

Potential Penalties for Failure to Comply (§ 112.317 F.S.)

- Impeachment
- Removal or suspension from office
- Public censure and reprimand
- Reduction in Salary
- Forfeiture of no more than one-third of his or her salary per month for no more than 12 months
- Civil Penalty not exceeding \$20,000

Thank You!!

Glen J. Torcivia, Esq.

TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

701 Northpoint Parkway, Suite 209

West Palm Beach, Florida 33407

(561) 686-8700

(561) 686-8764 fax

glen@torcivialaw.com

www.torcivialaw.com

