CITY OF CRESTVIEW

OFFICE OF THE CITY CLERK
P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536
Phone # (850) 1560 Fax # (850) 682-8077

January 27, 2020
6:00 PM
Council Chambers

REGULAR COUNCIL MEETING

1. **Call to Order**

2. **Invocation, Pledge of Allegiance**

3. **Open Policy Making and Legislative Session**

4. **Approve Agenda**

5. **Special Presentations**

6. **Reports and Presentations**

7. **Approval of Minutes**

8. **Public Hearings**

9. **Public Opportunity on Council propositions**

10. **Consent Agenda**

    10.1. Lift Station #1 Replacement Pump Purchase

    10.2. Lift Station #69 Spare Pump Purchase

    10.3. Lift Station #18 & 20 New Control Panel Purchase

    10.4. MXU Smart Point Purchase

11. **Resolutions**

    11.1. Issuance of Capital Improvement Revenue Bonds

    11.2. Resolution of Support of Okaloosa County Resolution 2019-211 Second Amendment Safe-Haven

12. **Public Hearings - Ordinances on Second Reading**

12.1. Ordinance 1738 - Amending Chapter 18 of the Code of Ordinances establishing Article IV- Remote Motor Vehicle Sales

12.2. Ordinance 1748 - Tom Young Annexation

12.3. Ordinance 1733 - Highway 85 N Annexation

12.4. Ordinance 1734 - Highway 85 N Comprehensive Plan Amendment

12.5. Ordinance 1735 - Highway 85 N Rezoning

12.6. Ordinance 1736 - Arena Road Comprehensive Plan Amendment

12.7. Ordinance 1737 - Arena Road Rezoning

12.8. Ordinance 1740 - Six Month Moratorium on Annexation Fees - Properties 10 acres or less

13. Ordinances on First Reading

14. Action Items

14.1. Memorandum of Understanding With the Marine Forces Special Operations Command

15. Comments from the Audience

16. Comments from the Mayor and Council

17. City Clerk Report

17.1. Discussion/Approval of City Council and CRA Workshop Dates.

17.2. Appointment of New Member to the Police and Fire Retirement Board

18. City Manager Report

19. Adjournment

Note: Citizen Business is business that was submitted by a citizen or group of Citizens no later than the Wednesday 2 weeks prior to the meeting to the Clerk's office for approval. These items will be scheduled under item 6, Reports and Presentations. Supporting documents must be submitted at this time to be on the regular agenda. All Action Item are for staff and elected officials only and must be submitted for approval no later than the Wednesday 10 days prior to the meeting. Those not listed on the regular agenda who wish to address the council should fill out a yellow card. The Card must be submitted to the City Clerk. Speaking time should be three minutes or less, large groups may designate a spokesperson. All remarks should be addressed to the Council as a whole and not to individual members. All meeting procedures are outlined in the Meeting Rules and Procedures brochure available outside the Chambers.If any person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City Council of the City of Crestview, Florida does not discriminate upon the basis of any individual's disability status. Anyone requiring reasonable accommodation a s provided for in the American With Disabilities Act to insure access to and participation in the meeting should contact the Office of the City Clerk at (850)682-1560 prior to the meeting to make appropriate arrangements.

Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any

opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.

CITY OF CRESTVIEW

Item # 10.1.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Purchase / Contract

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Carlos Jones, Assistant Director
DATE:	1/22/2020
SUBJECT:	Lift Station #1 Replacement Pump Purchase

BACKGROUND:

The Public Services Department has been working on standardizing the components in lift stations throughout the City's sewer system over the last several years.

In addition to standardizing, staff has been working to replace equipment that has become inefficient in its operation to ensure that the City is always ready to serve its users.

DISCUSSION:

The request before the City Council today is to purchase two replacement pumps for Lift Station #1. Lift Station 1 is located at 337 Lakeview Drive that serves the subdivisions in that area.

The pumps in the lift station are worn out and the run times have doubled of that of a new pump.

Staff solicited three quotes and is requesting to make this purchase from Pump and Process in accordance with our purchasing policy for the quoted amount of $48,181.00. The quotes were as follows:

Quote 1- Pump & Process $48,181.00
Quote 2- Crane Pumps & Systems $52,950.00
Quote 3- Gulf Coast Electric Motor Services $58,000.00

The purchase of these pumps was budgeted in the 2020 budget and this request is consistent with the Purchasing Policy.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.
Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

FINANCIAL IMPACT

The cost for this purchase was included in the 2020 Budget in the Utility Maintenance 63-00 Improvements in the amount of $61,648.00.

This will leave a surplus of funds in the amount of $13,467.00 in the Utility Maintenance 63-00 Improvements account.

RECOMMENDED ACTION

Staff respectively requests approval of this purchase from Pump & Process for $48,181.00.

Attachments

1. Lift Station 1

CITY OF CRESTVIEW
QUOTE FORM

FROM: DEPARTMENT OF PUBLIC SERVICES DATE: 1/7/20

TO: ACCOUNTS PAYABLE
CITY HALL
198 N. WILSON STREET
CRESTVIEW, FLORIDA 32536
PH: (850) 682-1560 FAX: (850) 682-8077

PURCHASE ITEM: 2 Replacement pumps for lift station # 1 Approved in 2020 Budget

QUOTE #1:
VENDOR: Pump & Process Equipment Inc PRICE QUOTE: $48,181.00

QUOTE #2:
VENDOR: Crane Pumps & Systems PRICE QUOTE: $52,950.00

QUOTE #3:
VENDOR: Gulf Coast Electric Motor Services PRICE QUOTE: $58,000.00

3 Competitive quotes have been sought by Telephone, email (mail, telephone, fax, etc.).

I hereby affirm that the above quotes have been sought and conform in every respect with the requirements of the City's Purchasing Manual.

Approved: Department Head

Employee Signature

FIN
Rev 06/03

PUMP PROCESS equipment incorporated
3820 Hopkins Street
Pensacola, FL 32505
(850) 432-0334, fax: (850) 432-1336

Quote Number: 1804 B

Quotation

To: Brandon Bolton
Crestview, City Of
715 N. Ferdon Blvd.
Crestview FL 32536-2113

Date: 12/9/2019
Project: LS 1 Pump Replacement
Location: Crestview, FL.
Engineer: BB

Equipment: Sewage Pumps **Terms** NET 30 Days **Delivery** 4-5 Weeks

We are pleased to quote on the following equipment:

Two (2) Barnes model "4SCDI50044" Pumps to include following:
- 4" inch discharge "Chopper" Pumps.
- White Chromium Iron (A.N.A Hard Metal) impellers to deliver 600 GPM.
- 50 HP/460 Volt / 3-Phase Motors with 50' power cords.
- 5 Year, 100% Parts/Shop Labor Coverage.
- Certifed Test Curve will be provided for each pump.

Net price for Qty.(2) Pumps, F.O.B. shipping point: $48,181.00

NOTES:

1. If ordered, please sign this quotation form and FAX or Email back to Pump & Process Equipment, Inc.
2. Only items mentioned above are included. If it is not listed it is to be provided by others.
3. **Delivery promise date begins upon return of approved Submittal or approved drawings.**

Additional Note

1. Delivery of pumps to City of Crestview Warehouse is included.
2. Startup of the Pumps is included.

This Quotation Prepared By Butch Branton

Butch Branton

For Pump & Process Equipment, Inc.

The undersigned agrees to and has the authority to bind the purchaser to the terms and conditions below and equipment as described above.

Date _____

Quotation good for 30 days. Prices do not include any applicable taxes. Payment terms are NET 30 days from date of shipment. Past due accounts will be charged interest at 1.5% per month. Should the services of an attorney, collection agency or other legal service become necessary for collection, purchaser will assume responsibilty for all expenses accrued in the collection process including fees, court cost, serving charges, lien filing, etc. Manufacturer's warranty applies. Pump & Process Equipment, Inc. assumes no liability whatsoever for delays or damages caused by defects or any other equipment failure.

CRANE
PUMPS & SYSTEMS

420 Third St
Piqua, OH 45356-0603 USA
Tel: (937) 773-2442
Fax: (937) 773-7157
CranePumps@CranePumps.com

Quotation

City of Crestview, LS 1

Quotation Date 12/9/2019
Job Name Lift Station 1 Pumps

Company Name The City of Crestview
715 Ferdon Blvd./Crestview, FL.

Contact Brandon Bolton
brandonbolton@cityofcrestview.org
850-305-8261

Lead Time 6-8 Weeks
Freight Full Freight Allowed

Item	Description	Qty	Net Each	Total Net
1	142672-MBM - Barnes 4SCDI50044, 4 inch discharge, hydraulic series I, 50 HP, 1750 rpm, 460 volts, 3 phase, impeller trimmed to 315mm, Impeller Material WhiteIron, Carbon / Ceramic Upper, Sil Car / Sil Car Lower seal, Explosion Proof = N	2	$22,045.00	$44,090.00
2	138318XF - ASSY,CORD,6GA,50',SH,LG	2	$ 2,225.00	$4,450.00
3	- 5 Year Full Warranty Adder	2	$ 2,205.00	$4,410.00
			Total:	$52,950.00

Quotes are generally honored for 30 days. All Crane Pumps & Systems products and services are offered and sold subject to the Crane Pumps & Systems standard terms and conditions agreement set forth at www.cranepumps.com. All prices are subject to change. Quoted prices do not include any applicable taxes, freight charges, submittals, start-up, alignment, training or any other field or factory services unless specifically listed above.

BARNES burks DEMING WEINMAN CROWN PROSSER

3810 Hopkins St
Pensacola, Florida 32505
P: (850) 433-5134 * F: (850) 433-0308

3-Jan-20

City of Crestview
PO Drawer 1209
Crestview, FL 32536

Proposed to: Brandon Boltor
Via: Email
CC:

Gulf Coast Electric Motor Service is pleased to propose the following:

Provide: **50 HP Barnes Submersible Sewage Pumps**
Lift Station 1 Replacements

QTY	DESCRIPTION	EACH	TOTAL
2	50 HP Barnes Submersible Sewage Pump	$29,000.00	$58,000.00
	460 V, 50' Power Cord, 4" Discharge, 3 Phase		
	67.1 FLA to deliver 600 GPM		
	White Chromium Iron Hard Metal Impeller		
	Certified Test Curves		

Freight: Prepay and Add

Lead Time: 6-8 weeks ARO

Proposed by: Heneo Rodriguez

Accepted By: _____ Date: _____

CITY OF CRESTVIEW

Item # 10.2.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Purchase / Contract

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Carlos Jones, Assistant Director
DATE:	1/23/2020
SUBJECT:	Lift Station #69 Spare Pump Purchase

BACKGROUND:

The Public Services Department has been working on standardizing the components in lift stations throughout the City's sewer system over the last several years.

In addition to standardizing, staff has been working to replace equipment that has become inefficient in its operation to ensure that the City is always ready to serve its users.

DISCUSSION:

The request before the City Council today is to purchase a spare pump for Lift Station #69 located at 1701 P.J. Adams Parkway. This lift station serves the Rolling Ridge and Taylor Farms subdivisions.

A spare pump serves as an emergency replacement in case one of the two existing pumps stops working. This lift station also serves as a master lift station pumping to the WWTP.

Staff solicited three quotes and is requesting to make this purchase from Pump and Process in accordance with our purchasing policy for the quoted amount of $46,470.00. The quotes were as follows:

Quote 1- Pump & Process $46,470.00
Quote 2- Gulf Coast Electric Motor Services $52,300.00
Quote 3- Crane Pump & Systems $52,495.00

The purchase of this spare pump was budgeted in the 2020 budget and this request is consistent with the Purchasing Policy.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.
Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

FINANCIAL IMPACT

The cost for this purchase was included in the 2020 Budget in the Utility Maintenance 63-00 Improvements in the amount of $39,950.00.

However the purchase price was more than than the budget amount leaving the amount of $6,520.00 outstanding.

This $6,520.00 will be taken from the surplus funds of $13,467 left-over from the Lift Station 1 replacement pump purchase.

RECOMMENDED ACTION

Staff respectively requests approval of this purchase from Pump & Process, Inc. for $46,470.00

Attachments

1. Lift Station 69

CITY OF CRESTVIEW
QUOTE FORM

FROM: DEPARTMENT OF PUBLIC SERVICES DATE: 12/4/19

TO: ACCOUNTS PAYABLE
CITY HALL
198 N. WILSON STREET
CRESTVIEW, FLORIDA 32536
PH: (850) 682-1560 FAX: (850) 682-8077

PURCHASE ITEM: Spare Pump for Lift Station # 69 Approved in Budget

QUOTE #1:
VENDOR: Pump & Process PRICE QUOTE: $46,470

QUOTE #2:
VENDOR: Gulf Coast Electric Motor Service PRICE QUOTE: $52,300.00

QUOTE #3:
VENDOR: Crane Pump & Systems PRICE QUOTE: $52,495.05

3 Competitive quotes have been sought by Telephone & email (mail, telephone, fax, etc.).

I hereby affirm that the above quotes have been sought and conform in every respect with the requirements of the City's Purchasing Manual.

Approved: Department Head

Employee Signature

FIN
Rev 06/03

PUMP PROCESS
equipment incorporated

3820 Hopkins Street
Pensacola, FL 32505
(850) 432-0334, fax: (850) 432-1336

Quotation

To: Brandon Bolton
City of Crestview

Date: 11-21-19
Project: L.S. 69, Rolling Ridge, Barnes 100 HP
Location: Crestview, FL
Engineer: N/A

Equipment: Barnes 4SHDI Pump **Terms:** NET 30 Days **Delivery:** 9 Weeks

We are pleased to quote on the following equipment:

One (1) Barnes 4XSCDI100044, 4 inch discharge, hydraulic series I, 100 HP, 1750 rpm, 460 volts, 3 phase, 50' power cords, Full impeller, Impeller is "Hard Metal" White Iron, Carbon / Ceramic Upper, Sil Car / Sil Car Lower seal, Explosion Proof, 5 year 100% parts/labor.

Net price, F.O.B. shipping point: $46,470.00
- Freight Included.

NOTES
1. If ordered, please sign this quotation form and FAX or Email back to Pump & Process Equipment, Inc.
2. Only items mentioned above are included. If it is not listed it is to be provided by others.
3. **Delivery promise date begins upon return of approved Submittal or approved drawings.**

This Quotation Prepared By Kathleen

Butch Beaton

For Pump & Process Equipment, Inc.

The undersigned agrees to and has the authority to bind the purchaser to the terms and conditions below and equipment as described above.

Date

Quotation good for 30 days. Prices do not include any applicable taxes. Payment terms are NET 30 days from date of shipment. Past due accounts will be charged interest at 1.5% per month. Should the services of an attorney, collection agency or other legal service become necessary for collection, purchaser will assume responsibilty for all expenses accrued in the collection process including fees, court cost, serving charges, lien filing, etc. Manufacturer's warranty applies. Pump & Process Equipment, Inc. assumes no liability whatsoever for delays or damages caused by defects or any other equipment failure.

Gulf Coast
Electric Motor Service, Inc.

3810 Hopkins St
Pensacola, Florida 32505
P: (850) 433-5134 * F: (850) 433-0308

21-Nov-19

City of Crestview

Joseph Carr
Proposed to: Brandon Bolton
Via: Email
CC:

Gulf Coast Electric Motor Service is pleased to propose the following:

Provide: **100 HP Barnes Pump - LS 69 Rp;;omg Ridge**

QTY	DESCRIPTION	TOTAL
1	100 HP Barnes Pump 1750 RPM, 460 V, 3 Phase, 4" Discharge M/N 4XSCD1100044 50' Power Cord Full Impeller - Hard Metal - White Iron Explosion Proof	$52,300.00

Lead Time: Approx 10 weeks ARO
Freight: Prepay and Add

Proposed by: *Heneo Rodriguez*

Accepted By: _____ Date: _____

CRANE
PUMPS & SYSTEMS

420 Third St
Piqua, OH 45356-0603 USA
Tel: (937) 773-2442
Fax: (937) 773-7157
CranePumps@CranePumps.com

Quotation
#730506529

Crestview LS 69

Quotation Date 10/24/2019

Company Name City of Crestview
Attn: Brandon Bolton

Customer Code PUM97001

Lead Time 6-8 Weeks
Freight Full Freight Allowed

Item	Description	Qty	Net Each	Total Net
3	142804C-MBM - Barnes 4XSCDI100044, 4 inch discharge, hydraulic series I, 100 HP, 1750 rpm, 460 volts, 3 phase, impeller trimmed to 370mm, Impeller Material WhiteIron, Carbon / Ceramic Upper, Sil Car / Sil Car Lower seal, Explosion Proof = Y	1	$46,597.50	$46,597.50
4	138319XF - ASSY,CORD,2GA,50',SH,LG	1	$3,220.00	$3,220.00
5	142158-KIT - KIT,SHIM,6IN,SITHE	1	$185.00	$185.00
6	- 5 Year Full Warranty for Sithe Pump	1	$2,492.55	$2,492.55
			Total:	$52,495.05

***Reference quote number 730506529 on your purchase order** to enable us to load this quote directly into our order management system, providing you with the highest order accuracy and the quickest turn-around time on your products.

Quotes are generally honored for 30 days. All Crane Pumps & Systems products and services are offered and sold subject to the Crane Pumps & Systems standard terms and conditions agreement set forth at www.cranepumps.com. All prices are subject to change. Quoted prices do not include any applicable taxes, freight charges, submittals, start-up, alignment, training or any other field or factory services unless specifically listed above.

BARNES burks DEMING WEINMAN CROWN PROSSER

CITY OF CRESTVIEW

Item # 10.3.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Purchase / Contract

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Carlos Jones, Assistant Director
DATE:	1/23/2020
SUBJECT:	Lift Station #18 & 20 New Control Panel Purchase

BACKGROUND:

The Public Services Department has been working on standardizing the components in lift stations throughout the City's sanitary sewer collection system over the past several years.

In addition to standardizing, staff has been working to replace equipment that has become inefficient in its ability to operate at today's standards.

These upgrades will ensure that the City is always ready to serve its customers.

DISCUSSION:

The request before the City Council is to purchase new control panels for these two sanitary sewer lift stations.

Lift Station 18 is located at 999 Upia Drive that serves the area South of P.J. Adams Parkway and has been in service since 1994.

Lift Station 20 is located at 299 Kyle Lane that serves Walker Elementary School and the nearby neighborhoods it has been in service since 1990.

The control panel monitors the operation of the pump station. They include the circuit breakers, starters and electrical control components for the pumps, a high water alarm, ac power failure alarm and fuses for the alarm circuits.

Staff solicited three quotes and is requesting to make this purchase from Pump and Process in accordance with our purchasing policy for the quoted amount of $118,640.00.

The quotes were as follows:

Quote 1- Pump & Process $118,640.00
Quote 2- Reflow Services $122,673.00
Quote 3- ECS Control Services $124,840.00

The purchase of these control panels was budgeted in the 2020 budget and this request is consistent with the Purchasing Policy.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.
Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

FINANCIAL IMPACT

The cost for this purchase was included in the 2020 Budget in the Utility Maintenance 63-01 Improvements in the amount of $118,456.80.

However, the purchase price was more than the budgeted amount leaving the amount of $183.20 outstanding.

This $183.20 will be taken from the surplus funds left-over from the purchase of Lift Station 1 replacement pumps in our Utility Maintenance 63-00 Improvement account.

RECOMMENDED ACTION

Staff respectively requests approval of this purchase from Pump & Process, Inc. for $118,640.00

Attachments

1. Lift Station 18 & 20

CITY OF CRESTVIEW
QUOTE FORM

FROM: DEPARTMENT OF PUBLIC SERVICES DATE: 12/4/19

TO: ACCOUNTS PAYABLE
CITY HALL
198 N. WILSON STREET
CRESTVIEW, FLORIDA 32536
PH: (850) 682-1560 FAX: (850) 682-8077

PURCHASE ITEM: New Control Panels for Lift Station # 18 and 20 Approved in Budget

QUOTE #1:
VENDOR: Pump & Process PRICE QUOTE: $118,640.00

QUOTE #2:
VENDOR: Reflow Services PRICE QUOTE: $122,673.00

QUOTE #3:
VENDOR: ECS Control Systems PRICE QUOTE: $124,840.00

3 Competitive quotes have been sought by Telephone & email (mail, telephone, fax, etc.).

I hereby affirm that the above quotes have been sought and conform in every respect with the requirements of the City's Purchasing Manual.

Approved: Department Head

Employee Signature

FIN
Rev 06/03

PUMP PROCESS
equipment incorporated

Quote Number: 1797 B

3820 Hopkins Street
Pensacola, FL 32505
(850) 432-0334, fax: (850) 432-1336

Quotation

To: Brandon Bolton
Crestview, City Of
715 N. Ferdon Blvd.
Crestview FL 32536-2113

Date: 11/12/2019
Project: Lift Station 20 and Lift Station 18
Location: Crestview, FL.
Engineer: BB

Equipment: New Control Panels with Telemetry **Terms** NET 30 Days **Delivery**

We are pleased to quote on the following equipment:

Two (2) Duplex Panels in Nema 4X Alum.powder coated white enclosures with air break pedestals / Crystal Ball Controls-Telem./Relay Logic Backup Controls/ Fiberoptic Floats.

Two (2) Electrical Package Installations to include Backboards, New Disconnects, Conduit.

Net price, F.O.B. shipping point: $118,640.00

NOTES:

1. If ordered, please sign this quotation form and FAX or Email back to Pump & Process Equipment, Inc.
2. Only items mentioned above are included. If it is not listed it is to be provided by others.
3. **Delivery promise date begins upon return of approved Submittal or approved drawings.**

Additional Note

1. Panels to have Nema Rated Square D starters to handle up to 15 HP Pumps.

This Quotation Prepared By

Butch Brantor

For Pump & Process Equipment, Inc.

The undersigned agrees to and has the authority to bind the purchaser to the terms and conditions below and equipment as described above.

Date

Quotation good for 30 days. Prices do not include any applicable taxes. Payment terms are NET 30 days from date of shipment. Past due accounts will be charged interest at 1.5% per month. Should the services of an attorney, collection agency or other legal service become necessary for collection, purchaser will assume responsibility for all expenses accrued in the collection process including fees, court cost, serving charges, lien filing, etc. Manufacturer's warranty applies. Pump & Process Equipment, Inc. assumes no liability whatsoever for delays or damages caused by defects or any other equipment failure.

ReFlow Services, LLC
2410 Valleydale Road
Birmingham, AL 35244

QUOTATION

Prepared For: Brandon Bolton	**Date: 11-26-19**
Company: City of Crestview	**Job Name: LS 18 and LS 20 Duplex Control Panel**
Location: Crestview, FL	**Fax:** **Email:** **brandonbolton@cityofcrestview.org**

Quantity	Description -
2 each	Duplex Control Panels, 15 hp, 240 volt, 3 phase, in NEMA 4X stainless steel enclosures, instrumentation, telemetry, backboards, disconnects Installation of panels by Licensed Electrical Contractor

Total Job Quotation : 122,673.00	**Note:**
FOB: Factory, Prepay & Add	**Shipment:**
Taxes are not included.	**Quotation valid for 60 days**
Terms: Net 30 Days	**ReFlow standard terms and conditions apply**

Thank you for the opportunity to quote on this job. If you have any questions, or if we may be of further assistance, please call us at your convenience.

Cindy J Blankemeyer

Accepted By **Cindy J. Blankemeyer**

P. O. Number _____

Confidential

ECS Control Systems, Inc.
3029 Mercury Road
Jacksonville, FL 32207
PH: 904-367-5000 FAX : 904-367-5100
sales.admin@ecs31.com

Date: 11/22/2019
Quote #: 192027 - AM

To: Mr. Brandon Bolton
The City of Crestview
715 N. Ferdon Blvd
Crestview, FL

Net Terms: 30 Days
F.O.B: Factory, freight prepaid & added
Estimated Weight: 164.125 lbs. ttl.
Equipment Warranty: 1 year from shipment
Estimated Delivery: 6 to 8 weeks after receipt of order
Quoted per: Email 11/14/2019

Ref: LS 18 & LS 20
Crestview

We are pleased to provide the following base bid in accordance with our best interpretation of the plans and specifications provided, incorrect or incomplete information may void the quote.

		Net Each	*Net Extension*
2	CrystalBall Series, Constant Speed, Duplex Pump Control Panel Service: 240 Volt, 3 Phase, 4 Wire, 60 Hertz Motors: 2 @ 15 HP, 35.4 FLA Note: UL 508A Labelled	$43,940.00	$87,880.00
	Installation Manuals:		Not Incl.
	Operation Manuals:		Not Incl.
	Sales Tax:		Not Incl.
	Estimated Freight:		$1,200.00
	Start-up:		$35,760.00
	Service Contract:		Not Incl.
		Total Base Bid:	$124,840.00

Additions or deducts to base bid:
None

Clarification Notes:
Include: Crystal Ball- Bypass Float Circuit, Duplex Receptacle, Surge Protection, Alternating Relay N12/3R ALUM Enclosure w/ Air Break Pedestal, Unistrut w/ Backplate, Alarm Horn and Beacon, NEMA Starters and HDL Breakers,

Exceptions and Special Notes:

Unless otherwise noted, price does not include start-up, installation or operation and maintenance manuals. When required, float switches are to be supplied by others. Any other equipment to be supplied by you will be noted on the following page(s). This quotation is good for 90 days from date issued

Quoted by _____
Allison McFarland sales.admin@ecs31.com

This information provided is confidential and proprietary to ECS Control Systems and is intended solely for the recipient listed above. Do not duplicate. **Copyright © 2019 ECS**

CITY OF CRESTVIEW Item # 10.4.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Purchase / Contract

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Carlos Jones, Assistant Director
DATE:	1/23/2020
SUBJECT:	MXU Smart Point Purchase

BACKGROUND:

The Smart Points is an automated device attached to the water meter that transmits the data to the City's water meter reading system at City Hall. This process is part of a multi-year, capital project to modernize the water meter system and to transmit an actual water reading from water meters each month. This process eliminates the need for a person to physically go to the water meter and record the reading or usage.

The benefits of Smart Point Meters:

- Water meters will be read monthly and the bill will be for actual water usage each month.
- Meets regulatory requirements from state and federal agencies.
- Minimizes water losses and increases water meter flow accuracy.
- Makes it easier and faster to detect water leaks.
- Provides the ability for the City to notify residents and businesses of plumbing issues in a timely manner, providing for a quicker resolution.

DISCUSSION:

The request before the City Council is to purchase 1,500 smart points in the amount of $213,750.00 from Core & Main (a sole-source provider) for our area.

The city staff has installed approximately 7,000 smart points, leaving 3,500 more to install, this number may increase as new homes are constructed and new water customers are added weekly.

The goal is to have all smart points installed by September 30th of this year.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.
Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

FINANCIAL IMPACT

The cost for this purchase $213,750.00 from Core & Main was included in the 2020 Budget Water 63-00 Improvement account in the amount of $550,000.00.

RECOMMENDED ACTION

Staff respectively requests approval of this purchase from Core & Main for the amount of $213,750.00

Attachments

1. 520M Smart Points - Crestview_1-14-2020_0438_PM

Bid Proposal for 520M Smart Points - Crestview

CUSTOMER

CRESTVIEW, CITY OF
STOCK
CRESTVIEW, FL 32536
Contact: Carlos Jones

Job
520M Smart Points - Crestview
Bid Date: 12/13/2019
Bid #: 1188943

CONTACT

Sales Representative
R. Keith Hobbs
(M) 850-393-9196
(T) 850-478-6372
(F) 850-478-4323
Keith.Hobbs@coreandmain.com

Core & Main
8782 Paul Starr Dr
Pensacola, FL 32514
(T) 850-478-6372

NOTES

Bid Proposal for 520M Smart Points - Crestview

CRESTVIEW, CITY OF
Bid Date: 12/13/2019
Core & Main 1188943

Core & Main
8782 Paul Starr Dr
Pensacola, FL 32514
Phone: 850-478-6372
Fax: 850-478-4323

Seq#	Qty	Description	Units	Price	Ext Price
10	1500	520M SINGLE PORT/TOUCHCOUPLER HOURLY READ/LEAK DETECTION	EA	142.50	213,750.00
				Sub Total	**213,750.00**
				Tax	0.00
				Total	**213,750.00**

Branch Terms:
Must be shipped by 12/19/2019

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES UPON THIRTY (30) CALENDAR DAYS' NOTICE TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: https://coreandmain.com/TandC/

CITY OF CRESTVIEW

Item # 11.1.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Resolution

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM:
DATE: 1/22/2020
SUBJECT: Issuance of Capital Improvement Revenue Bonds

BACKGROUND:

In the June 10, 2019 Council meeting, staff was instructed to engage the municipal advisory services of MW Financial Advisory Services, LLC. (MWFAS) to assist in determining the most advantageous and fiscally responsible method of incurring debt to acquire, construct and erect certain capital improvements.

As was presented in the September 23, 2019 Council meeting, MWFAS reviewed existing debt and the projects as presented to determine the most advantageous method to finance the projects. After a comprehensive review of the condition of the City's current debt, the trends in the market and the time to complete the funding, MWFAS recommended to staff that a Request for Proposals (RFP) be issued for a conventional loan. The Council approved the recommendation of MWFAS to proceed with requesting proposals from commercial financial institutions for a commercial loan in a not-to-exceed amount of 12.5 million dollars.

DISCUSSION:

On December 2, 2019, Request for Proposals (RFP) were distributed to approximately forty-five (45) Financial Institutions. The RFP's were due back to MWFAS by January 3, 2020 at 12:00 pm CST Eight (8) institutions submitted a proposal. (A summary of which has been provided)

Upon review of the proposals, The Committee (consisting of the City Manager, Finance Director, MWFAS representative and the Bond Attorney) summarized the following:

- Interest rates ranged from 2.15% to 2.875%
- One institution did not agree to the total amount requested of $10,800,000
- Legal Fees ranged from $0.00 - $7,500, those with zero legal fees had a higher interest rate
- Most had similar levels of restrictions on loan prepayments

With the results of the proposals being relatively similar to one another, we recommend selecting the one with the lowest interest rate of 2.15% which would be Regions Bank.

A summary of the projects is as follows:

- Triumph Fund Project (Crestview Bypass) $8,000,000.00

- Capital Lease Payoff $448,460.90
- Land Purchase (Foxwood) $1,295,000.00
- Fire Rescue Vehicle and Equipment (Ladder Truck) $977,022.22
- Cost of Issuance $79,516.88
- Total Loan Proceeds $10,800,000.00

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.
Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these six areas focus on the overall experience when provided by the city.
Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

Debt Service payments will commence in fiscal year 2021 at approximately $1.2M annually to be paid from discretionary sales tax and other non-ad valorem revenues. There is no financial impact to the current year budget.

RECOMMENDED ACTION

Staff respectively requests City Council approval in seeking the adoption of Resolution No. 20-03 authorizing the issuance of a $10,800,000 Capital Improvement Revenue Bond Series to finance the acquisition, construction and equipping of various capital improvements and refund certain outstanding debt of the issuer and to award said financing to Regions Bank.

Attachments

1. Opinion - City Attorney 1-16-20

RESOLUTION: 2020-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA AUTHORIZING THE ISSUANCE OF A $10,800,000 CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2020 TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL IMPROVEMENTS AND REFUND CERTAIN OUTSTANDING DEBT OF THE ISSUER AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING THAT THE BOND SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM CERTAIN SALES TAX REVENUES RECEIVED BY THE CITY AND A BACKUP COVENANT TO BUDGET, APPROPRIATE AND DEPOSIT NON-AD VALOREM REVENUES AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNERS OF THE BOND; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA:

SECTION 1: Authority for this Resolution. This resolution is adopted pursuant to the Florida Constitution, Chapter 166, Florida Statutes, the City Charter, and other applicable provisions of law (collectively, the "Act").

SECTION 2: Definitions. The following words and phrases shall have the following meanings when used herein:

"Act" shall have the meaning ascribed thereto in Section 1 hereof.

"Authorized Denominations" shall mean $100,000 and $1,000 increments thereof in excess of $100,000.

"Bond" shall mean the Bond of the Issuer authorized by Section 4 hereof.

"Bond Counsel" shall mean Bryant Miller Olive P.A., or any other attorney at law or firm of attorneys of nationally recognized standing in matters pertaining to the exclusion from gross income for federal income tax purposes of interest on obligations issued by states and political subdivisions, and duly admitted to practice law before the highest court of any state of the United States of America.

"Business Day" shall mean any day except any Saturday or Sunday or day on which the Principal Office of the Original Lender is closed.

"City Attorney" shall mean the City Attorney or any deputy or assistant City Attorney of the Issuer, or such other person as may be duly authorized by the Issuer to act on his or her behalf.

"City Manager" shall mean the City Manager or any deputy or assistant, or such other person as may be duly authorized by the Issuer to act on his or her behalf.

"Code" shall mean the Internal Revenue Code of 1986, as amended, and any Treasury Regulations, whether temporary, proposed or final, promulgated thereunder or applicable thereto.

"Debt Service Fund" shall mean the Debt Service Fund established with respect to the Bond pursuant to Section 10 hereof.

"Finance Director" shall mean the Finance Director or such other person as may be duly authorized by the Issuer to act on his or her behalf.

"General Fund" means the "General Fund" of the Issuer as described and identified in the Comprehensive Annual Financial Report of the Issuer.

"Interest Payment Date" shall mean each June 1 and December 1.

"Issuer" shall mean the City of Crestview, Florida, a political subdivision of the State of Florida.

"Mayor" shall mean the Mayor of the Issuer, or in his or her absence, the Vice Mayor of the Issuer, or such other person as may be duly authorized by the Issuer to act on his or her behalf.

"Non-Ad Valorem Revenues" means all legally available non-ad valorem revenues of the Issuer; provided, however that Non-Ad Valorem Revenues shall (a) be received by the Issuer from sources other than the levy of ad valorem taxes upon property, and (b) not be restricted by law so as to be unable to be applied to pay the debt service on the Bond and other Issuer debt secured by Non-Ad Valorem Revenues, and to make the other payments, if any, required under the Bond or hereunder.

"Original Lender" shall mean Regions Capital Advantage, Inc.

"Owner" or *"Owners"* shall mean the Person or Persons in whose name or names the Bond shall be registered on the books of the Issuer kept for that purpose in accordance with provisions of this Resolution.

"Person" shall mean natural persons, firms, trusts, estates, associations, corporations, partnerships and public bodies.

"Pledged Revenues" shall mean the Sales Tax Revenues (except for the Sales Tax Ineligible Debt), and other Non-Ad Valorem Revenues budgeted, appropriated and deposited as provided herein, and amounts on deposit from time to time in the Debt Service Fund and the Project Fund.

"Principal Office" shall mean, with respect to the Original Lender, the office located at 1900 Fifth Avenue North, Suite 2400, Birmingham, Alabama 35203, or such other office as the Original Lender may designate to the Issuer in writing.

"Principal Payment Date" shall mean each June 1.

"*Project"* shall mean the acquisition, construction and equipping of capital improvements within the Issuer including without limitation the East/West Connector Road and a new fire truck and other vehicles and the Sales Tax Ineligible Project.

"Project Fund" shall mean the Project Fund established with respect to the Bond pursuant to Section 11 hereof.

"Refunded Debt" shall mean Master Lease No. 33765 dated February 21, 2019.

"Resolution" shall mean this Resolution, pursuant to which the Bond is authorized to be issued, including any supplemental resolutions hereto.

"Sales Tax Eligible Debt" shall mean that portion of the Bond that does not constitute Sales Tax Ineligible Debt.

"*Sales Tax Ineligible Debt"* shall mean that portion of the Bond coming due on June 1, 2029 and June 1, 2030, and the interest thereon, that is used to finance all or a portion of the acquisition of the Sales Tax Ineligible Project.

"*Sales Tax Ineligible Project"* shall mean the acquisition of approximately 129 acres of real property.

"Sales Tax Revenues" shall mean the half cent sales tax approved by voters to be levied from January 1, 2019 through

December 31, 2028.

"State" shall mean the State of Florida.

SECTION 3: Findings.

(A) For the benefit of its inhabitants, the Issuer finds, determines and declares that it is necessary for the continued preservation of the health, welfare, convenience and safety of the Issuer and its inhabitants to finance the costs of the Project and refund the Refunded Debt. The Refunded Debt was issued to finance the costs of acquiring a vehicle related to public facility improvements. Issuance of the Bond to finance the costs of the Project and to refund the Refunded Debt satisfies a paramount public purpose. Issuance of the Bond to refund the Refunded Debt will result in present value debt service savings and debt restructuring.

(B) Debt service on the Sales Tax Eligible Debt will be secured by a pledge of the Sales Tax Revenues and a covenant to budget and appropriate Non-Ad Valorem Revenues, as provided herein. The Sales Tax Ineligible Debt in the principal amount of $2,370,000 and the semi-annual interest accruing thereon shall not be secured by the Sales Tax Revenues but shall be secured solely by a covenant to budget and appropriate Non-Ad Valorem Revenues, as provided herein

(C) Debt service on the Bond and all other payments hereunder shall be payable solely from moneys deposited in the manner and to the extent provided herein. The Issuer shall never be required to levy ad valorem taxes or use the proceeds thereof to pay debt service on the Bond or to make any other payments to be made hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any other Non-Ad Valorem Revenues. The Bond shall not constitute a lien on any property owned by or situated within the limits of the Issuer.

(D) It is estimated that the Sales Tax Revenues will be available in amounts sufficient to provide for the payment of the principal of and interest on the Sales Tax Eligible Debt of the Bond and all other payment obligations hereunder until its expiration date of December 31, 2028. The Issuer covenants herein to appropriate in its annual budget amounts sufficient to pay the debt service on the Sales Tax Ineligible Debt and any debt service on the Sales Tax Eligible Debt that is not paid from Sales Tax Revenues.

(F) The Issuer has received an offer from the Original Lender to acquire the Bond.

SECTION 4: Authorization of Bond. Subject and pursuant to the provisions of this Resolution, an obligation of the Issuer to be known as City of Crestview, Florida Capital Improvement Revenue Bond, Series 2020 is hereby authorized to be issued under and secured by this Resolution, in the principal amount of not to exceed $10,800,000 for the purpose of providing funds to finance the costs of the Project, refund the Refunded Debt, and pay the costs of issuing the Bond. Because of the characteristics of the Bond, including the combination of the Sales Tax Eligible Debt and the Sales Tax Ineligible Debt, prevailing market conditions, and additional savings to be realized from an expeditious sale of the Bond, it is in the best interest of the Issuer to accept the offer of the Original Lender to acquire the Bond at a private negotiated sale. Prior to the issuance of the Bond, the Issuer shall receive from the Original Lender a Lender's Certificate, the form

of which is attached hereto as Exhibit B and the Disclosure Letter containing the information required by Section 218.385, Florida Statutes, a form of which is attached hereto as Exhibit C.

In consideration of the purchase and acceptance of the Bond authorized to be issued hereunder by those who shall be the Owners thereof from time to time, this Resolution shall constitute a contract between the Issuer and the Owners.

SECTION 5: Description of the Bond. The Bond shall be dated the date of its execution and delivery, which shall be a date agreed upon by the Issuer and the Original Lender, and shall have such other terms and provisions, including an interest rate (subject to adjustment upon the occurrence of certain events as provided in the Bond) that produces a positive net present value debt service savings to be achieved as a result of the refunding of the Refunded Debt, principal and interest payment terms, maturity dates and redemption provisions as stated herein and/or in the form of the Bond attached hereto as Exhibit A. The Bond is to be in substantially the form set forth on Exhibit A attached hereto, together with such non-material changes as shall be approved by the Mayor, such approval to be conclusively evidenced by the execution thereof by the Mayor. The Bond shall be executed on behalf of the Issuer with the manual or facsimile signature of the Mayor and shall be attested and countersigned with the manual or facsimile signature of the City Manager. In case any one or more of the officers who shall have signed or sealed the Bond or whose facsimile signature shall appear thereon shall cease to be such officer of the Issuer before the Bond so signed and sealed has been actually sold and delivered, the Bond may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed the Bond had not ceased to hold such office. The Bond may be signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of the Bond shall hold the proper office of the Issuer, although, at the date of the Bond, such person may not have held such office or may not have been so authorized. The Issuer may adopt and use for such purposes the facsimile signatures of any such persons who shall have held such offices at any time after the date of the adoption of this Resolution, notwithstanding that either or both shall have ceased to hold such office at the time the Bond shall be actually sold and delivered.

SECTION 6: Registration and Exchange of Bond; Persons Treated as Owners. The Bond is initially registered to the Original Lender. So long as the Bond shall remain unpaid, the Issuer will keep books for the registration and transfer of the Bond. The Bond shall be transferable only upon such registration books and only in Authorized Denominations.

The Person in whose name the Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of principal and interest on the Bond shall be made only to or upon the written order of the Owners. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

SECTION 7: Payment of Principal and Interest; Deposit of Sales Tax Revenues in Debt Service Fund.

(A) The Issuer promises that it will promptly pay the principal of and interest on the Bond at the place, on the dates and in the manner provided therein according to the true intent and meaning hereof and thereof. The payment of the principal of, redemption premium, if any, and interest on the Sales Tax Eligible Debt shall be secured forthwith equally and ratably by a pledge of and lien upon the Pledged Revenues. The payment of the principal of, redemption premium, if any, and

interest on the Sales Tax Ineligible Debt shall not be secured by Sales Tax Revenues but shall be payable from amounts deposited into the Debt Service Fund pursuant to the Issuer's covenant to appropriate in its budget from Non-Ad Valorem Revenues amounts sufficient therefor.

The Pledged Revenues shall immediately be subject to the lien of this pledge without any physical delivery thereof or further act, and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Issuer.

(B) On or before the 25th day of each month, an amount equal to: (1) one-sixth (1/6th) of the interest amount due on the next Interest Payment Date, and (2) one-twelfth (1/12th) of the principal amount due on the next Principal Payment Date, as shown in the Bond, will be deposited by the Issuer into the Debt Service Fund from the Pledged Revenues or other legally available funds of the City. Excess Sales Tax Revenues may then be used by the Issuer for any lawful purpose. Moneys in the Debt Service Fund shall be used only to pay principal of and interest on the Bond and for no other purpose.

SECTION 8: Limited Obligation. The Bond shall not be or constitute a general obligation or indebtedness of the Issuer as a "bond" within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from the Pledged Revenues in accordance with the terms hereof. No holder of the Bond issued hereunder shall ever have the right to compel the exercise of any ad valorem taxing power or taxation of any real or personal property thereon or the use or application of ad valorem tax revenues to pay the Bond, or be entitled to payment of the Bond from any funds of the Issuer except from the Pledged Revenues as described herein.

SECTION 9: Covenant to Budget and Appropriate. (A) For the Sales Tax Ineligible Debt, and, to the extent that Sales Tax Revenues are insufficient to pay the principal of and interest on the Sales Tax Eligible Debt, and in both events, subject to the next paragraph, the Issuer covenants and agrees and has a positive and affirmative duty to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, and to deposit into the Debt Service Fund hereinafter created, amounts sufficient to pay principal of and interest on the Bond not being paid from other amounts as the same shall become due. Such covenant and agreement on the part of the Issuer to budget, appropriate and deposit such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid, and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated, deposited and actually paid. Other than on the Sales Tax Revenues, no lien upon or pledge of such budgeted Non-Ad Valorem Revenues shall be in effect until such monies are budgeted, appropriated and deposited as provided herein.

Until such monies are budgeted, appropriated and deposited as provided herein, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues other than the Sales Tax Revenues, nor does it preclude the Issuer from pledging in the future its Non-Ad Valorem Revenues, nor does it require the Issuer to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the holder of the Bond a prior claim on the Non-Ad Valorem Revenues (other than Sales Tax Revenues) as opposed to claims of general creditors of the Issuer. Such covenant to budget and appropriate Non-Ad Valorem Revenues is subject in all respects to the prior payment of obligations secured by a pledge of such Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments). Anything in this Resolution to the contrary notwithstanding, it is understood and agreed that all obligations of the Issuer hereunder shall be payable from the portion

of Non-Ad Valorem Revenues budgeted, appropriated and deposited as provided for herein and nothing herein shall be deemed to pledge ad valorem tax power or ad valorem taxing revenues or to permit or constitute a mortgage or lien upon any assets owned by the Issuer and no holder of the Bond nor any other person, may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Issuer or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees, or any other Non-Ad Valorem Revenues. The obligation of the Issuer to budget, appropriate, deposit and make payments hereunder from its Non-Ad Valorem Revenues is subject to the availability of Non-Ad Valorem Revenues after the satisfaction of the funding requirements for obligations having an express lien on or pledge of such revenues and the funding requirements for essential governmental services of the Issuer. Notwithstanding any provisions of this Resolution or the Bond to the contrary, the Issuer shall never be obligated to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. Until such monies are budgeted, appropriated and deposited as provided herein, neither this Resolution nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any legally available Non-Ad Valorem Revenues of the Issuer, but shall be payable solely as provided herein and is subject to the payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Issuer.

The covenant to budget and appropriate for the purposes and in the manner stated herein shall have the effect of making available for the payment of the Bond, in the manner and to the extent described herein, Non-Ad Valorem Revenues, and placing on the Issuer a positive duty to appropriate and budget, by amendment, if necessary, and deposit into the Debt Service Fund, amounts sufficient to meet its obligations hereunder for the Sales Tax Ineligible Debt and, if Sales Tax Revenues are insufficient and after December 31, 2028, for the Sales Tax Eligible Debt. Until such monies are budgeted, appropriated and deposited as provided herein, neither this Resolution nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any legally available Non-Ad Valorem Revenues of the Issuer, but shall be payable solely as provided herein and is subject to the payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Issuer and is further subject to the provisions of Section 166.241, Florida Statutes insofar as there are not sufficient Non-Ad Valorem Revenues in the General Fund to comply with such covenant after the satisfaction of the funding requirements for obligations having an express lien on or pledge of such revenues and the funding requirements for essential governmental services of the Issuer.

The Issuer agrees that its covenant and agreement to budget, appropriate and deposit Non-Ad Valorem Revenues shall be deemed entered into for the benefit of the Owner of the Bond and this obligation may be enforced by a court of competent jurisdiction in accordance with the remedies set forth herein.

SECTION 10: Debt Service Fund.

(A) There is hereby created and established the "City of Crestview, Florida Capital Improvement Revenue Bond, Series 2020 Debt Service Fund," which fund shall be a trust fund held by the Issuer, which shall be held solely for the benefit of the holder of the Bond. The Debt Service Fund shall be deemed to be held in trust for the purposes provided herein for such Debt Service Fund. The money in such Debt Service Fund shall be continuously secured in the same manner as state and municipal deposits are authorized to be secured by the laws of the State of Florida. The designation and establishment of the Debt Service Fund in and by this Resolution shall not be construed to require the establishment of a completely independent, self-balancing fund as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues and assets of the Issuer for

certain purposes and to establish certain priorities for application of such revenues and assets as herein provided. The Issuer may at any time and from time to time appoint one or more depositaries to hold, for the benefit of the Owner of the Bond, the Debt Service Fund established hereby. Such depository or depositaries shall perform at the direction of the Issuer the duties of the Issuer in depositing, transferring and disbursing moneys to and from such Fund as herein set forth, and all records of such depository in performing such duties shall be open at all reasonable times to inspection by the Issuer and its agent and employees. Any such depository shall be a bank or trust company duly authorized to exercise corporate trust powers and subject to examination by federal or state authority, of good standing, and having a combined capital, surplus and undivided profits aggregating not less than fifty million dollars ($50,000,000).

(B) Until applied in accordance with this Resolution, any amounts on deposit in the Debt Service Fund from time to time in the funds and accounts established herein, plus any earnings thereon, shall be pledged to the repayment of the Bond.

SECTION 11. Application of Proceeds of Bond. Proceeds from the sale of the Bond shall be used to pay the costs of the Project, refund the Refunded Debt and pay the associated costs of issuance (including but not limited to legal and financial advisory fees and expenses). The Issuer shall pay all costs and expenses in connection with the preparation and issuance of the Bond.

The Issuer hereby covenants that it will establish with a depository in the State of Florida, which is a member of the Federal Deposit Insurance Corporation and which is eligible under the laws of the State of Florida to receive municipal funds, one fund to be known as the "City of Crestview, Florida Capital Improvement Revenue Bond, Series 2020 Project Fund" (the "Project Fund").

Proceeds from the Bond herein authorized shall be deposited into the Project Fund and shall be used as described above. In no event shall proceeds of the Bond in excess of $1,300,000 be utilized for the Sales Tax Ineligible Project. When reimbursement of the costs of the Project has been completed and all transactions costs have been paid in full, all funds remaining in the Project Fund shall be used to prepay all or a portion of the Bond. Any such prepayment shall be subject to any prepayment premium as further provided in the form of the Bond attached hereto as Exhibit A. All moneys deposited in said Project Fund shall be and constitute a trust fund created for the purposes stated, and there is hereby created a lien upon such fund in favor of the Owner of the Bond until the moneys thereof shall have been applied in accordance with this Resolution. The money in such Fund shall be continuously secured until such time as the Bond is paid in full in the same manner as state and municipal deposits are authorized to be secured by the laws of the State of Florida.

The funds and accounts created and established by this Resolution shall constitute trust funds for the purpose provided herein for such funds. All of such funds, except as hereinafter provided, shall be continuously secured in the same manner as municipal deposits of funds are required to be secured by the laws of the State of Florida. Moneys on deposit to the credit of all funds and account created hereunder may be invested pursuant to applicable law and the Issuer's investment policy and shall mature not later than the dates on which such moneys shall be needed to make payments in the manner herein provided. The securities so purchased as an investment of funds shall be deemed at all times to be a part of the account from which the said investment was withdrawn, and the interest accruing thereon and any profit realized therefrom shall be credited to such fund or account, except as expressly provided in this Resolution, and any loss

resulting from such investment shall likewise be charged to said fund or account.

SECTION 12: Tax Covenant. The Issuer covenants to the Owners of the Bond provided for in this Resolution that the Issuer will not make any use of the proceeds of the Bond at any time during the term of the Bond which would cause the Bond to be an "arbitrage bond" within the meaning of the Code. The Issuer will comply with the requirements of the Code and any valid and applicable rules and regulations promulgated thereunder necessary to ensure the exclusion of interest on the Bond from the gross income of the holders thereof for purposes of federal income taxation.

SECTION 13: Amendment. This Resolution shall not be modified or amended in any respect subsequent to the issuance of the Bond except with the written consent of all of the Owners of the Bond.

SECTION 14: Limitation of Rights. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the Bond is intended or shall be construed to give to any Person other than the Issuer and the Owners any legal or equitable right, remedy or claim under or with respect to this Resolution or any covenants, conditions and provisions herein contained; this Resolution and all of the covenants, conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Owners.

SECTION 15: Bond Mutilated, Destroyed, Stolen or Lost. In case the Bond shall become mutilated, or be destroyed, stolen or lost, the Issuer shall issue and deliver a new Bond of like tenor as the Bond so mutilated, destroyed, stolen or lost, in exchange and in substitution for the mutilated Bond, or in lieu of and in substitution for the Bond destroyed, stolen or lost and upon the Owner furnishing the Issuer proof of ownership thereof and indemnity reasonably satisfactory to the Issuer and complying with such other reasonable regulations and conditions as the Issuer may prescribe and paying such expenses as the Issuer may incur. The Bond so surrendered shall be canceled.

SECTION 16: Impairment of Contract. The Issuer covenants with the Owners of the Bond that it will not, without the written consent of the Owners of the Bond, enact any ordinance or adopt any resolution which repeals, impairs or amends in any manner adverse to the Owners the rights granted to the Owners of the Bond hereunder.

SECTION 17: Financial Information. At no cost to the Owners, the Issuer shall provide the Owners of the Bond with its budget for each fiscal year, within 30 days of its adoption, annual financial statements for each fiscal year of the Issuer when available and in no event later than 270 days following the close of such fiscal year, prepared in accordance with applicable law and generally accepted accounting principles and audited by an independent certified public accountant, and such other information as the Owner may reasonably request. Notwithstanding anything herein to the contrary, failure to provide such annual financial statements by such date shall not constitute an event of default pursuant to clause (ii) of Section 18 hereof. All accounting terms not specifically defined or specified herein shall have the meanings attributed to such terms under generally accepted accounting principles as in effect from time to time, consistently applied. Such financial information and other information may be in electronic form.

SECTION 18: Events of Default; Remedies of Owner of the Bond. The following shall constitute Events of Default: (i) if the Issuer fails to pay any payment of principal of or interest on the Bond as the same becomes due and payable; (ii) if the Issuer defaults in the performance or observance of any covenant or agreement contained in this Resolution or the Bond (other than set forth in (i) above) and fails to cure the same within thirty (30) days; or (iii) filing of a petition by or against the Issuer relating to bankruptcy, reorganization, arrangement or readjustment of debt of the Issuer or for any other relief relating to the Issuer under the United States Bankruptcy Code, as amended, or any other insolvency act or law now or hereafter existing, or the involuntary appointment of a receiver or trustee for the Issuer, and the continuance of any such event for 90 days undismissed or undischarged.

Upon the occurrence and during the continuation of any Event of Default, the Owners of the Bond may, in addition to any other remedies set forth in this Resolution or the Bond, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State, or granted or contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution, or by any applicable statutes to be performed by the Issuer or by any officer thereof. In case of an Event of Default, the Issuer shall also be obligated to pay as part of the indebtedness evidenced by the Bond, all costs of collection and enforcement thereof, including such reasonable attorneys' fees as may be incurred, including on appeal or incurred in any proceeding under any bankruptcy laws as they now or hereafter exist.

SECTION 19: Additional Debt and Anti-Dilution Test. (A) While the Bond is outstanding, the Issuer may issue other obligations payable from Sales Tax Revenues only if there shall have been obtained and filed with the Issuer a statement of the Finance Director: (1) stating that the books and records of the Issuer relating to the Sales Tax Revenues, which may be unaudited, have been reviewed by such officer; (2) setting forth the amount of the Sales Tax Revenues which have been received by the Board during any twelve (12) consecutive months designated by the Issuer within the eighteen (18) months immediately preceding the date of delivery of such additional obligations with respect to which such statement is made; and (3) stating that the amount of the Sales Tax Revenues received during the aforementioned 12-month period equals at least 1.20 times the maximum annual debt service on the outstanding Bond not including the Sales Tax Ineligible Debt and on such additional obligation with respect to which such statement is made.

For the purpose of determining the maximum annual debt service under this Subsection (A), the interest rate on additional parity variable rate obligations then proposed to be issued shall be deemed to be the greater of (i) 7% per annum or (ii) the actual interest rate borne by the variable rate debt for the month immediately preceding such calculation.

(B) As a condition precedent to the issuance of any debt or the incurrence of any other obligations which are secured by and/or payable from Non-Ad Valorem Revenues, the Issuer agrees to certify that it is in compliance with the following: The annual Non-Ad Valorem Revenues received by the City less essential government expenditures for the prior audited fiscal year for which audited financial statements are available equals at least 1.20 times the existing and projected maximum annual debt service on existing obligations and the proposed obligations payable from or secured by Non-Ad Valorem Revenues calculated as provided in Exhibit D attached hereto. Debt service on an obligation, the secondary source of payment for which is a covenant to budget and appropriate from Non-Ad Valorem Revenues need only be included in the calculation if the City has used or reasonably expects to apply Non-Ad Valorem Revenues to the payment of debt service, directly or indirectly, on such obligations and only to the extent that amounts other than Non-Ad Valorem Revenues available and pledged to pay such obligations during the prior fiscal year for which audited financial statements are available were less than the maximum annual debt service for such obligations for the then current or any subsequent

fiscal year.

For the purposes of these covenants under Subsection (B), "maximum annual debt service" means the lesser of the actual maximum annual debt service on all such debt and other obligations, or 15% of the original par amount of such debt and other obligations, in each case, secured by and/or payable solely from the Issuer's Non-Ad Valorem Revenues. As used above, the term "maximum annual debt service" shall only include debt service that the Issuer reasonably expects to apply Non-Ad Valorem Revenues to actually pay; provided however, notwithstanding the foregoing, maximum annual debt service shall include the debt service on any debt which has pledged any of the Issuer's Non-Ad Valorem Revenues or is secured solely by a covenant to budget and appropriate Non-Ad Valorem Revenues. For the purpose of calculating maximum annual debt service on any indebtedness which bears interest at a variable rate, such indebtedness shall be deemed to bear interest at the greater of (i) 7% per annum or (ii) the actual interest rate borne by the variable rate debt for the month immediately preceding such calculation.

SECTION 20: Business Days. In any case where the due date of interest on or principal of the Bond is not a Business Day, then payment of such principal or interest need not be made on such date but may be made on the next succeeding Business Day, provided that credit for payments made shall not be given until the payment is actually received by the Owners.

SECTION 21: Collection of Sales Tax Revenues. The Issuer covenants to do all things necessary on its part to continue the receipt of the Sales Tax Revenues in compliance with the Act and any successor provision of law governing the same. The Issuer will proceed diligently to perform legally and effectively all steps required on its part to receive the Sales Tax Revenues and shall exercise all legally available remedies to enforce such collections now or hereafter available under State law.

SECTION 23. General Authority. The members of the City Council of the Issuer, the City Manager, the Finance Director, the City Attorney and all other of the Issuer's officers, attorneys and other agents and employees are hereby authorized to perform all acts and things required of them by this Resolution or any supplemental resolution hereto or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Bond and this Resolution, and they are hereby authorized to execute and deliver all documents which shall be required by Bond Counsel or the Original Lender to effectuate the acquisition of the Bond by said Original Lender.

SECTION 24. No Third Party Beneficiaries. Except such other Persons as may be expressly described herein or in the Bond, nothing in this Resolution, expressed or implied, is intended or shall be construed to confer upon any Person, other than the Issuer and the Owners, any right, remedy or claim, legal or equitable, under and by reason of this Resolution or any provision hereof or thereof, or of the Bond, all provisions hereof and thereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Persons who shall from time to time be the Owners.

SECTION 25. No Personal Liability. Neither the members of the City Council of the Issuer, the City Manager, the Finance Director, the City Attorney, all other of the Issuer's officers, attorneys and other agents and employees, nor any

person executing the Bond shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 26: Patriot Act. The Lender hereby notifies the Issuer that, pursuant to the requirements of the Patriot Act, it is required to obtain, verify and record information that identifies the Issuer, which information includes the name and address of the Issuer and other information that will allow the Lender to identify the Issuer in accordance with the Patriot Act. The Issuer represents and warrants to the Lender that neither it nor any of its principals, shareholders, members, partners, or Affiliates, as applicable, is a Person named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of any such person. The Issuer further represents and warrants to the Lender that the Issuer and its principals, shareholders, members, partners, or Affiliates, as applicable, are not directly or indirectly, engaged in, nor facilitating, the transactions contemplated by this transaction on behalf of any Person named as a Specially Designated National and Blocked Person.

SECTION 27. Waiver of Jury Trial. To the extent permitted by applicable law, each of the Issuer and the Lender irrevocably and voluntarily waives any right it may have to a trial by jury with respect to any controversy or claim between the Issuer and the Lender, whether arising in contract or tort or by statute, including but not limited to any controversy or claim that arises out of or relates to this Resolution, the Bond or any other document related to the issuance thereof. This provision is a material inducement for the Lender's determination to acquire the Bond and for the parties to enter into the documents related thereto.

SECTION 28. Governing Law. The provisions of this Resolution shall be governed by the laws of the State of Florida.

SECTION 29: Role of Lender. The parties hereto acknowledge and agree that the Lender and its representatives are not registered municipal advisors and do not provide advice to municipal entities or obligated persons with respect to municipal financial products or the issuance of municipal securities (including regarding the with respect to municipal financial products or the issuance of municipal securities (including regarding the structure, timing, terms and similar matters concerning municipal financial products or municipal securities issuances) or engage in the solicitation of municipal entities or obligated persons for the provision by non-affiliated persons of municipal advisory services and/or investment advisory services. With respect to the Bond, this Resolution and any other information, materials or communications provided by the Lender: (a) the Lender and its representatives are not recommending an action to any municipal entity or obligated person; (b) the Lender and its representatives are not acting as an advisor to any municipal entity or obligated person and do not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to any municipal entity or obligated person with respect to this Term Sheet, information, materials or communications; (c) the Lender and its representatives are acting for their own interests; and (d) the Issuer has been informed that the Issuer should discuss the terms of the Bond, this Resolution and any such other information, materials or communications with any and all internal and external advisors and experts that the Issuer deems appropriate before the issuance of the Bond or the execution and delivery of this Resolution or any such other information, materials or communications.

SECTION 30: Privately Negotiated Loan. The Issuer acknowledges and agrees that the Lender is acquiring the Bond in evidence of a privately negotiated loan and in that connection the Bond shall not be (i) assigned a separate rating by any municipal securities rating agency, (ii) registered with The Depository Trust Company or any other securities depository,

(iii) issued pursuant to any type of offering document or official statement or (iv) assigned a CUSIP number by Standard & Poor's CUSIP Service.

SECTION 31. Severability of Invalid Provisions. If any one or more of the covenants, agreements or provisions of this Resolution shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements and provisions of this Resolution and shall in no way affect the validity of any of the other covenants, agreements or provisions hereof or of the Bond issued hereunder.

SECTION 32. Repeal of Inconsistent Resolutions. All resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

SECTION 33. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 27th day of January, 2020.

(SEAL) CITY COUNCIL

ATTEST: By:

_____

Mayor

_____

City Clerk

EXHIBIT A

FORM OF BOND

January 30, 2020 $10,800,000

CITY OF CRESTVIEW, FLORIDA

CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2020

Maturity Date: June 1, 2030 Interest Rate: 2.15%

(subject to adjustment as described herein)

KNOW ALL MEN BY THESE PRESENTS that City of Crestview, Florida (the "Issuer"), a political subdivision created and existing pursuant to the Constitution and the laws of the State of Florida, for value received, promises to pay from the sources hereinafter provided, to the order of Regions Capital Advantage, Inc., or registered assigns (hereinafter, the "Owner"), the principal amount of $10,800,000, together with interest at an interest rate of 2.15% (subject to adjustment as described herein) (the "Interest Rate"). Interest shall be calculated on a 30/360 day basis. This Bond shall have a final maturity date of June 1, 2030.

Principal of and interest on this Bond is payable in lawful money of the United States of America at such place as the Owners may designate to the Issuer in writing.

The Issuer promises to pay the Owner interest on amounts outstanding from the date of this Bond at the interest rate described above, but in no event shall it exceed the maximum interest rate permitted by applicable law. Such interest shall be paid semi-annually on each June 1 and December 1, commencing June 1, 2020.

Principal on this Bond shall amortize semi-annually on the following dates in the following amounts:

Dates	Amounts
06/01/21	$890,000
06/01/22	995,000
06/01/23	1,020,000
06/01/24	1,045,000
06/01/25	1,100,000
06/01/26	1,115,000
06/01/27	1,125,000
06/01/28	1,140,000
06/01/29*	1,175,000
06/01/30*	1,195,000

_____

* Sales Tax Ineligible Debt; not secured by Sales Tax Revenues.

A final payment in the amount of the entire unpaid principal balance, together with all accrued and unpaid interest hereon, shall be due and payable in full on the Maturity Date.

If any date for the payment of principal and interest hereon shall fall on a day which is not a Business Day (as defined in the Resolution hereinafter defined) the payment due on such date shall be due on the next succeeding day which is a Business Day, but the Issuer shall not receive credit for the payment until it is actually received by the Owner.

All payments by the Issuer pursuant to this Bond shall apply first to accrued interest, then to other charges due the Owner, and the balance thereof shall apply to principal.

If any interest on this Bond becomes includable in the gross income of the Owner for Federal income tax purposes due to action or inaction of the Issuer (an "Event of Taxability"), then the Owner shall have the right to adjust the Interest Rate to provide the same after-tax yield as if such event had not occurred. This adjustment shall survive payment of this Bond until such time as the federal statute of limitations under which the interest on this Bond could be declared taxable under the Internal Revenue Code of 1986, as amended, shall have expired.

THIS BOND DOES NOT CONSTITUTE A GENERAL INDEBTEDNESS OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER PROVISION OR LIMITATION, AND IT IS EXPRESSLY AGREED BY THE OWNER OF THIS BOND THAT SUCH OWNER SHALL NEVER HAVE THE RIGHT TO REQUIRE OR COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE ISSUER OR TAXATION OF ANY REAL OR PERSONAL PROPERTY THEREIN OR USE OR APPLICATION OF AD VALOREM TAX REVENUES OF THE ISSUER FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS BOND OR THE MAKING OF ANY OTHER PAYMENTS PROVIDED FOR IN THE RESOLUTION.

This Bond may be prepaid in whole or in part on any date on or prior to June 1, 2025, at a price of 101% of the principal amount to be prepaid plus accrued interest. After June 1, 2025, this Bond may be prepaid in whole or in part on any date at a price of 100% of the principal amount to be prepaid plus accrued interest. Such prepayments require ten days advance written notice to the Owner and any partial prepayments shall be in multiples of one-thousand ($1,000.00). Partial prepayments shall be applied to those principal installments with the latest maturities on this Bond, in inverse order.

This Bond is issued pursuant to the Florida Constitution, Chapter 166, Florida Statutes, the City Charter, and other applicable provisions of law, and a resolution duly adopted by the Issuer on January 27, 2020, as from time to time amended and supplemented (herein referred to as the "Resolution"), and is subject to all the terms and conditions of the

Resolution. All terms, conditions and provisions of the Resolution including without limitation remedies in the Event of Default are by this reference thereto incorporated herein as a part of this Bond. Debt service on the Sales Tax Eligible Debt is secured by a pledge of the Sales Tax Revenues and a covenant to budget and appropriate Non-Ad Valorem Revenues, as provided in the Resolution. The Sales Tax Ineligible Debt in the principal amount of $2,370,000 and the semi-annual interest accruing thereon shall not be secured by the Sales Tax Revenues but shall be secured solely by a covenant to budget and appropriate Non-Ad Valorem Revenues, as provided in the Resolution. Terms used herein in capitalized form and not otherwise defined herein shall have the meanings ascribed thereto in the Resolution.

Upon an Event of Default, as defined in Section 18 of the Resolution, the then existing Interest Rate shall be increased by 300 basis points, until such time as the Event of Default is cured.

This Bond may be exchanged or transferred by the Owner hereof but only upon the registration books maintained by the Issuer and in the manner provided in the Resolution; provided, however, this Bond may not be transferred in a denomination less than $100,000 under any circumstances.

It is hereby certified, recited and declared that all acts, conditions and prerequisites required to exist, happen and be performed precedent to and in the execution, delivery and the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Bond is in full compliance with and does not exceed or violate any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Crestview, Florida, has issued this bond and has caused the same to be executed by its Mayor, and countersigned and attested by its City Clerk, and its corporate seal to be impressed, imprinted or otherwise reproduced hereon, all as of January 30, 2020.

CITY OF CRESTVIEW, FLORIDA

(SEAL)

By:_____

Mayor

ATTESTED AND COUNTERSIGNED:

City Clerk

EXHIBIT B

FORM OF LENDER'S CERTIFICATE

This is to certify that Region Capital Advantage, Inc. (the "Lender") has not required City of Crestview, Florida (the "Issuer") to deliver any offering document and has conducted its own investigation, to the extent it deems satisfactory or sufficient, into matters relating to business affairs or conditions (either financial or otherwise) of the Issuer in connection with the issuance of the $10,800,000 City of Crestview, Florida, Capital Improvement Revenue Bond, Series 2020 (the "Bond"), and no inference should be drawn that the Lender, in the acceptance of the Bond, is relying on Bond Counsel or Issuer's Counsel as to any such matters other than the legal opinion rendered by Bond Counsel, Bryant Miller Olive P.A. and by Issuer's Counsel, Jonathon Holloway, P.A. Any capitalized undefined terms used herein not otherwise defined shall have the meaning set forth in a resolution adopted by the City Council of the Issuer on January 27, 2020 (the "Resolution").

We are aware that acquisition of the Bond involves various risks, and that the payment of the Bond is secured solely from the sources described in the Resolution (the "Bond Security").

We have made such independent investigation of the Bond Security as we, in the exercise of sound business judgment, consider to be appropriate under the circumstances. In making our decision, we have relied upon the accuracy of information which has been provided to us by the Issuer and the Issuer's Financial Advisor.

We have knowledge and experience in financial and business matters and are capable of evaluating the merits and risks of our acquisition of the Bond and can bear the economic risk of our acquisition of the Bond.

We acknowledge and understand that the Resolution is not being qualified under the Trust Indenture Act of 1939, as amended (the "1939 Act"), and is not being registered in reliance upon the exemption from registration under Section 3(a)(2) of the Securities Act of 1933, Section 517.051(1), Florida Statutes, and/or Section 517.061(7), Florida Statutes, and that neither the Issuer, Bond Counsel nor Issuer's Counsel shall have any obligation to effect any such registration or qualification.

We are not acting as a broker or other intermediary, and are acquiring the Bond for our own account, in evidence of a privately negotiated loan, and not with a present view to a resale or other distribution to the public. We understand that the Bond may not be transferred in a denomination less than $100,000 under any circumstances.

We are (i) a bank, trust company, savings institution, insurance company, dealer, investment company, pension or profit-sharing trust, or qualified institutional buyer as contemplated by Section 517.061(7), Florida Statutes**[or (ii) an "accredited investor" as such term is defined in the Securities Act of 1933, as amended, and Regulation D thereunder]**. We are not acquiring the Bond for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes.

DATED this 30th day of January, 2020.

REGIONS CAPITAL ADVANTAGE, INC.

By:_____

Name:

Title:

EXHIBIT C

FORM OF DISCLOSURE LETTER

The undersigned, as lender, proposes to negotiate with the City of Crestview, Florida (the "Issuer") for the private acquisition of its City of Crestview, Florida Capital Improvement Revenue Bond, Series 2020 (the "Bond") in the principal amount of $10,800,000. Prior to the award of the Bond, the following information is hereby furnished to the Issuer:

1. Set forth is an itemized list of the nature and estimated amounts of expenses to be incurred for services rendered to us (the "Lender") in connection with the issuance of the Bond (such fees and expenses to be paid by the Issuer):

Maynard Cooper & Gale – Lender's Counsel

$5,000

2. (a) No other fee, bonus or other compensation is estimated to be paid by the Lender in connection with the issuance of the Bond to any person not regularly employed or retained by the Lender (including any "finder" as defined in Section 218.386(1)(a), Florida Statutes), except as specifically enumerated as expenses to be incurred by the Lender, as set forth in paragraph (1) above.

(b) No person has entered into an understanding with the Lender, or to the knowledge of the Lender, with the Issuer, for any paid or promised compensation or valuable consideration, directly or indirectly, expressly or implied, to act solely as an intermediary between the Issuer and the Lender or to exercise or attempt to exercise any influence to effect any transaction in the acquisition of the Bond.

3. The amount of the underwriting spread expected to be realized by the Lender is $0.

4. The management fee to be charged by the Lender is $0.

5. Truth-in-Bonding Statement:

The Bond is being issued primarily to finance the acquisition, construction and equipping of various capital improvements of the Issuer and refund certain indebtedness of the Issuer.

Unless earlier redeemed, the Bond is expected to be repaid on June 1, 2030. At an interest rate of 2.15%, total interest paid over the life of the Bond is estimated to be $905,975.96.

The Bond will be payable solely from Sales Tax Revenues and Non-Ad Valorem Revenues of the Issuer budgeted, appropriated and deposited as described in a resolution of the Issuer adopted on January 27, 2020 (the "Resolution"). See the Resolution for a definition of Sales Tax Revenues and Non-Ad Valorem Revenues. Issuance of the Bond is estimated

to result in an annual maximum of approximately $1,247,275 of revenues of the Issuer not being available to finance the services of the Issuer for 10.4 years, the life of the Bond.

6. The name and address of the Lender is as follows:

Regions Capital Advantage, Inc.
1900 Fifth Avenue North, Suite 2400
Birmingham, Alabama 35203

IN WITNESS WHEREOF, the undersigned has executed this Disclosure Statement on behalf of the Lender this 30th day of January, 2020.

REGIONS CAPITAL ADVANTAGE, INC.

By:_____

Name:

Title:

EXHIBIT D

Form of Coverage Certificate

Revenues	**FY**
Total Governmental Fund Revenues	$
Less: Ad Valorem Revenues	
Less: Restricted Funds	
Total Net Non-Ad Valorem Revenue Available	$ -

Expenditures

Essential Expenditures

General Government

Public Safety

Total Essential and Legally Mandated Expenditures	$ -
Less: Essential expenditures paid from ad valorem revenues net of ad valorem debt service or otherwise designated	
Total Adjusted Expenditures	$ -

Legally Available Non-Ad Valorem Revenues	$
Less: Essential Expenditures to be paid from Non-Ad Valorem	$
Net Legally Available Non-Ad Valorem Available for Debt Service	$

Existing and Projected Maximum Annual Debt Service	$
Coverage Ratio*	

*Pursuant to Section 19 of Resolution No. __, this Certificate is delivered when the Issuer proposes to issue other obligations which are secured by and/or payable from Non-Ad Valorem Revenues. There is no annual requirement that any coverage ratio be maintained.

January 30, 2020

City Council
City of Crestview
198 North Wilson Street
Crestview, Florida 32536

Bryant Miller Olive P.A.
101 North Monroe Street, Suite 900
Tallahassee, Florida 32301

Regions Capital Advantage, Inc.
1900 Fifth Avenue North, Suite 2400
Birmingham, Alabama 35203

Re: $10,800,000 City of Crestview, Florida
Capital Improvement Revenue Bond, Series 2020

Ladies and Gentlemen:

The undersigned, as City Attorney for the City of Crestview, Florida (the "City"), has acted as counsel to the City in connection with the issuance of the referenced Bond (the "Bond") pursuant to and under the authority of the Constitution of the State of Florida, the Charter of the City of Crestview, Florida, Chapter 166, Part II, Florida Statutes, and other applicable provisions of law, and Resolution 20-03 adopted by the City Commission on January 27, 2020 (the "Bond Resolution"). The Bond is payable solely from and secured by Pledged Revenues which consist of Sales Tax Revenue, and other Non-Ad Valorem Revenues budgeted, appropriated and deposited as provided in the Resolution. In the Resolution, the City has pledged the Sales Tax Revenues to the Sales Tax Eligible Debt and has covenanted and agreed, subject to certain limitations, to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, amounts sufficient to pay principal of and interest on the Bond, all in accordance with the Resolution. There is no lien or pledge of any ad valorem taxes of the City. This opinion letter is delivered to you at the request and with the consent of the City. Any capitalized undefined terms used herein not otherwise defined shall have the meaning set forth in the Resolution. This opinion letter is limited to the matters expressly stated herein. No opinions are to be inferred or implied beyond the opinions expressly so stated.

This opinion letter has been prepared and is to be construed in accordance with the "Report on Third-Party Legal Opinion Customary Practice in Florida, dated December 3, 2011" (the "Report"). The Report is incorporated by reference into this opinion letter.

In rendering the opinions set forth herein, I have relied, without investigation, on each of the assumptions implicitly included in all opinions of Florida counsel that are set forth in the Report in "Common Elements of Opinions – Assumptions". I have relied upon, and assumed the accuracy of, the representations and covenants contained in the Bond Resolution supplied to me

by the City with respect to the factual matters set forth therein. However, no opinion is rendered hereunder as to the accuracy of the representations and warranties contained in the Bond Resolution except as set forth specifically herein.

When used in this opinion letter, the phrases "to my knowledge," "known to me" or the like means the conscious awareness I have of factual matters I recognize as being relevant to the opinion or confirmation so qualified. Such phrases do not imply that I have undertaken any independent investigation within my firm, with the City or with any third party to determine the existence or absence of any facts or circumstances, and no inference should be drawn merely from my past or current representation of the City. Where any opinion or confirmation is qualified by the phrase "to my knowledge," "known to me" or the like, it means that I am without any actual knowledge or conscious awareness that the opinion or confirmation is untrue in any respect material to the opinion or confirmation.

I have examined applicable law and all proceedings of the City in connection with the authorization, issuance and sale of the Bond. I have also examined the Resolution, certificates and documents, in each case, as I have deemed relevant and necessary in connection with the opinions expressed below. Based upon the foregoing, I am of the opinion that:

1. The City is a municipality duly created and validly existing pursuant to general or special law authorized or recognized pursuant to s. 2 or s. 6, Art. VIII of the State Constitution and has full legal right, power and authority to adopt the Resolution, to issue the Bond, to perform its obligations under the Bond and under the Resolution and to consummate the transactions contemplated by such instruments.

2. The Resolution was adopted by the Board at a duly noticed public meeting, and has not otherwise been amended or repealed and is in full force and effect as of the date hereof.

3. The Bond has been duly authorized, executed and delivered by the City and constitutes a valid and binding agreement of the City enforceable in accordance with its terms.

4. The adoption of the Resolution, and the authorization, execution and delivery of the Bond, and compliance with the provisions thereof, will not conflict with, or constitute a breach of or default under, any law, administrative regulation, ordinance, resolution, or any consent decree or agreement known to me, or other instrument to which the City was or is subject, as the case may be, nor will such adoption, execution, delivery, authorization or compliance result in the creation or imposition of any lien, charge or other security interest or encumbrance of any nature whatsoever upon any of the property or assets of the City, or under the terms of any law, administrative regulation, ordinance, resolution or any instrument known to me.

5. All approvals, consents, authorizations and orders of any governmental authority or agency having jurisdiction in any matter which would constitute a condition precedent to the

performance by the City of its obligations under the Resolution have been obtained and are in full force and effect.

6. The City is lawfully empowered to provide funds to refund the Refunded Debt and to pay associated costs of issuance and to pledge the Sales Tax Revenues to the Sales Tax Eligible Debt and to covenant to budget, appropriate and deposit Non-Ad Valorem Revenues in the manner and to the extent described in the Resolution for payment of the principal of and interest on the Bond as the same becomes due and payable.

7. To the best of my knowledge, after reasonable inquiries, there is no litigation pending or threatened, to restrain or enjoin the issuance or sale of the Bond or in any way affecting any authority for or the validity of the Bond, the Resolution, the pledge of Pledged Revenues as provided in the Resolution, or the collection or receipt by the City of any material portion of the Sales Tax Revenues or Non-Ad Valorem Revenues.

8. Neither the corporate existence or boundaries of the City nor the title of any of the present members of the City Council and officials thereof to their respective offices is being contested.

The foregoing opinions are subject to the following exceptions, qualifications and limitations:

Remedies Opinion Qualification:

The opinions regarding enforceability of the Bond that are contained in paragraph 3 above are limited by:

1. bankruptcy, insolvency, reorganization, moratorium, fraudulent conveyance and transfer, and similar law affecting the rights and remedies of creditors generally (the "Bankruptcy Exception"); and

2. general principles of equity, regardless of whether such enforceability is considered in a proceeding at law or in equity (the "Equitable Principles Limitation").

In addition, certain of the provisions of the Bond might not be enforceable; nevertheless, subject to the Bankruptcy Exception and the Equitable Principles Limitation, such unenforceability: (i) will not render the Bond invalid as a whole, or (ii) substantially interfere with the practical realization of the principal benefits purported to be provided by the Bond.

Applicable Law Qualification:

The following federal and Florida laws, rules and regulations are expressly excluded

from the scope of this opinion letter: laws, rules and regulations that are defined as the Excluded Laws in the "Common Elements of Opinions-Limitations to Laws of Specific Jurisdictions or to Substantive Areas of Law; Excluded Areas of Law" section of the Report.

Other Matters:

I do not express any opinion as to the laws of any jurisdiction other than the State of Florida.

This opinion letter is furnished to you solely for your benefit in connection with the referenced matter and may not be relied upon by any other party without my prior written consent in each instance. Further, copies of this opinion letter may not be furnished to any other party, nor may any portion of this opinion letter be quoted, circulated or referred to in any other document without my prior written consent in each instance.

This opinion letter speaks only as of the date hereof. I assume no obligation to update or supplement this opinion letter if any applicable laws change after the date of this opinion letter or if I become aware after the date of this opinion letter of any facts or other developments, whether existing before or first arising after the date hereof, that might change the opinions expressed above.

Respectfully submitted,

Jonathan T. Holloway

cc: City Clerk

CITY OF CRESTVIEW

Item # 11.2.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Resolution

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	
DATE:	1/22/2020
SUBJECT:	Resolution of Support of Okaloosa County Resolution 2019-211 Second Amendment Safe-Haven

BACKGROUND:

On December 17, 2019 the Okaloosa County Commission adopted a resolution declaring Okaloosa County a Second Amendment Safe-Haven.

The purpose of this resolution was to demonstrate that the Commission is a strong proponent of gun rights and the Second Amendment of the U.S Constitution.

DISCUSSION:

In November of 2019, the City Manager and Mayor were contacted by a local business owner with a request to meet with the a representative from the Gun Owners of America.

The representative presented to the Mayor and Manager a proposal to adopt a "Second Amendment Sanctuary City" resolution.

Following the meeting with the GOA representative and before a resolution was adopted Commissioner Fountain presented a similar resolution to the County Commission. The Resolution was adopted by the board on December 17th.

After a careful review of the County's Resolution, the Mayor and Manager have agreed that, should the City Council deem it appropriate, a resolution of support of the action taken by the county would be the best way to show support of this very important constitutional right.

The Manager recommend that Council review the attached county Resolution and if agreeable, pass Resolution 20-04 supporting their decision and declaring the City as a Second Amendment Safe-Haven as well.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Communication- To engage, inform and educate public and staff

Quality of Life- these six areas focus on the overall experience when provided by the city.
Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

This item has no immediate financial impact.

RECOMMENDED ACTION

Staff respectively requests City Council approval of Resolution 20-04 supporting County Resolution 2019-211 and declaring the City of Crestview a Second Amendment Safe Haven City.

Attachments

1. Resolution - 19-211 - Meeting Date - 12-17-2019 - Desc. DECLARING OKALOOSA COUNTY A SECOND AMENDMENT SAFE-HAVEN

RESOLUTION: 2020-4

A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA SUPPORTING THE OKALOOSA COUNTY COMMISSION'S ADOPTION OF RESOLUTION 2019-xxx DECLARING OKALOOSA COUNTY A "SECOND AMENDMENT SAFE-HAVEN", AND DECLARING THE CITY OF CRESTVIEW A "SECOND AMENDMENT SAFE-HAVEN CITY; PROHIBITING THE USE CITY FUNDS ALLOCATED TO THE CRESTVIEW POLICE DEPARTMENT FOR THE USE OF MANPOWER, EQUIPMENT, OR ANY PUBLIC PROPERTY IN ANY ACTION RELATING TO FEDERAL LAW OR FEDERAL AGENCY DIRECTIVES OR REQUESTS FOR ASSISTANCE IN COLLECTING, SEIZING, OR CATALOGING PERSONAL FIREARMS OF COUNTY GUN OWNERS; AND OPPOSING ANY STATE OR FEDERAL LEGISLATION DESIGNED TO RESTRICT THE OWNERSHIP AND POSSESSION OF ANY SEMI-AUTOMATIC RIFLES OR SHOTGUNS TO INCLUDE THOSE "MISLABELED" AS "ASSAULT-WEAPONS"; SUPPORTING OUR MILITARY PERSONNEL BEING ARMED; AND MAKING OTHER LEGISLATIVE AMENDMENTS AND RECOMMENDATIONS.

WHEREAS, the Constitution of the United States rules supreme and its 2nd Amendment states, "a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed" and the U.S. Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed the Second Amendment right to keep and bear arms is not connected in any way to service in a militia; and in the U.S. Supreme Court in United States v. Miller, 307 U.S. 174 (1939), stated that firearms that are part of ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment; and

WHEREAS, the U.S. Supreme Court found in Miranda v. Arizona, 384 U.S. 436 (1966), that, "where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them"; and the Fourteenth Amendment to the Constitution states, "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"; and

WHEREAS, the U.S. Supreme Court found in Printz v. United States, 521 U.S. 898 (1997), that the Federal government cannot compel law enforcement officers of the States to enforce federal laws as it would increase the power of the Federal government far beyond that which the Constitution intended; and

WHEREAS, the Okaloosa County Commission adopted a Resolution declaring Okaloosa County a Second Amendment Safe-Haven County; and

WHEREAS, the City Council is resolved to support this decision and to declare that the City of Crestview will be a Second Amendment Safe-Haven; and

NOW THEREFORE, BE IT RESOLVED AND DECLARED by the City of Crestview City Council as follows:

Section 1. The above recitals are true and correct and incorporated in this Resolution.

Section 2. The Council hereby resolves to support the Okaloosa County commission's decision to be a Second Amendment Safe-Haven in order to preserve for the people of and in Okaloosa County, their rights guaranteed by the Constitution of the United States of America and the State of Florida, and encourages all citizens and visitors to purchase firearms lawfully and arm themselves under state law in order to defend life, limb, and property; to practice firearms sport and recreation; and ensure our country remains free of the tyranny of an oppressive, unconstitutional government.

Section 3. The Council hereby declares the City of Crestview to be a Second Amendment Safe-Haven City.

Section 4. This resolution shall become effective upon adoption

Duly Adopted, This 27th day of January, 2020.

By:_____
Mayor J.B. Whitten

Attest:

_____
Elizabeth Roy, City Clerk

BOARD OF COUNTY COMMISSIONERS
AGENDA REQUEST

DATE: December 17, 2019
TO: Honorable Chairman and Members of the Board
SUBJECT: Resolution declaring Okaloosa County a Second Amendment Safe-Haven

---

STATEMENT OF ISSUE: Staff requests Board approval of a Resolution declaring Okaloosa County a Second Amendment Safe-Haven.

BACKGROUND AND ANALYSIS: In spite of extensive recent discussions and much legislative action with respect to regulation of the purchase, possession, and transportation of firearms, as well as proposals to substantially curtail ownership of firearms, there is no definitive resolution by the courts of just what right the Second Amendment protects. Okaloosa County and specifically the Board of County Commissioners are strong proponents of gun rights and the Second Amendment of the U.S. Constitution which fully protects those rights. In times of political correctness, and in an age where Safe-Havens of varies types are declared, the Okaloosa County Commission wants to publicly declare to its citizens and the world that gun rights are protected within our County.

OPTIONS: Approve/Disapprove a Resolution declaring Okaloosa County a "Second Amendment Safe-Haven".

RECOMMENDATION: Motion to approve the Resolution Declaring Okaloosa County a Second amendment safe-haven.

RESOLUTION 2019-**211**

A RESOLUTION OF THE OKALOOSA COUNTY BOARD OF COUNTY COMMISSIONERS DECLARING OKALOOSA COUNTY A "SECOND AMENDMENT SAFE-HAVEN" SUPPORTING ITS LEGAL CITIZENS RIGHT TO KEEP AND BEAR ARMS UNDER THE SECOND AMENDMENT; PROHIBITING THE USE OF COUNTY FUNDS GIVEN TO THE SHERIFF FOR THE USE OF MANPOWER, EQUIPMENT, OR ANY PUBLIC PROPERTY IN ANY ACTION RELATING TO FEDERAL LAW OR FEDERAL AGENCY DIRECTIVES OR REQUESTS FOR ASSISTANCE IN COLLECTING, SEIZING, OR CATALOGING PERSONAL FIREARMS OF COUNTY GUN OWNERS; AND OPPOSING ANY STATE OR FEDERAL LEGISLATION DESIGNED TO RESTRICT THE OWNERSHIP AND POSSESSION OF ANY SEMI-AUTOMATIC RIFLES OR SHOTGUNS TO INCLUDE THOSE "MISLABELED" AS "ASSAULT-WEAPONS"; SUPPORTING OUR MILITARY PERSONNEL BEING ARMED; AND MAKING OTHER LEGISLATIVE AMENDMENTS AND RECOMMENDATIONS.

WHEREAS, the Constitution of the United States rules supreme and its 2nd Amendment states, "a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed" and the U.S. Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed the Second Amendment right to keep and bear arms is not connected in any way to service in a militia; and in the U.S. Supreme Court in United States v. Miller, 307 U.S. 174 (1939), stated that firearms that are part of ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment; and

WHEREAS, the U.S. Supreme Court found in Miranda v. Arizona, 384 U.S. 436 (1966), that, "where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them"; and the Fourteenth Amendment to the Constitution states, "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"; and

WHEREAS, the U.S. Supreme Court found in Printz v. United States, 521 U.S. 898 (1997), that the Federal government cannot compel law enforcement officers of the States to enforce federal laws as it would increase the power of the Federal government far beyond that which the Constitution intended; and

WHEREAS, the United States of America stands unique in all the world in the ability to protect ourselves, absent the role of government if required, due to our right to own and bear

firearms, and it's historical knowledge that during WWII, the Empire of Japan and Nazi Germany feared invading our nation's physical borders as they were concerned about heavy casualties because of the armed citizen population and their will to fight; and

WHEREAS, a national and state debate over firearms has become dangerously close to eroding the rights of our citizens to keep and bear firearms; the government by and through unconstitutional federal and state legislation intended to limit or restrict aforementioned privileges, is attempting to ban common semi-automatic rifles just because of appearance, not function, and further restrict the ability of a person reaching the age of 18 years of age to purchase, own, and bear any firearm in this county and state; and

WHEREAS, the Okaloosa Board of County Commissioners are charged with the legislative authority to appropriate and confer the authority to expend county funds, including the funding of law enforcement services though the Okaloosa County Sheriff's Office, and finds that expending county funds, manpower, and equipment for any unconstitutional enforcement operations or activities such as seizing, collecting, recording, or otherwise using Sheriff's personnel, equipment or property to interfere with the constitutional possession of firearms by the citizenry of Okaloosa County to be an inappropriate and unlawful use of public funds; and

WHEREAS, the Okaloosa Board of County Commissioners stand in support of the citizens of our county to arm themselves both in the protection of their freedom, persons, property, and in order to assist the Sheriff of the county under his authority found in Chapter 30, Florida Statutes to call up the common citizenry in order to keep or restore peace, to do so with any firearm including handguns, shotguns, and semi-automatic rifles including AR-15s and Mini-14s, regardless of their appearance or magazine capacity, and in order to stand against the takeover of our nation by a rogue and unconstitutional government; and

NOW THEREFORE, BE IT RESOLVED AND DECLARED by the Board of County Commissioners of Okaloosa County, Florida, (Board) as follows:

Section 1. The above recitals are true and correct and incorporated in this Resolution.

Section 2. The Board hereby declares **Okaloosa County to be a Second Amendment Safe-Haven** in order to preserve for the people of and in Okaloosa County, their rights guaranteed by the Constitution of the United States of America and the State of Florida, and encourages all citizens and visitors to purchase firearms lawfully and arm themselves under state law in order to defend life, limb, and property; to practice firearms sport and recreation; and ensure our country remains free of the tyranny of an oppressive, unconstitutional government.

Section 3. Through the legislative powers of the purse, The Board places the Sheriff of Okaloosa County on notice that appropriated funds paid to the Sheriff from the county treasury shall not be used to conduct enforcement actions related to the confiscation, collection, storage, or cataloging of firearms owned or possessed by county citizens by new legislation or administrative orders of the federal or state government merely because of such constitutional ownership or possession of a firearm by its lawful citizenry, and without

guaranteed due process of law i.e. protective orders, lawful forfeitures, and other orders of the court.

Section 4. The Board requests and encourages the Florida Legislature to amend Chapter 90.505, Florida Statutes, to remove all authority of federal officers or agents to make arrests on state charges related to firearm violations unless there is a foundational criminal predicate other than merely purchasing, possessing, or using firearms under the protections guaranteed by the United States and Florida Constitutions, and remove state "peace officer status" protections afforded federal officers or agents in any action relating to firearms that violate these afforded protections to our gun owners; and the passage of a state law that will close the loophole that would allow a foreign national to purchase any firearm in the State of Florida, regardless of the issuance of a state hunting license.

Section 5. The Board requests and encourages the Florida Legislature to amend Chapter 790.065(3), Florida Statutes, restoring the absolute right of our citizens between the age of 18 to 21 to lawfully purchase firearms, and settle swiftly the federal lawsuit between the National Rifle Association (NRA) and the State of Florida, as such provision passed as part of the Marjory Stoneman Douglas School Protection Act was unconstitutional and a poor policy decision that did nothing to protect schools but instead prohibited the constitutional right of lawful adults under the age of 21, who could otherwise vote, serve in the military or as a police officer, to arm and protect themselves and their families while enjoying the historical connection to gun ownership with sport and recreation.

Section 6. Due to the increased violence and security breaches on US military installations and our reverence and respect for our military personnel, the Board supports the provisions of Amendment 1536 to the National Security Act signed into law in 2016 that authorizes all base commanders to allow military personnel to carry firearms while on base property. The Board further encourages the commanding offices of all military installations/bases/facilities located within the confines of Okaloosa County to approve military personnel who meet Florida's concealed weapon permit requirements and maintain an active concealed firearms permit to carry firearms on their bases on and off duty, as our state law allows off base property.

Section 7. In placing an emphasis on protecting our children, the Board will continue to support Florida's "Guardian Program" in the Okaloosa County Schools, and through the oversight and training by the Sheriff of Okaloosa County, support arming teachers and administrators who meet the requirements set out in Florida law; and will continue supporting the constitutional right of our county commission employees to protect themselves and others through county policies allowing concealed carry by employees pursuant to state law.

Section 8. The Board hereby commits to assist the county citizenry in any manner legally possible and appropriate to oppose further erosion of the constitutional right to bear, possess, sale, transfer or use firearms. The Board sends a clear message to the Florida State

Legislature and the United States Congress to cease political and policy activities designed to limit or reduce this most fundamental God-given right of self-protection; opposes all current and future bills that adds more red-tape, regulation, or restrictions on the purchasing and carrying of firearms including all semi-automatic rifles.

Section 9. The Board encourages our business community to remove all "gun free zones" that give criminals advantage over their patrons, and encourages all lawful citizens of the United States living, working, and visiting Okaloosa County to arm and protect themselves as well as use firearms for sport and hunting etc. and commits its continued support to educate and train gun owners through concealed firearms permit, personal safety, and lawful use of force training programs offered by the County Sheriff.

Section 10. A copy of this Resolution shall be spread upon the Minutes of this meeting, and provided to members of the Okaloosa County Federal and State Legislative Delegations, the leadership of both institutions, the President of the United States and Governor and Cabinet of Florida, and Military Commanders within the county.

Section 11. This Resolution shall become effective upon adoption.

DULY ADOPTED, this 17th day of December, 2019.

BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA

By: Charles K. Windes, Jr.
Chairman, Board of County Commissioners

SEAL

ATTEST:

J.D. Peacock II, Clerk and Comptroller

APPROVED AS TO FORM:

Lynn M. Hoshihara, County Attorney

CITY OF CRESTVIEW Item # 12.1.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Tim Bolduc, City Manager
DATE:	1/22/2020
SUBJECT:	Ordinance 1738 - Amending Chapter 18 of the Code of Ordinances establishing Article IV- Remote Motor Vehicle Sales

BACKGROUND:

Article XXIV was adopted through Ordinance 1674 on January 14, 2019. The drafting of Ordinance 1674 was to address the concerns of business owners who have invested in "brick and mortar" locations within the city while allowing for itinerant vendor sales provided the applicant can meet various standards. The purpose of the ordinance is stated as follows;

(1)To aid and encourage small business development and entrepreneurialism, while protecting the interests of established "brick and mortar" businesses.

(2)To ensure that itinerant Vending locations are appropriate and will not create any unsafe or unsanitary condition nor put undue strain on nearby "brick and mortar" establishments.

(3)To ensure that the parking of vending vehicles or the placement of equipment, merchandise and any wares, will not adversely affect the public amenity and/or the aesthetics and functionality of the streetscape area.

(4)To protect the health, safety, and welfare of all citizens of and visitors to Crestview.

Itinerant vendor sales in the City of Crestview include but are not limited to; seasonal sales such as Christmas Trees and fireworks, food trucks, and vehicle sales.

Following the adoption of Ordinance 1674, the majority of Cities within Okaloosa County adopted a "model" ordinance to create consistency dealing with remote vehicle sales throughout the County.

DISCUSSION:

Adoption of Ordinance 1738 will amend Chapter 18 of the City of Crestview Code of Ordinance to create Article IV Remote Motor Vehicle Sales.

The current itinerant vendor regulations as adopted in Ordinance 1674 were located in the Land Development Code. These regulations were enacted to address all variations of temporary vendors and seasonal sales opportunities.

With the County's recent adoption of an ordinance specifically aimed at addressing the remote sales of motor vehicles, it warranted another look at how the City addresses this issue. Unlike the other categories of itinerant vendor sales, automotive sales pose a potentially harmful after impact on our residents and business owners. The two primary differences are as follows;

1. When an auto sale is made, it is typically a costly and long lasting purchase. When a vehicle is purchased by a vendor that does not have an established business in the City, it makes it very difficult for the purchaser to locate the company and get resolution should a problem arise.
2. As mentioned to the County Commission when they reviewed this issue, the advertisement process used with these remote sales can be not only misleading but also may target a specific sector of our community that may be subject to succumb to a high pressure sales process with little or no followup after the sale.

In addition to the above, established dealerships in the City can suffer from these temporary remote sales. They lose business during these events and are often left trying to help the purchaser deal with issues with the new vehicle.

With the adoption of Ordinance 1738 no remote auto sales will be permitted unless the sale is being hosted by a business who is engaging in autos sales, has a license to do so, and is already located at a commercial property within the city limits.

The adoption of this Ordinance will further create consistency throughout the county as it relates to this type of activity. This code section shall supersede any conflicting regulations or permitting processes in the current code.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

Adoption of Ordinance 1738 will have little direct impact on the City of Crestview.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1738 on Second Reading.

Attachments

1. Ordinance No. 1674 itinerant vendors

ORDINANCE:

ORDINANCE 1738

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA; AMENDING CHAPTER 18 TO CREATE ARTICLE IV REMOTE MOTOR VEHICLE SALES A NEW ARTICLE OF THE CITY OF CRESTVIEW CODE OF ORDINANCES; REGULATING REMOTE SALES OF MOTOR VEHICLES UNLESS CONDUCTED BY A BUSINESS WITHIN THE CITY OF CRESTVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there has been an increased occurrence of remote motor vehicle sales within the City of Crestview; and

WHEREAS, these events are conducted on property by individuals and entities which have no established business within the boundaries of the City of Crestview; and

WHEREAS, the individuals and entities which conduct these transactions normally depart the area after completion of the event and there is limited or no ability for purchasers of the motor vehicles to seek necessary information and recourse from the sellers; and

WHEREAS, sales conducted by a business, individuals, and entities which have an established business within the City of Crestview provides a meaningful opportunity for the purchaser or seller to seek recourse in the event that problems occur as to the vehicle; and

WHEREAS, the City of Crestview wishes to create consistency within the county on the regulation of remote motor vehicle sales.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2. AMENDMENT.

Chapter 18 Article IV Remote Motor Vehicle Sales. Section 18-100- Short Title, Section 18-101 Scope, Section 18-102 Definitions, Section 18-103 Prohibited Actions, Section 18-104 Penalties for Violations, Sections 105-110 Reserved, of the City of Crestview Code of Ordinances is hereby created as follows;

<u>CHAPTER 18, ARTICLE IV, REMOTE MOTOR VEHICLE SALES</u>

Sec. 18-100. - Short Title.

This article shall be known and may be cited as the "Remote Motor Vehicle Sale Regulatory Ordinance of the City of Crestview, Florida" and shall be applicable within the incorporated area of the City of Crestview.

Sec. 18-101. - Scope.

This article is not intended to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws, ordinances, or codes. Where this article imposes restriction upon any persons, premises or personal property greater than that imposed or required by other laws or ordinances, the provisions of this article shall control.

Sec. 18-102. - Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Licensed Dealership means a premise which the primary endeavor is the sale of new or used motor vehicles.

Motor Vehicle means a new or used automobile or truck.

Permanent Motor Vehicle Sales Business means a business which operates out of a structure and has paid the Local Business Tax authorized under Florida Statutes, for that location.

Person means and includes natural persons, partnerships, joint ventures, trusts or corporations, or any officers, agents, employees of any kind or personal representatives of any thereof, in any capacity, acting either for himself, or for any other person.

Premises means and includes all lands, structures, places, and also any equipment and appurtenances connected to or used therewith in any business, or as is otherwise used in connection with any business conducted on such premises.

Sec. 18-103. — Prohibited Actions.

It shall be unlawful for any person, either directly or indirectly, to conduct a sale of a motor vehicle, regardless of whether it is new or used, at a site which is not the location of the permanent motor vehicle sale business, unless it is conducted by a licensed dealership with a permanent sales location within the jurisdictional boundaries of the City of Crestview.

This prohibition shall not apply to the sale of a motor vehicle by a person at a location other than the individual's residence for which the motor vehicle is individually titled to that person (not including titled as part of a dealership or commercial business) provided no person shall sell more than three (3) such motor vehicles per year.

Sec. 18-104. - Penalties for violations.

A violation of the provisions this Article may be enforced by the Code Compliance Division of the City of Crestview.

Secs. 18-105 – 18-110. - Reserved.

SECTION 3. SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4. SCIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 5. ORDINANCE TO BE LIBERALLY CONSTRUED. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6. REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective in accordance with the law.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

_____

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

_____

JB Whitten
Mayor

ORDINANCE NO. 1674

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR THE AMENDMENT OF CHAPTER 102 OF THE CODE OF ORDINANCES, CITY OF CRESTVIEW, FLORIDA, BY ADDING ARTICLE XXIV, ITINERANT VENDORS, MOBILE FOOD VENDORS, PEDDLERS & SOLICITORS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Crestview to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Sections 163.3202, 166.021 *Florida Statutes*, provides that the City of Crestview shall adopt and enforce land development regulations for the purposes of implementing its comprehensive plan and protecting the public's health, safety, and general welfare; and

WHEREAS, the City Council of the City of Crestview finds it is in the best interest and welfare of the citizens of the City to enact this ordinance; and

WHEREAS, the City of Crestview has complied with all requirements and procedures of 166.041 Florida Statutes and Florida law in processing and advertising this Ordinance; and

WHEREAS, the City of Crestview seeks to encourage business development, for small-business owners and entrepreneurs; and

WHEREAS, it is necessary to avoid the creation of adverse traffic, pedestrian and public health and safety conditions, particularly on routes where the dominant function is the safe movement of vehicular traffic; and

WHEREAS, it is necessary to regulate the level and intensity of Vendor activities on roads and other public places to ensure that the site is retained for its primary purpose; and

WHEREAS, the City of Crestview seeks to accommodate appropriate Vendor activities in order to provide services that enhance the visitor/resident experience.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is contained in Chapter 166.021, F.S. and Section 1.01, City Charter.

SECTION 2. That Chapter 102 of the Code of Ordinances, City of Crestview, Florida, is hereby amended by adding Article XXIV, Itinerant Vendors, Mobile Food Vendors, Peddlers & Solicitors, which said Article shall read as follows:

ARTICLE XXIV.

ITINERANT VENDORS, MOBILE FOOD VENDORS, PEDDLERS & SOLICITORS

Sec. 102-600. Purpose and Intent.

(a) The purpose of this Article is to establish regulations for the location, approval and permitting of Itinerant Vendors, Mobile Food Vendors, Peddlers & Solicitors. These administrative regulations are intended to provide orderly and effective management of temporary land use.

(b) The Intent of this Article is multifaceted and seeks to address the many concerns associated with Itinerant Vending. The following objectives apply:

(1) To aid and encourage small business development and entrepreneurialism, while protecting the interests of established "brick and mortar" businesses.

(2) To ensure that itinerant Vending locations are appropriate and will not create any unsafe or unsanitary condition nor put undue strain on nearby "brick and mortar" establishments.

(3) To ensure that the parking of Vending vehicles or the placement of equipment, merchandise and any wares, will not adversely affect the public amenity and/or the aesthetics and functionality of the streetscape area.

(4) To protect the health, safety, and welfare of all citizens of and visitors to Crestview.

Sec. 102-601. Definitions.

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

Commissary – A public food service establishment licensed by the division or a food establishment permitted by the Department of Agriculture and Consumer Services, which is utilized by a mobile food dispensing vehicle for the purpose of providing all required support services, including potable water and wastewater disposal that are not available on the mobile food dispensing vehicle. (61-C-0001 FAC).

Division – refers to the Division of Hotels and Restaurants of the Florida Department of Business and Professional Regulations.

Food Code – This term as used in Chapters 61C-1, 61C-3 and 61C-4, F.A.C., means paragraph 1-201.10(B), Chapter 2, Chapter 3, Chapter 4, Chapter 5, Chapter 6, Chapter 7, and Sections 8-103.11 and 8-103.12 of the Food Code, 2009 Recommendations of the United States Public Health Service/Food and Drug Administration including Annex 3: Public Health Reasons/Administrative Guidelines; Annex 5: Conducting Risk-based Inspections), herein adopted by reference. A copy of the Food Code, as adopted by the division, is available on the division's Internet website www.MyFloridaLicense.com/dbpr/hr. A copy of the entire Food Code is available on the U.S. Food and Drug Administration Internet website. Printed copies of the entire Food Code are available through the National Technical Information Service, 5301 Shawnee Road, Alexandria, VA 22312.

Food establishment – As utilized in the Food Code, this term shall apply to public lodging establishments and food service establishments as defined in Chapter 509, F.S., according to the context of the applicable rule language.

Itinerant Vendor means any and all persons, firms and corporations, as well as their agents and employees, who engage in the temporary and/or transient business which offers services, merchandise, wares, goods, and/or other articles for purchase from one or more stationary or mobile locations and who, for the purpose of carrying on such business may rent, lease, hire, or otherwise occupy a space in any building, structure or occupy any area on a lot or parcel of land or who occupies a vehicle, self-propelled or otherwise, through which any services, merchandise, wares, goods, and/or other articles, may be traded, bartered, sold, offered for sale, or exhibited for sale within the City.

Itinerant Vending Operations – is a term used in this Article that generally refers to the Itinerant Vending categories as a whole with respect to certain site requirements or components of an Itinerant Vending use.

Mobile Food Vendor means any Itinerant Vendor, which travels by self-propelled or non-self-propelled vehicle, trailer, wagon, or any other conveyance, from place to place, or from street to street, carrying, conveying or transporting edible goods, such as meats, fish, vegetables, fruit, or other, which are sold, offered for sale, and/or exhibited for sale. The term Mobile Food Vendor includes but is not limited to the terms lunch wagon, cart, ice cream truck, mobile food truck and others.

Peddler means any person who carries from place to place any goods wares or merchandise which may be sold, is exhibited for sale, and may or may not be immediately delivered, or bartered the same, shall be deemed to be a Peddler. All persons who do not keep a regular place of business, open at all times during regular business hours and at the same place, who shall offer for sale goods, wares and merchandise, shall be deemed Peddlers under this Article. All persons who keep a regular place of business, open at all times in regular business hours and at the same place, who shall, elsewhere than at such regular place of business, personally or through their agents, offer for sale or sell and, at the time of such offering for sale, deliver goods, wares and merchandise, shall also be deemed Peddlers as above.

Premises – The public food service or lodging establishment and the contiguous land or property under the control of the operator. The property may include all yards, alleys, driveways, sidewalks, and other exterior portions of the licensed premises.

Public food service establishments, as defined in Section 509.013(5), F.S., are licensed in accordance with the following classifications and requirements:

Non- seating -

a) Permanent – Permanent non-seating establishments are classified as those fixed public food service establishments for which the sole service provided is intended as take-out or delivery, or which do not otherwise provide accommodations for consumption of food by guests on the premises, or premises under the control of the operator. For the purposes of this section, establishments located at food courts and malls are classified in this manner as long as seating is not provided within the premises of the establishment itself.

b) Mobile food dispensing vehicle – Mobile food dispensing vehicles are classified as any vehicle mounted public food service establishments which are self-propelled or otherwise movable from place to place and include self-contained utilities, such as gas, water, electricity and liquid waste disposal.

c) Caterer – Caterers are classified as any public food service establishments where food or drink is prepared for service elsewhere in response to an agreed upon contract for a function or event. The term includes catering kitchens. For the purpose of this rule, the term "caterer" does not include those establishments licensed pursuant to chapter 500 or 381, F.S., or any other location where food is provided or displayed for sale by the individual meal. A licensed public food service establishment that also provides catering services is not required to hold a separate catering license from the division. Caterers

must meet all applicable standards of a public food service establishment as provided in rules 61C-1.004, 61C-4.010 and 61C-4.023, F.A.C. Separate independent caterers utilizing the equipment or premises of a licensed public food service establishment are deemed operators as defined by section 509.013(2), F.S., of such public food service establishment and subject to all applicable requirements of law and rule.

Temporary public food service establishments and vendors.

a) Temporary public food service establishments are classified as those establishments operated at temporary food service events as defined in section 509.013(8), F.S. If upon inspection the temporary public food service establishment does not meet minimum sanitation standards as provided in chapters 61C-1 and 61C-4, F.A.C., food service operations shall be discontinued until corrections are complete and verified by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

b) Public food service establishments that have a current license may operate one facility at a temporary event as part of the existing license. Each additional facility operated by the same licensee must acquire a separate temporary food service event license.

Self-sufficient mobile food dispensing vehicle – A public food service establishment classified as a mobile food dispensing vehicle that contains, as part of the vehicle, a three compartment sink for washing, rinsing, and sanitizing equipment and utensils; a separate hand wash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP gas, or a portable power generation unit; a potable water holding tank; and a liquid waste disposal system in accordance with Subparts 5-3 and 5-4 of the Food Code.

Solicitation means a request, directly or indirectly, for money, property, financial assistance, or any other thing of value on the plea or representation that such money, property, financial assistance, or other thing of value or a portion of it will be used for a charitable or sponsor purpose or will benefit a charitable organization or sponsor. The term includes, but is not limited to, the following methods of requesting or securing the promise, pledge, or grant of money, property, financial assistance, or any other thing of value:

a) Making any oral or written request;

b) Making any announcement to the press, on radio or television, by telephone or telegraph, or by any other communication device concerning an appeal or campaign by or for any charitable organization or sponsor or for any charitable or sponsor purpose;

c) Distributing, circulating, posting, or publishing any handbill, written advertisement, or other publication that directly or by implication seeks to obtain any contribution; or

d) Selling or offering or attempting to sell any advertisement, advertising space, book, card, coupon, chance, device, magazine, membership, merchandise, subscription, sponsorship, flower, admission, ticket, food, or other service or tangible good, item, or thing of value, or any right of any description in connection with which any appeal is made for any charitable organization or sponsor or charitable or sponsor purpose, or when the name of any charitable organization or sponsor is used or referred to in any such appeal as an inducement or reason for making the sale or when, in connection with the sale or offer or attempt to sell, any statement is made that all or part of the proceeds from the sale will be used for any charitable or sponsor purpose or will benefit any charitable organization or sponsor.

A solicitation is considered as having taken place regardless of whether the person making the solicitation receives any contribution. A solicitation does not occur when a person applies for a grant or an award to

the government or to an organization that is exempt from federal income taxation under s. 501(a) of the Internal Revenue Code and described in s. 501(c) of the Internal Revenue Code and is duly registered with the department.

Solicitor means any person, firm, or corporation as well as their agents and employees, who engage in any means of request, directly or indirectly, for money, property, financial assistance, or any other thing of value on the plea or representation that such money, property, financial assistance, or other thing of value or a portion of it will be used for a charitable purpose or will benefit a charitable organization or sponsor. The term shall also include, but is not limited to, taking or attempting to take orders for the sale of goods, wares or merchandise, subscriptions or personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of such sale or whether he is collecting advance payments on such sale or not; distributing, circulating, posting, or publishing any handbill, written advertisement, or other publication that directly or by implication seeks to obtain any contribution shall also be included in this term.

Temporary food service event – Any event of 30 or fewer consecutive days in duration, advertised and recognized in the community, where food is prepared, served, or sold to the general public.

Sec. 102-602. Itinerant Vendor, Peddler, Solicitor Compliance Certificate – Required.

(a) It shall be unlawful for any person, firm, or corporation, to engage in the business activities of Itinerant and/or Mobile Vending, Peddling or Solicitation, within the City of Crestview, without first registering with the City by obtaining an Itinerant Vendor, Peddler, and Solicitor Compliance Certificate.

(1) Any Itinerant Vendor, Peddler, a Solicitor wishing to engage in the business activities of itinerant and/or Mobile Vending, Peddling or Solicitation, within the City of Crestview, shall make application to the Growth Management Department on forms provided by the department.

(2) The Growth Management Department of the City of Crestview shall issue to any itinerant Vendor, Peddler, or Solicitor, a Compliance Certificate authorizing such Itinerant Vendor, Peddler, or Solicitor, to sell, exhibit for sale or offer for sale, in the City of Crestview, any goods, wares and merchandise only after such itinerant Vendor, Peddler, or Solicitor shall have fully complied with the provisions of this Article.

(b) The Itinerant Vendor, Peddler, and Solicitors Compliance Certificate shall be valid from October 1st to September 30th of the following year and shall be based on the type of Vending, Peddling, and/or soliciting each applicant is proposing and the time of year in which application is made. A base annual registration fee shall be established with regards to the following categories:

(1) Itinerant Vending Categories.

a. *Itinerant Auto Oriented Sales/Events* – This category includes the itinerant sales of self-propelled vehicles and non-self-propelled vehicle trailers, to include but not be limited to cars, trucks, fifth-wheel trailers, trailers, campers, off-road vehicles, motorcycles, dirt bikes, boats, ski-dos, jet-skis, and others. This category includes temporary auto consignment lots. This category does not include the one-time sale of a single vehicle by a resident of the City.

b. *Tent Sales* – This category includes itinerant sales of both seasonal and non-seasonal items which involve semi-mobile or stationary, temporary sales and sales events to include but not be limited to Christmas tree lots, firework stands,

home mercantile product sales, used merchandise, garage type sales (offsite of a parcel land on which the primary use is residential in nature), farmer's markets, and others. This does not include those temporary sales events conducted on the premises, including the parking lot, of established commercial enterprises, performed exclusively by the owner and/or operator of the commercial enterprise or with the expressed permission from said owner or operator by a commercial Vendor of new products which are sold within the commercial enterprise on the premises, within 15 feet of the primary structure.

c. *Mobile Vending Truck/Trailer* – This category specifically refers to those Itinerant Vendors that travel by either self-propelled vehicle or are otherwise pulled or moved by a self-propelled vehicle. This category also includes Mobile Food Dispensing Vehicles (MFDV's) including trucks and trailers which utilize either a water and sewer connections or a commissary at another location and ice cream trucks.

d. *Mobile Food Cart* – is synonymous with push cart, hand cart, hand-drawn cart, and hot dog stand/cart and are a class of MFDV. Push carts are any variety of small, light, non-motorized, self-propelled units, which are moved by hand and are used exclusively for the retail sales of flowers, plant, fruits, vegetables, beverages, pre-packaged food stuffs, hot dogs, sausages, and ice cream.

(c) Back Ground Investigation.

(1) Each applicant for an Itinerant Vendor, Peddler, and Solicitor Compliance Certificate shall agree, when making application, to submit to a limited background investigation. Upon receipt of such application, a copy shall be transmitted to the Chief of Police who shall make the following type investigations:

a. *Commercial activities*. The Chief of Police or designee shall cause an investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public health, safety, and welfare. The applicant shall include any and all employee information as deemed necessary by the Chief of Police.

b. A copy of all Vendor's, Solicitor's or Peddler's application must be submitted to the Chief of Police for approval.

(d) Applicants for a Compliance Certificate under this Article must file with the Growth Management Department a signed application which shall give the following information:

(1) Name of the applicant and of each person who owns 10 percent or more of the outstanding stock or equity interest in the licensed activity.

(2) A valid driver's license.

(3) The applicants' vehicles' make, model, color and tag number if applicable.

(4) Permanent home address, valid telephone number and email address of the applicant.

(5) The applicant shall provide their federal employer identification number and sales tax identification number.

(6) The address or parcel identification number of the planned Vending site, including the property owner's name and telephone number.

(7) A notarized statement from the property owner(s) that the temporary use is allowed on the property. The statement must include the temporary use dates (including setup and

take-down), location, description type and the name of the business and representative designated by the property owner.

(8) A brief description of the nature of the business and the goods, food or beverages to be sold.

(9) The address of the commissary, if applicable.

Sec. 102-603. Temporary Vending Permit – Required.

It shall be unlawful for any person, firm, or corporation, to engage in the business activities of Itinerant and/or Mobile Vending, Peddling or Solicitation, within the City of Crestview, without first obtaining a Temporary Vending Permit.

(a) A Temporary Vending Permit shall be issued upon such conditions as the Growth Management Department may reasonably require, assuring compliance with the City of Crestview's Code of Ordinances.

(1) All applications received for a particular location will be processed on a first come first serve basis. Any subsequent applications received may be issued once the prior applicant has vacated the premises.

(2) A Compliance Certificate shall have been obtained prior to issuance of a Temporary Vending Permit.

(3) All Vendors must adhere to all applicable State and Local laws.

(b) Applicants for permit under this Article must file a signed application with the Growth Management Department. The application shall provide sufficient information to determine if the proposed site and temporary activity comply with this Article and other provisions of the Code of Ordinances.

(c) In addition to the application, all applicants shall submit:

(1) Copies of all applicable State licenses.

(2) Insurance.

a. Proof of general liability insurance, such proof in a form acceptable to the City, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, which may arise from operations under or in connection with the Vendor's activity.

b. For all motorized Mobile Vending units, proof of auto liability insurance, such proof in a form acceptable to the City, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, which may arise from the use of a motor vehicle in connection with Mobile Vending and shall be in an amount no less than $1,000,000 per occurrence.

c. A signed and notarized hold-harmless agreement (form to be provided by City).

(3) A Site plan, accurate drawing or pictorial representation of the property to be used, rented, or leased for the temporary Vending use, which shall include the following:

a. All existing and proposed structures on-site,

b. The structural dimensions and locations in relation to property lines,

c. The zoning district setback lines,

d. Locations of temporary sanitary facilities (Port-o-lets) and waste disposal,

e. Parking areas,

f. Signage, and

g. The means of ingress and egress for vehicular and pedestrian traffic;

h. Any additional information necessary to accurately portray the property and to identify the area to be utilized for the event; and

i. A description of the proposed use.

j. Mobile Food Carts are exempt from this requirement.

(d) Door to Door Solicitors and Peddlers, in addition to Items 102-602(a) through 102-602(c) above, must provide:

(1) If employed, the name and address of the employer, together with credentials establishing the exact relationship.

(2) A valid driver's licenses for all drivers and related proof of insurance.

(3) The length of time and location for which the Solicitation or Peddling shall occur.

(4) A signed and notarized hold-harmless agreement (form to be provided by City).

(e) Itinerant Vending Permit Time-Frames.

(1) All applicable licensure, certificates and permits must be obtained prior to the installation of any temporary structures, lighting, signage, etc.

(2) The application for a Temporary Vending Permit for all uses shall be filed no less than twenty-one (21) days prior to the date on which the permit is to take effect.

(3) Duration of Temporary Vending Permit (TVP) by Itinerant Vendor Category.

a. Itinerant Auto Oriented Sales/Events - A TVP issued to an Itinerant Auto Oriented Sales/Event use, shall be valid for a maximum of fifteen (15) consecutive days, two (2) times per calendar year. Each 15-day period shall be separated by at least 30 days within the same calendar year. Dates of operation will include dates to assemble and dismantle equipment and/or structures.

b. Tent Sales - A TVP issued to an Itinerant Tent Sales use, shall be valid for a period not to exceed fifteen (15) consecutive days, three (3) times per calendar year. Dates of operation will include dates to assemble and dismantle equipment and/or structures.

c. Mobile Vending Truck/Trailer – A TVP issued to an Itinerant Mobile Vendor Truck/Trailer use, shall be valid for period of time not to exceed one year (365 days) from the date of issuance.

d. Mobile Food Cart – A TVP issued to an Itinerant Mobile Food Cart use, shall be valid for a period of time not to exceed one year (365 days) from the date of issuance.

e. Solicitors – A TVP issued to a Solicitor shall be valid for a period of time not to exceed one year (365 days) from the date of issuance.

Sec. 102-604. Regulations, Requirements, Site Restrictions.

(a) Use Restrictions.

(1) Temporary Vending operations and events shall only occur within Commercial (C-1 and C-2), Industrial (M-1) and Downtown Mixed Use (DMU) Zoning Districts.

(2) At no time shall any temporary Vending operations disrupt the flow of vehicular or pedestrian traffic on or off-site.

(3) Itinerant Auto Oriented Sales shall not be located on vacant and/or unimproved lands.

(4) Itinerant Auto Oriented Sales/Events and Tent Sales shall be limited to one temporary Vending permit per parcel of land at any given time.

(5) Itinerant Auto Oriented Sales/Events and Tent Sales, when located on any parcel of land or lot of record, with an existing primary use building or structure, shall be limited to one temporary Vending permit at any given time.

(6) Mobile Vending Trucks and trailers shall not be located on vacant and/or unimproved lands.

(7) There shall not be more than three Mobile Vending trucks and/or trailers on one parcel of land at any given time.

(8) Mobile Food Carts shall not be required to maintain the applicable zoning district yard regulations but at no time shall any Mobile Food Cart become stationary within any public right-of-way, obstruct any vision triangle, and/or obstruct or detract from any vehicular or pedestrian traffic flow.

(b) Site Requirements.

(1) At no time shall a Mobile Vending truck or trailer be closer than 10 feet to one another Mobile Vending truck or trailer on the same parcel of land.

(2) All Itinerant Vending operations shall maintain the applicable Zoning District setback standards, for the zoning district in which they are located.

(3) At no time shall any component of an itinerant Vending operation be located within 10 feet of any permanent structure onsite.

(c) Parking.

(1) At no time shall any temporary Vending operations restrict the number of parking spaces to a level below what is required by this Land Development Code for the permanent primary use onsite.

(2) Adequate parking areas, consistent with current zoning requirements for similar uses shall be maintained during such temporary Vending uses.

a. Parking spaces required to fulfill the minimum requirements of a principal use, on site or adjacent to the itinerant Vending use, as per section 102-151 of this Code may not be used by any Itinerant Vendor operation.

b. Parking shall only be allowed on designated parking areas identified on the approved site plan.

(3) No parking will be allowed on any public right-of-way.

(d) Traffic.

(1) Traffic generation shall not adversely impact the flow of traffic on an adjacent roadway.

(2) The use of any existing access drives on or connected to the property, parcel, or lot on which the itinerant Vending use is located is required.

(e) Temporary Structures.

(1) Only one temporary structure is allowed per permitted Itinerant Vending operation.

a. Itinerant Auto Oriented Sales/Events and Tent Sales shall be limited by the following:

1. The temporary structure may be a tent or a trailer that has been built as an office trailer.

i. Temporary structures do not include motor homes, camp trailers or the like.

2. The temporary structure may require a building permit to be obtained and subsequently require an inspection by the building and the fire department prior to operation.

(f) Sanitation.

(1) The Site shall be kept clean of all debris, trash, waste, or other unsightly condition.

(2) Temporary sanitary facilities (Port-o-lets), shall be kept in a clean and working order.

(g) Signage.

(1) Any Temporary signage shall be installed and maintained in compliance with Chapter 102 - Land Use Regulations, Article XVI Signs.

(h) Utilities.

(1) New temporary electrical poles shall not be provided. If one exists onsite it may be utilized for the temporary Vending operation, provided it meets the following requirements:

a. Any use of power from the main structure onsite shall be in accordance with the Florida Building and Life Safety Codes and

b. The use of electrical cords is prohibited.

(i) Additional Mobile Food Cart Requirements.

(1) Location.

a. Mobile Food Carts shall be permitted to operate in Commercial or Downtown Mixed Use zoning districts in the Downtown area, bounded by Bowers Avenue West to the south, by Ferdon Blvd. to the east, by James Lee Blvd. West to the north, and by Wilson Street to the west.

b. Mobile Food Carts shall only be located on properties where there is an existing use that is non-residential in nature.

c. Mobile Food Carts shall not be placed on an unimproved surface during the course of business.

d. Mobile Food Carts selling food and/or beverages shall not stop and conduct business within 100 feet of any indoor and/or outdoor eating establishment including another food cart.

e. No more than two (2) Mobile Food Carts shall be located on any block face at any given time except during organized and permitted events.

f. At no time, shall placement of a Mobile Food Cart impede pedestrian or vehicular traffic.

g. At no time, shall placement of a Mobile Food Cart deteriorate any pedestrian or vehicular site triangle.

h. At no time, shall Mobile Food Carts placement be in front of a buildings entrance, a fire hydrant, or emergency exit.

i. All applicable permits must be obtained prior to the installation of any temporary structure, lighting, signage, etc.

Sec. 102-605. Administration.

(a) Application shall be made to the Growth Management Department, on forms provided by the department, for a Compliance Certificate and a Temporary Vender Permit prior to any Itinerant Vending operation setup within the City limits.

(b) Upon approval of the Compliance Certificate application for operating as an Itinerant Vendor within the City limits, the applicant may submit a temporary use permit application for the specific location and timeframes for said operation.

(c) The Growth Management Department shall review the application the duration of the permit and specifying such conditions as to, location, parking, traffic, access and any other conditions of the activity that may be required for permit issuance.

Sec. 102-606. Denial or Revocation of Itinerant Vendor Compliance Certificate and/or Temporary Vending Permit.

(a) The Growth Management Department may revoke, suspend, or deny the issuance of any Itinerant Vending Compliance Certificate or Temporary Vending Permit if it is determined that an applicant has:

(1) Been convicted of or entered a plea of guilty or nolo contendere to, a crime against the laws of this state or any other state of the United States, involving moral turpitude, fraudulent or dishonest dealing, or the illegal use or sale of a controlled substance.

(2) Has obtained a permit by fraud, false statement, misrepresentation, or failure to truthfully answer any question in the required permit application.

(3) Has failed to obtain required approvals from the state or obtain any applicable permits or licenses.

(4) Upon finding imminent and hazardous threats to public health and safety caused by any use, the Growth Management Department may take reasonable steps to prevent public access thereto and to eliminate such hazard and may revoke or suspend a certificate permit.

(5) Not later than 10 days after the filing of a completed application for a Vendor's certificate, the applicant shall be notified by the Growth Management Department of the decision on the issuance or denial of the license. If the issuance of the license is approved, the Growth Management Department may issue a temporary use permit upon review of an application for said permit.

(6) If the temporary use permit is denied, the applicant shall be provided with a statement of the reasons therefor, which reasons shall be entered in writing on the application.

Sec. 102-607. Prohibitions.

(a) No Temporary Vending Permit shall be issued for any Itinerant Vendor operation in a Residential Zoning District.

(b) No Solicitor, Peddler or Vendor shall enter into any house, building or other structure or upon any land, parcel, lot, or property, without the prior consent of the owner or occupant thereof where there is placed or posted on the premises in a conspicuous position at or near the usual means of ingress or visible from such location, a sign or other form of notice stating or indicating that the owner or occupant thereof forbids or otherwise does not desire persons engaged in such or similar activity to enter upon the premises.

(c) No Solicitor or Vendor shall conduct themselves or their business in an unlawful manner or in such manner as to constitute a breach of peace, is offensive to public decency or can be considered menacing to the health, safety or general welfare of the public.

(d) It shall be unlawful for any person to sell or attempt to sell any commodity by means of Vending such commodity upon any street, sidewalk, public area, public right of way or private property in the City, without first obtaining a Compliance Certificate with the City and securing the required temporary Vending permit(s).

Sec. 102-608. Exemptions.

(b) The following activities are exempt from the provisions of the Article:

(1) Salesmen representing wholesale houses or distributors who sell to local retail merchants from catalogues or samples.

(2) Sales of goods, wares, food, or merchandise at festivals, carnivals, celebrations or other special events sponsored and/or permitted by the appropriate governing body or authority.

(3) The sale of privately owned and used merchandise, at garage or yard sales conducted on the privately owned or rented premises used as a residence by the seller of such goods.

(4) The sale of farm, aqua cultural, grove, horticultural, floricultural, tropical porciculture, or tropical fish farm products, or other products manufactured there from, except intoxicating liquors, wine, or beer.

(5) Sales of goods or merchandise purchased with donated funds or donated by the owners thereof, the proceeds whereof are to be applied to any charitable, not-for-profit, or philanthropic purpose.

(6) Minors conducting home Solicitation sales under the supervision of an adult, or Solicitors, salespersons, or agents making calls or soliciting orders on behalf of a religious, charitable, scientific, educational, or veterans' institution or other not-for-profit organization are exempt from this Article.

(7) Any public or nonprofit school which operates a carnival, fair, or other celebration, by whatever name known, which is in operation for 3 days or less and which includes the sale and preparation of food and beverages must notify the local county health department of the proposed event and is exempt from any temporary food service regulations with respect to the requirements for having hot and cold running water; floors which are constructed of tight wood, asphalt, concrete, or other cleanable material;

enclosed walls and ceilings with screening; and certain size counter service. A school may not use this notification process to circumvent the license requirements of this chapter.

Sec. 102-609 Appeals.

Appeals may be filed as provided elsewhere within the land development code. A permit may be reinstated provided that the applicant has met all conditions and requirements.

Sec. 102-610. Compliance Certificate and/or Permit Nontransferable.

Neither the certificate nor the permit provided for in this Article shall be transferable, nor give authority to more than one location, unless provided for by this Article, by any person to sell or exhibit goods or merchandise.

Sec. 102-611. Display of Certificate and Permit.

Both the Itinerant Vending Compliance Certificate and the Temporary Vending Permit shall be displayed in a conspicuous place on the premises where the sale or exhibit is being conducted and shall remain displayed so long as any goods or merchandise are being sold or exhibited.

Sec. 102-612. Prerequisite for issuance of municipal or county occupational license.—

A municipality or county may not issue an occupational license to any business coming under the provisions of this chapter until a license has been procured for such business from the division.

Sec. 102-613. Penalties.

(a) Any person or business violating any provision of this Article or any rule, order, or regulation made pursuant to this Article shall be subject to a civil penalty in an amount not to exceed five hundred dollars ($500.00). Each day the violation exists shall be considered a separate violation. The penalty provided for herein is cumulative to other remedies or enforcement processes the City may have, including those available under F.S. Ch. 162, and Section 1-11 – General penalty; continuing violations, of the City of Crestview Code of Ordinances.

(b) For the purposes of this Article, a separate offense shall be deemed committed for each day a violation of this Article exists, such time commencing on the day the offender is notified of the violation.

(c) No person or business shall be in violation of this Article for catering activity, temporary sales of food, or vending machine activity in accordance with F.S. Ch. 509, and Rule 61C-1.002(5) (a), Florida Administrative Code, so long as such person or business is not required to procure a license from the Florida Department of Business and Professional Regulation and/or the Department of Agriculture, for service of food to the public as a Mobile Food Dispensing Vehicle.

Sec. 102-614. Reference

Florida Statutes: Chapters 500 Food Products and 509 Lodging and Food Service Establishments; Department of Business and Professional Regulations, Division of Hotels and Restaurants, Public Lodging and Food Service Establishments, Administrative Rules (Sept. 2018) Chapter 61C-1 Florida Administrative Code and Chapter 61C-4 Public Food Service Establishments; US Department of Health and Human Services, FDA US Food and Drug Administration, Food Code 2017.

Secs. 102-615. - 102-630. Reserved.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE 14th DAY OF JANUARY, 2019.

ATTEST:

J B WHITTEN
Council President

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS 14th **DAY OF** January**, 2019.**

DAVID CADLE
Mayor

CITY OF CRESTVIEW

Item # 12.2.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1748 - Tom Young Annexation

BACKGROUND:

Thomas Lewis Young Trust, property owner, applied for voluntary annexation of a ±2.77-acre parcel of land located in Section 36, Township 3 North, Range 24 West, Okaloosa County, Florida. The parcel identification number is 36-3N-24-0000-0003-001H in the public records of Okaloosa County.

The Local Planning Agency recommended approval of the request on January 7, 2020.

DISCUSSION:

Staff provided a complete evaluation of the request. The details of this evaluation are found in the attached staff report.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

The proposed annexation of the developed parcel could have a small and lasting positive impact on the tax base of the city.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1748 on second reading.

Attachments

1. Ordinance 1748 - Tom Young Annex - for merge
2. Planning Staff Report - Tom Young

ORDINANCE:

ORDINANCE NO. 1748

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, 2.70 ± ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 36, TOWNSHIP 3 NORTH, RANGE 24 WEST, AND BEING DESCRIBED AS SET FORTH HEREIN; PROVIDING FOR AUTHORITY; PROVIDING FOR LAND DESCRIPTION; PROVIDING FOR BOUNDARY; PROVIDING FOR LAND USE AND ZONING DESIGNATION; PROVIDING FOR AMENDMENT TO THE BASE, LAND USE AND ZONING MAPS; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR FILING WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY AND THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Chapter 171, Florida Statutes, and Section 2 of the City Charter.

SECTION 2. LAND DESCRIPTION. The following described unincorporated area contiguous to the City of Crestview, Florida, is hereby annexed to the City:

PIN # 36-3N-24-0000-0003-001H (Deed recorded in Book 3255, page 2594, dated July 1, 2016)

COMMENCE AT A PRM LS4150 AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 24 WEST, OKALOOSA COUNTY, FLORIDA; THENCE SOUTH 88 DEGREES 22 MINUTES 05 SECONDS EAST (REFERENCE BEARING STATE PLANE FLORIDA NORTH) ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF SOUTHWEST 1/4 A DISTANCE OF 19.11 FEET TO THE NORTHWEST CORNER OF PARCEL 2 AS DESCRIBED IN O.R. BOOK 3255, PAGE 2597, PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE CONTINUE SOUTH 88 DEGREES 22 MINUTES 05 SECONDS EAST ALONG SAID NORTH LINE OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 A DISTANCE OF 710.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 88 DEGREES 22 MINUTES 05 SECONDS EAST A DISTANCE OF 520.63 FEET TO THE WEST RIGHT-OF-WAY OF GARRETT PIT ROAD (66' RIGHT-OF-WAY) AS DESCRIBED IN O.R. BOOK 2450, PAGE 202; THENCE SOUTH 02 DEGREES 35 MINUTES 14 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY A DISTANCE OF 241.26 FEET; THENCE NORTH 88 DEGREES 48 MINUTES 14 SECONDS WEST A DISTANCE OF 448.35 FEET; THENCE NORTH 13 DEGREES 57 MINUTES 39 SECONDS WEST A DISTANCE OF 253.99 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2.7032 ACRES, MORE OR LESS.

SECTION 3. BOUNDARY. The existing boundary line of the City of Crestview, Florida, is modified to include the herein referenced tract of land and the base, zoning and land use maps shall be updated to reflect these changes pursuant to law.

SECTION 4. LAND USE AND ZONING. Pursuant to general law, the property hereby annexed was subject to Okaloosa County land development, land use plan, and zoning or subdivision regulations, which shall remain in full force and effect until rezoning and land use changes are finalized by the City in compliance with the Comprehensive Plan.

SECTION 5. COMPREHENSIVE PLAN UPDATE. Pursuant to Chapter 163.011, et seq. petitioner for annexation shall apply through the City for a Comprehensive Plan change which will designate the future land use category

for the parcel as Pending Comp Plan Amendment with Pending Rezoning to be assigned and run concurrent with the approval and adoption of the Comprehensive Plan amendment by the proper authorities.

SECTION 6. MAP UPDATE. The Base, Zoning and Future Land Use Maps shall be updated at the earliest possible date.

SECTION 7. FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of Circuit Court of Okaloosa County and with the Florida Department of the State.

SECTION 8. SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 9. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 10. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 11. REPEALER. All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 12. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON

THE _____ DAY OF _____, 2020.

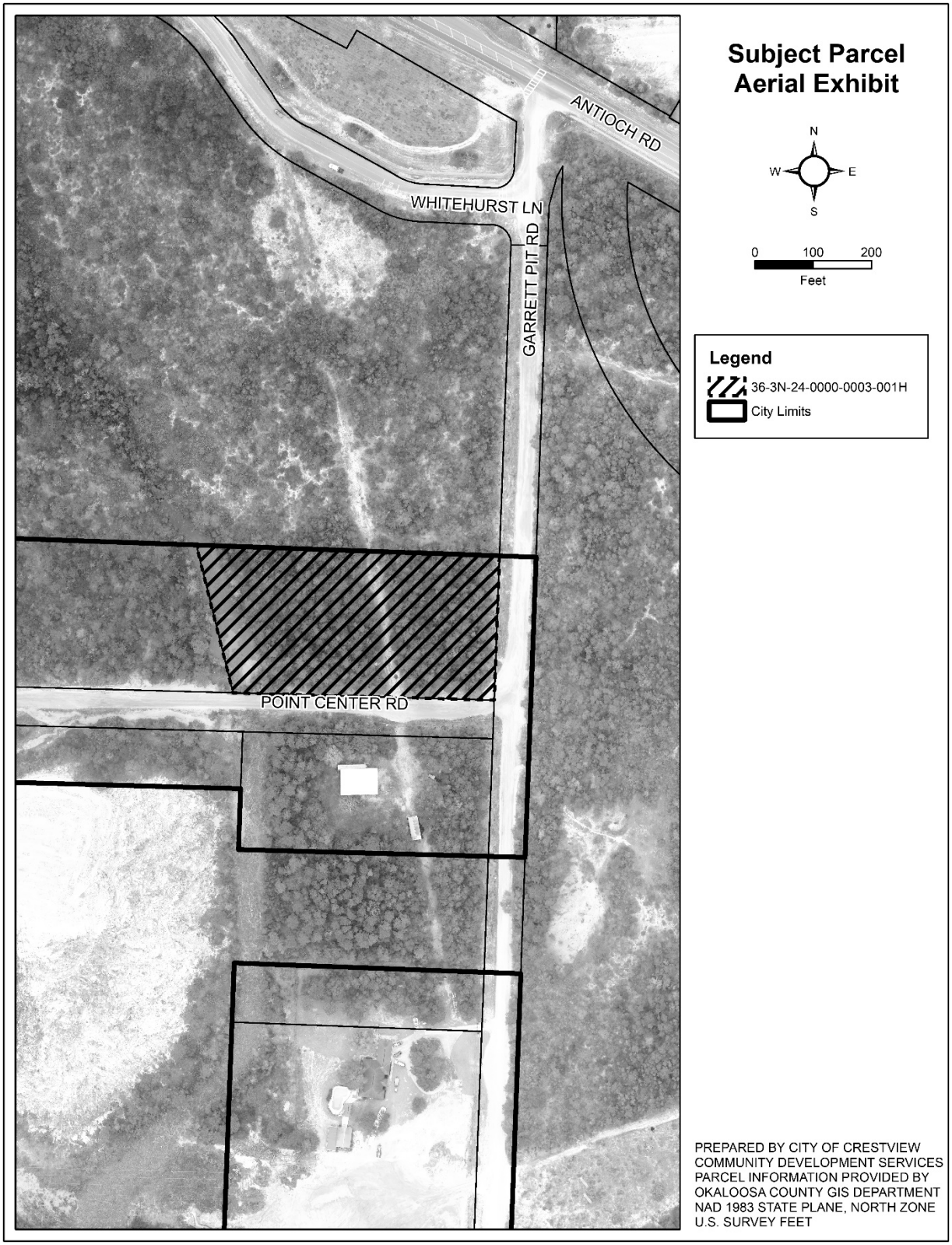
ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____DAY OF _____, 2020.

_____
J. B. WHITTEN
Mayor

EXHIBIT A


Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
36-3N-24-0000-0003-001H
City Limits
ANTIOCH RD
WHITEHURST LN
GARRETT PIT RD
POINT CENTER RD
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

PLANNING AND ZONING STAFF REPORT TO THE LOCAL PLANNING AGENCY AND CITY COUNCIL

PROJECT NAME: Tom Young - Annexation

PROJECT NUMBER(S): Annexation LPA 19-28

AGENDA DATE: LPA – Public Hearing: January 7, 2020
City Council – First Reading: January 13, 2020
City Council – Second Reading & Public Hearing: January 27, 2020

LAST AMENDED DATE: 12/03/ 2019

1. Reviewed and Applied - References

a. Crestview Code of Ordinances, Current Edition
b. Crestview Comprehensive Plan, Current Edition
c. Florida Statutes, Current Edition

2. Project Summary

Property Owner(s)
Tomas Lewis Young Trust

Applicant
Property Owners

Authorized Agent:
Devon Jones

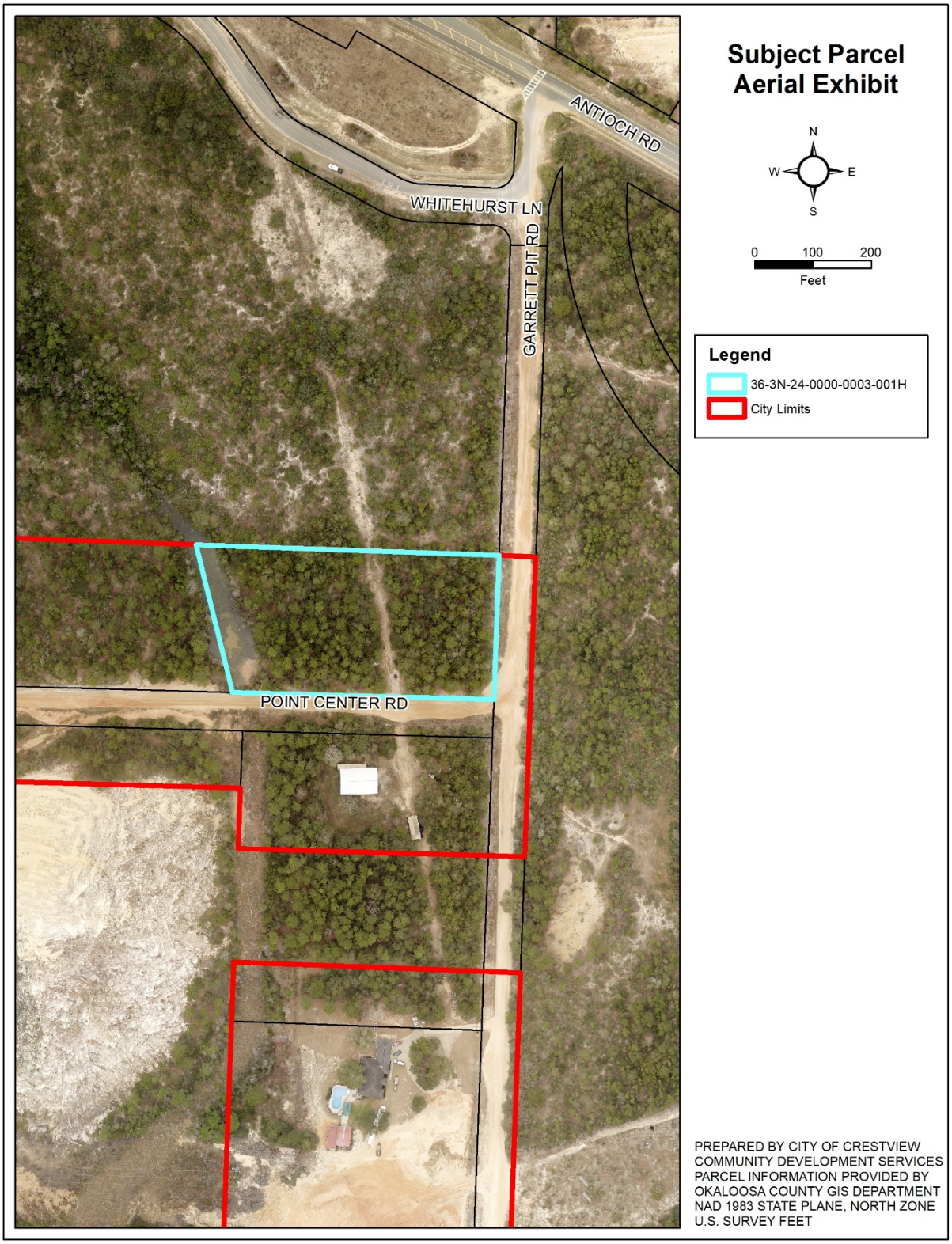
Staff Planner:
Stephen Schoen, AICP

Property Location: The subject property is generally located on the northwest corner of the intersection of Point Center Rd. and Garret Pit Rd. and consists of 2.77+/- acres; PIN# 36-3N-24-0000-0003-001H

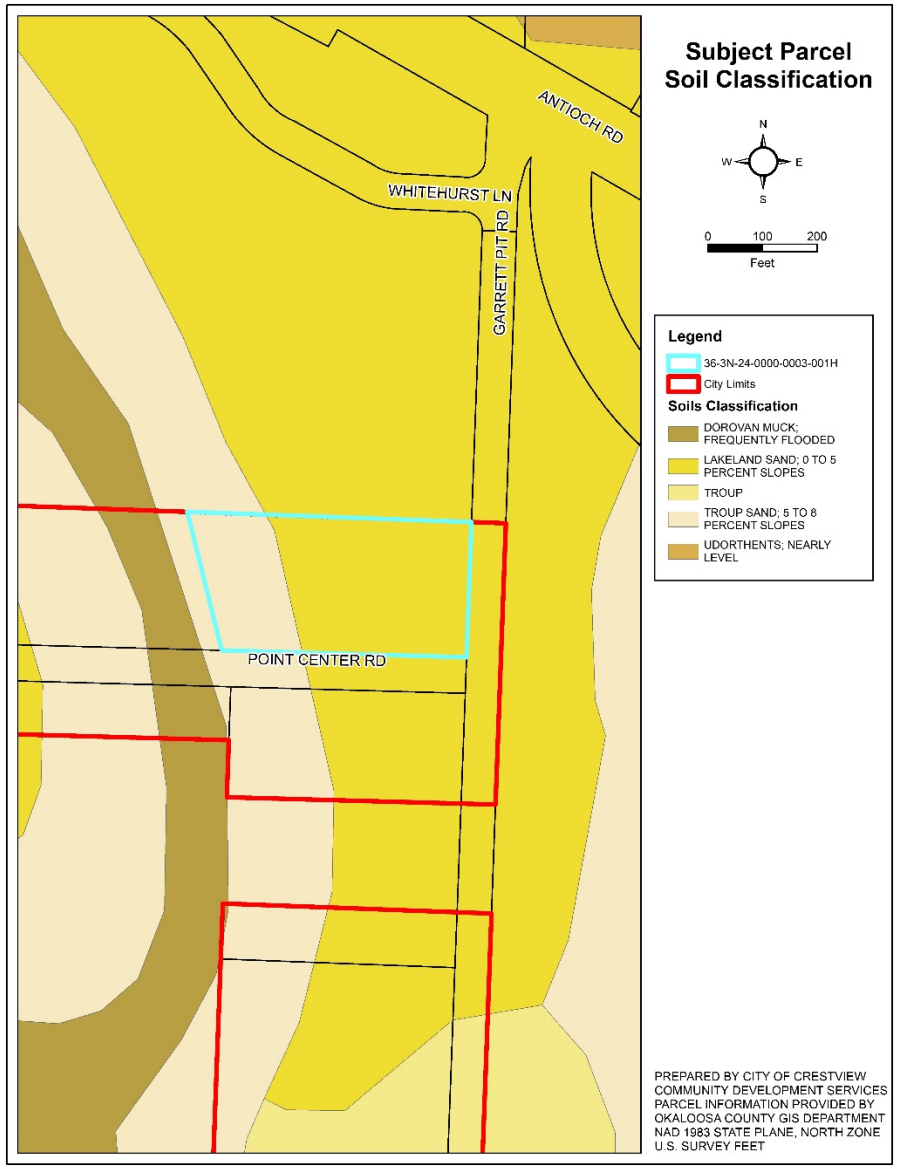
Application Information:
The applicant has requested the voluntary annexation of the subject property.

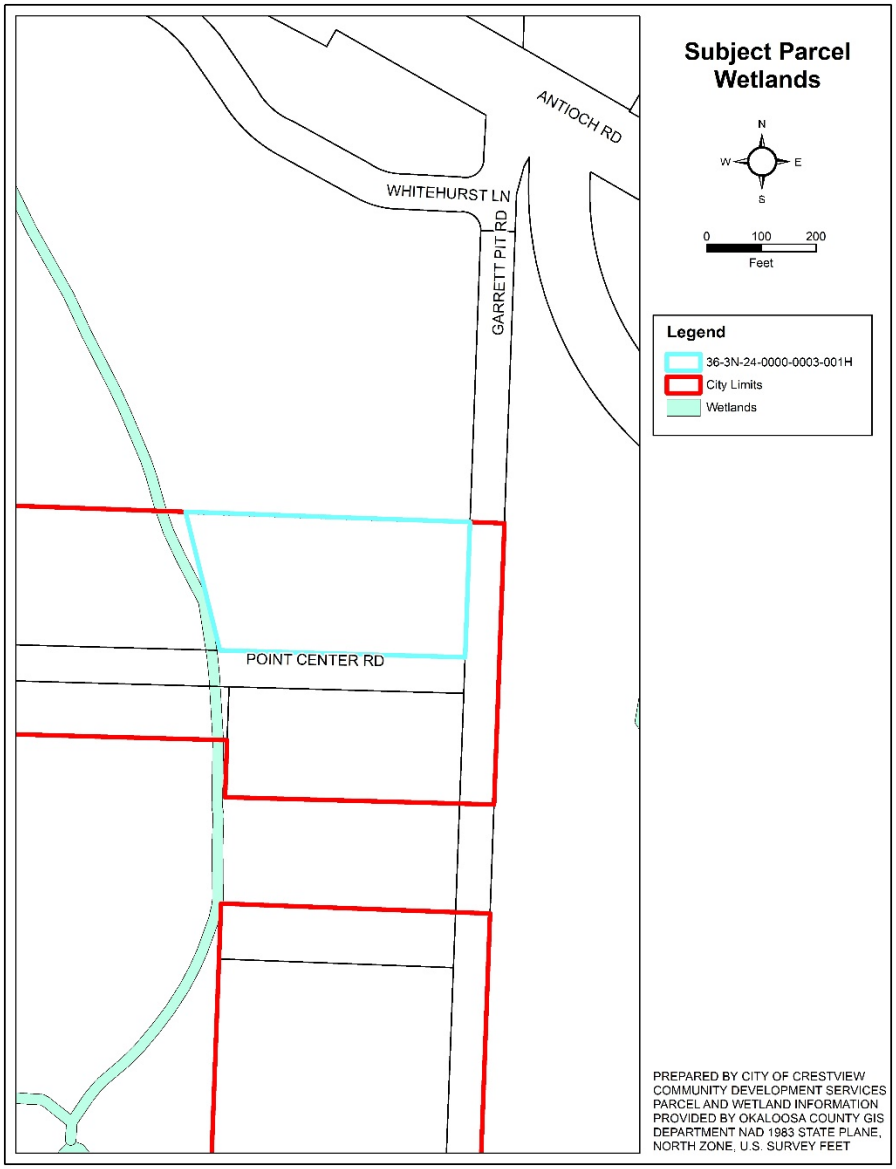
Staff Recommendation:
Approval of the requested actions, subject to any conditions provided in the following report or suggested by the LPA.

Public Notice:
- Notice letters sent to property owners within 300' of the subject property on 11/26/19
- Property posting on 12/3/19
- Ad run on 12/7/19
- BOCC notified on 12/7/19


Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
36-3N-24-0000-0003-001H
City Limits
ANTIOCH RD
WHITEHURST LN
GARRETT PIT RD
POINT CENTER RD
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

WETLANDS AND SOILS MAP





3.	Application / Project Analysis

Project Description

The applicant(s) has requested the Annexation of the Subject Property.

The applicant has expressed the desire to develop a small Planned Unit Development (PUD) subdivision in the near future but an application has not been completed.

Project Context

Current Conditions:
The subject property is currently developed by one single family dwelling. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
East	County RR	County RR	Vacant
South	County RR	County RR	Vacant
West	City LDR	City Not Assigned	Vacant
North	City MDR	City R-2	Vacant

Project Compatibility:

A development application concerning the subject property has not been submitted. Based on the requested land-use and zoning designations, the property will be developed residentially.

The surrounding uses include vacant lands with a single-family residential subdivision planned to the south of the subject property. There are single family dwellings and an elementary school near the subject property. The nature of the residential PUD is not clear but it will more than likely entail smaller lot sizes and more affordable sized homes. Staff believes that the requested annexation is compatible with both the current and proposed surrounding development.

Regulatory and Statutory Compliance:

Florida Statutes Chapter 171. The proposed voluntary annexation, as set forth herein, involves lands with a border(s) contiguous to the City's boundary; will not create an enclave; is compact; the lands are not within a neighboring incorporated municipality's jurisdiction; and services are or will be made available.

Policy 7.A.6.6 – Because the proposed annexation is of unincorporated lands which are contiguous and compact; the annual maintenance costs are assumed to be less than the annual net revenue generated; and it improves the delineation of the City's boundary line.

Policy 7.A.2.2 – Because the amendment may serve to discourage urban sprawl.

Policy 7.A.6.3 – Because the amendment promotes infill development.

Policy 16.A.1.5 – Because the amendment may be beneficial to existing commercial development, will encourage business retention and create a favorable business climate for existing businesses.

Crestview Land Development Code. The potential use of the property as an allowable residential use, provided the Comprehensive Plan and Zoning change is approved, will undergo development review to ensure compliance with the Land Development Code.

Adequate Public Facilities:

State law requires that the City perform a public facilities evaluation when considering Comprehensive Plan Amendments of this nature. The City's Industrial Future Land Use allows for a higher intensity and for more impervious surface coverage than the Low Density Residential Future Land Use. The following evaluation of the City's services is being undertaken with the assumption that the property will be developed with a density of 16 units per acre and an impervious surface ratio of 60%. By utilizing the maximum development potential of the requested Future Land Use, any identified impacts may be

considered the worst-case scenario or upper limit of impact. Due to the fact that an application for development has not been submitted, the following evaluation is an estimation. However, when a development application is made, all impacts to City services will be addressed through the staff review and Development Order approval processes.

Project Demand:

Based on Technical Review Concurrency Determination provided by Public Services on 12/5/2019.

Transportation – "This parcel is located on Garret Pitt Rd. Its only access would be from PJ Adams (LOS F). No further development is allowed until PJ Adams is widened to handle current demand. In addition, PJ Adams is accessed by either HWY 89 (LOS F) or HWY 90. Mitigation would be required. Garrett Pitt Rd. is currently a dirt road. For annexation and utility services to be supplied by the City, it would need to be paved. The total trips divided between the 4 roads gives the trip percentages shown in the following Table:

Affected Roadways	Available Capacity (Trips)		Projected Impact	
	Trips	%	Trips	%
PJ Adams	-2150	-14%	64	Over Capacity
Antioch Rd.	-1650	-11%	32	Over Capacity
HWY 85	-9800	-30%	64	Over Capacity
HWY 90	24314	66%	32	0.1%

Potable Water – "Water is currently not available to Garret Pit Rd."
Available Potable Water Capacity = 7,780,000 GPD
Projected Impact to water and sanitary sewer systems = 4,480 GPD.

Sanitary Sewer – "Sanitary sewer is currently not available to Garret Pit Rd."
Available Sanitary Sewer Capacity = 833,000 GPD
Projected Impact to water and sanitary sewer systems = 5,600 GPD.

Parks and Recreation – There is an abundance of available parks/open space within and around the City of Crestview. Current level of service standards will not be impacted by this development. The current population of the City would have to double before levels of service will be affected negatively.

Solid Waste – The adopted level of service of 5.0 pounds/capita/day (policy 10.B.1.5) is a regulatory level and will be reviewed and maintained as part of the city's annual budget processes.

Stormwater and Drainage – "Stormwater Ponds would be required if a subdivision is constructed."

Environmental Impacts:

Wetlands and Environmentally Sensitive Lands – Current wetlands data indicates the absence of any jurisdictional wetlands within the subject property. There is a stream that borders the westerly boundary of the subject parcel and a 25' buffer will apply to any development on the subject lands.

Historical and/or Archeological Resources – The application does not address the presence of any historical or archeological resources onsite. The Comprehensive Plan does not address the presence of any resource near this location.

General Staff Comments:

Planning and Zoning. The applicant will be requesting a Planned Unit Development zoning with the Medium Density Residential (MDR) Land Use in the future.

Public Services. Included above.

Fire and Life safety. No comment relating to the current applications.

4.	Findings

a. The request for Annexation satisfies Florida Statute requirements for voluntary annexation.
b. Adverse impacts to level of service standards and to environmentally sensitive lands will be addressed during zoning, comprehensive plan amendment requests and development approval processes.

5.	Conditions of Approval

a. Staff does not apply nor recommend the application of any conditions for approval of the current applications.

6.	Conclusion and Recommendation

a. The applicant has submitted the required forms for Annexation of the subject property.
b. The proposed actions satisfy the requirements of the City of Crestview's adopted Comprehensive Plan, and Land Development Code.
c. Please review the application based on the characteristics and conformity of the application with the City's Comprehensive Plan, the City's Code of Ordinances and other applicable state and city regulations, in deciding the request.

Based on the analysis above and the findings of fact, staff recommends **APPROVAL** of the application for Annexation.

Assigned Staff: Stephen Schoen, AICP, Development Administrator

Received Public Comments:
1) None

CITY OF CRESTVIEW

Item # 12.3.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1733 - Highway 85 N Annexation

BACKGROUND:

Glenda G. Gordon, et al, property owners, applied for voluntary annexation of a ±2.18-acre parcel of land located in Section 33, Township 4 North, Range 23 West, Okaloosa County, Florida. The parcel identification number is 33-4N-23-0000-0056-0000 in the public records of Okaloosa County.

The Local Planning Agency recommended approval of the request on January 7, 2020.

DISCUSSION:

Staff provided a complete evaluation of the request. The details of this evaluation are found in the attached staff report.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

The proposed annexation of the developed parcel could have a small and lasting positive impact on the tax base of the city.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1733 on second reading.

Attachments

1. Ordinance 1733 - Hwy 85 Annex
2. Planning Staff Report - Hwy 85

ORDINANCE:

ORDINANCE NO. 1733

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, 2.18 ± ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, AND BEING DESCRIBED AS SET FORTH HEREIN; PROVIDING FOR AUTHORITY; PROVIDING FOR LAND DESCRIPTION; PROVIDING FOR BOUNDARY; PROVIDING FOR LAND USE AND ZONING DESIGNATION; PROVIDING FOR AMENDMENT TO THE BASE, LAND USE AND ZONING MAPS; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR FILING WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY AND THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Chapter 171, Florida Statutes, and Section 2 of the City Charter.

SECTION 2. LAND DESCRIPTION. The following described unincorporated area contiguous to the City of Crestview, Florida, is hereby annexed to the City:

PIN # 33-4N-23-0000-0056-0000 (Deed recorded in Book 2343, page 2061, dated February 18, 2002)

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 88 DEGREES 03 MINUTES 40 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 295.00 FEET TO THE POINT OF BEGINNING; THENCE PROCEED NORTH 88 DEGREES 03 MINUTES 40 SECONDS WEST, A DISTANCE OF 290.98 FEET; THENCE PROCEED NORTH 13 DEGREES 36 MINUTES 51 SECONDS EAST, A DISTANCE OF 382.91 FEET; THENCE PROCEED SOUTH 87 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 216.03 FEET; THENCE PROCEED SOUTH 02 DEGREES 19 MINUTES 54 SECONDS WEST, A DISTANCE OF 374.15 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED, CONTAINING 2.18 ACRES, MORE OR LESS.

SECTION 3. BOUNDARY. The existing boundary line of the City of Crestview, Florida, is modified to include the herein referenced tract of land and the base, zoning and land use maps shall be updated to reflect these changes pursuant to law.

SECTION 4. LAND USE AND ZONING. Pursuant to general law, the property hereby annexed was subject to Okaloosa County land development, land use plan, and zoning or subdivision regulations, which shall remain in full force and effect until rezoning and land use changes are finalized by the City in compliance with the Comprehensive Plan.

SECTION 5. COMPREHENSIVE PLAN UPDATE. Pursuant to Chapter 163.011, et seq. petitioner for annexation shall apply through the City for a Comprehensive Plan change which will designate the future land use category for the parcel as Commercial (C) with Commercial District Zoning (C-1) to be assigned and run concurrent with the approval and adoption of the Comprehensive Plan amendment by the proper authorities.

SECTION 6. MAP UPDATE. The Base, Zoning and Future Land Use Maps shall be updated at the earliest possible date.

SECTION 7. FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of Circuit Court of Okaloosa County and with the Florida Department of the State.

SECTION 8. SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 9. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 10. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 11. REPEALER. All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 12. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON

THE _____ DAY OF _____, 2020.

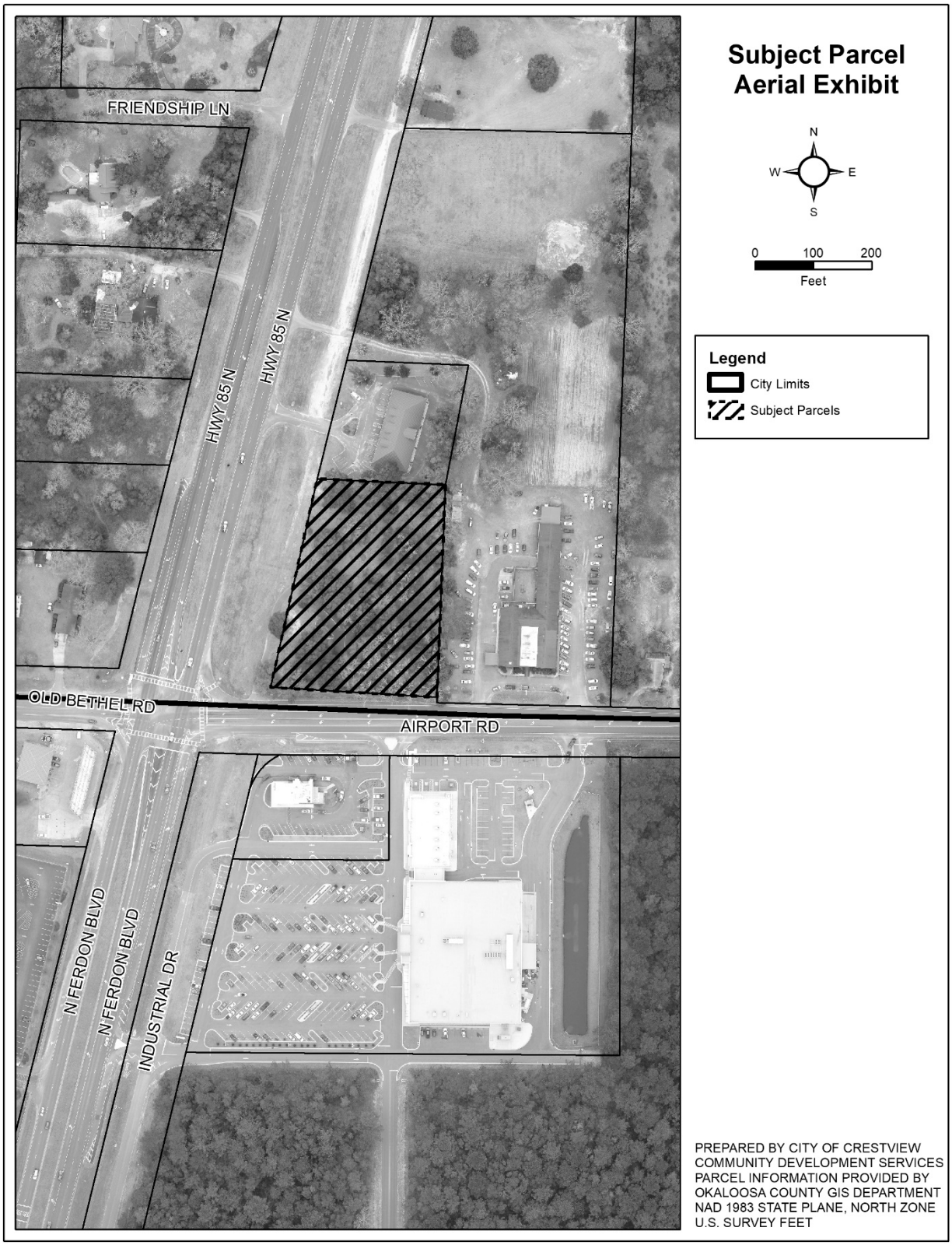
ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____DAY OF _____, 2020.

_____
J. B. WHITTEN
Mayor

EXHIBIT A


Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
City Limits
Subject Parcels
FRIENDSHIP LN
HWY 85 N
HWY 85 N
OLD BETHEL RD
AIRPORT RD
N FERDON BLVD
N FERDON BLVD
INDUSTRIAL DR
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

PLANNING AND ZONING STAFF REPORT TO THE LOCAL PLANNING AGENCY AND CITY COUNCIL

PROJECT NAME: 5701 HWY 85

PROJECT NUMBER(S): Annex 20-04
Comp (small scale) 20-05 (Amendment # 19-S10)
Rezone 20-06

AGENDA DATE: LPA – Public Hearing: January 7, 2020
City Council – First Reading: January 13, 2020
City Council – Second Reading & Public Hearing: January 27, 2020

LAST AMENDED DATE: 11/25/ 2019

1. Reviewed and Applied - References

a. Crestview Code of Ordinances, Current Edition
b. Crestview Comprehensive Plan, Current Edition
c. Florida Statutes, Current Edition

2. Project Summary

Property Owner(s)
Glenda G. Gordon
Michael K. Sapp
Sherrie D. Johnson

Applicant
Owners

Staff Planner:
Stephen Schoen, AICP

Property Location: The subject property is generally located on the northeast corner of the intersection of Highway 85 N and Airport Road and consists of ± 2.18 acres; PIN# 33-4N-23-0000-0056-0000

Application Information:
The applicant has requested annexation of the property located at 5701 Highway 85 N to the City of Crestview, Comprehensive Plan Amendment to Commercial (C), and Zoning designation of Commercial (C-1), to allow for commercial development.

Staff Recommendation:
Approval of the requested actions, subject to any conditions provided in the following report or suggested by the LPA.

Public Notice:
- Notice letters sent to property owners within 300' of the subject property on 11/26/19
- Property posting on 12/3/19
- Ad run on 12/7/19
- BOCC notified on 12/7/19

Subject Parcel Aerial Exhibit

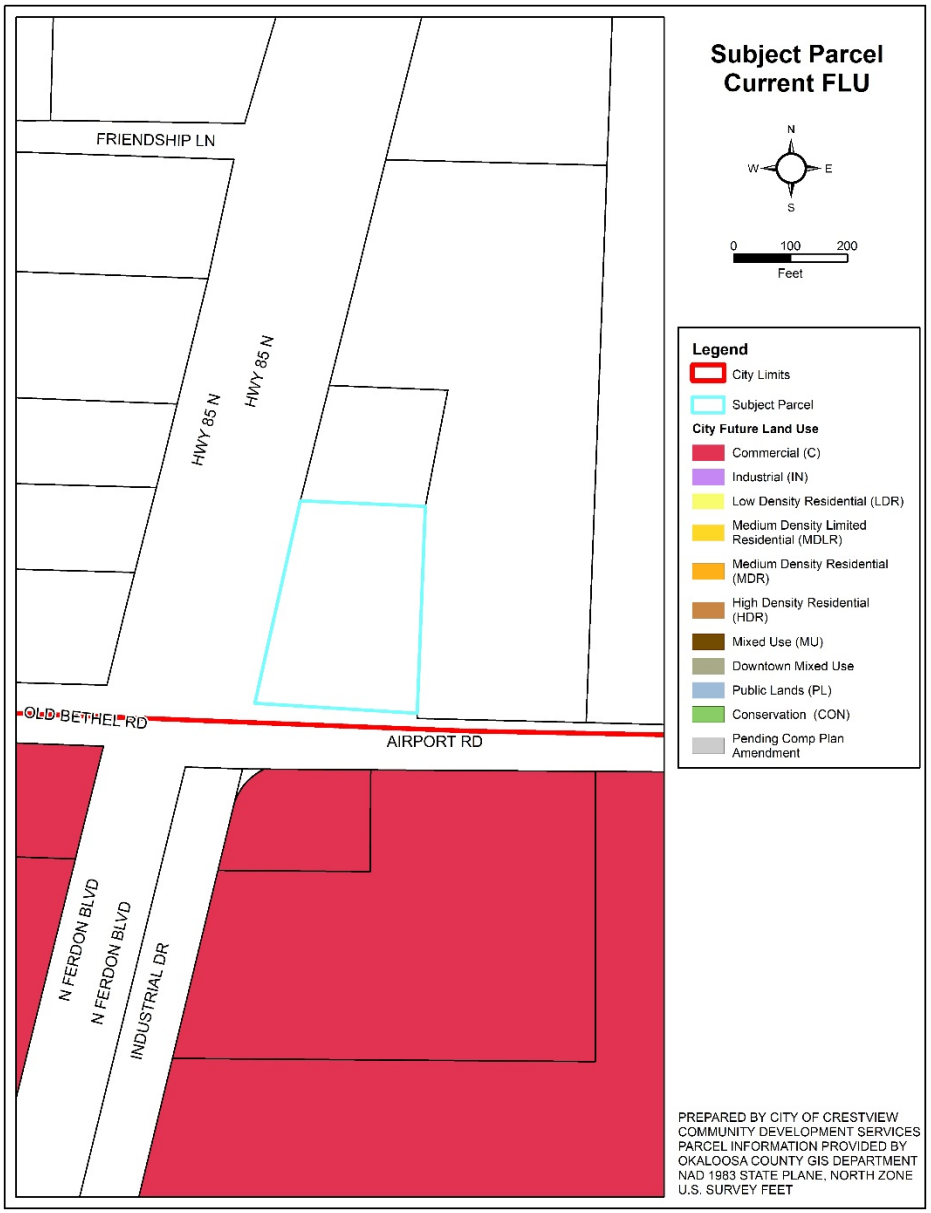
N
W E
S

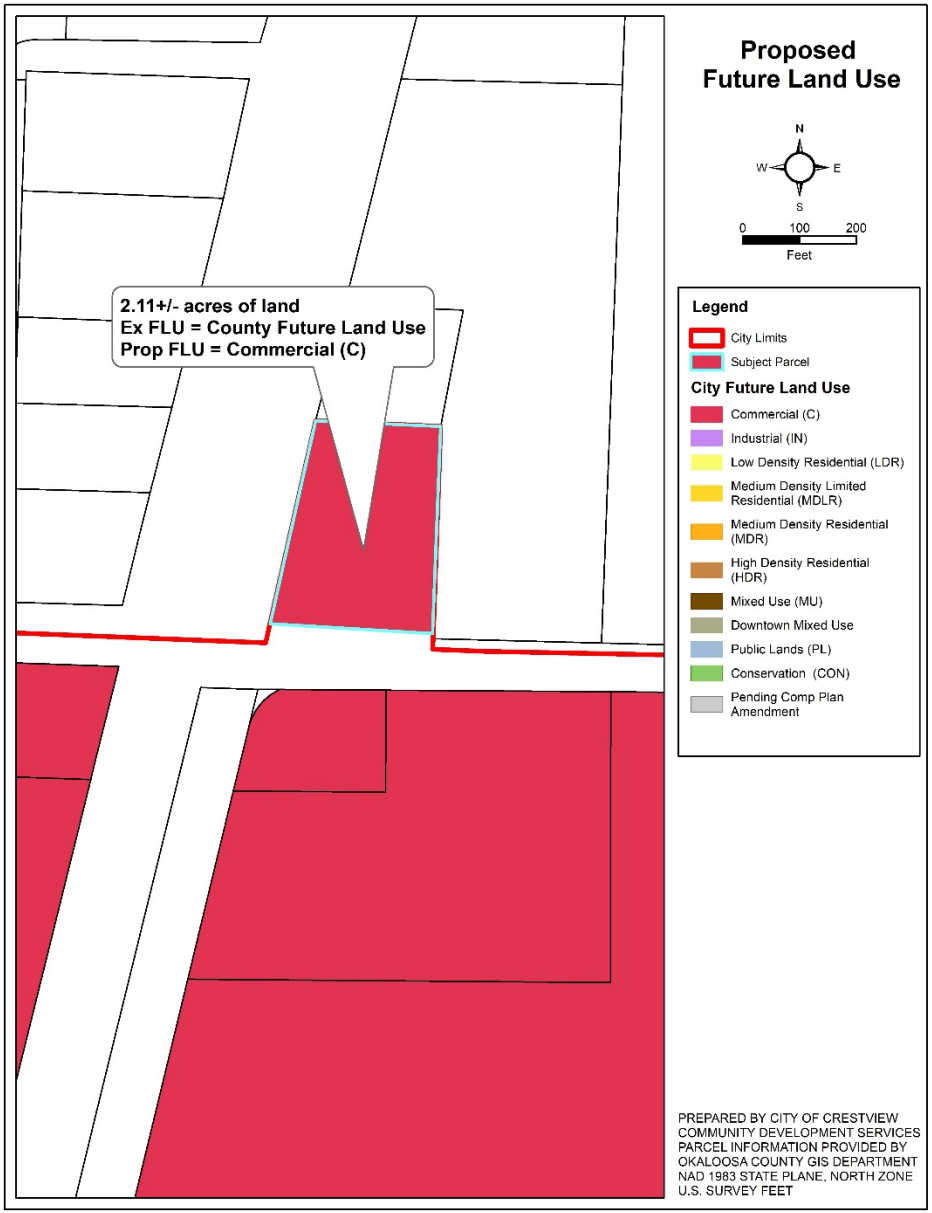
0 100 200
Feet

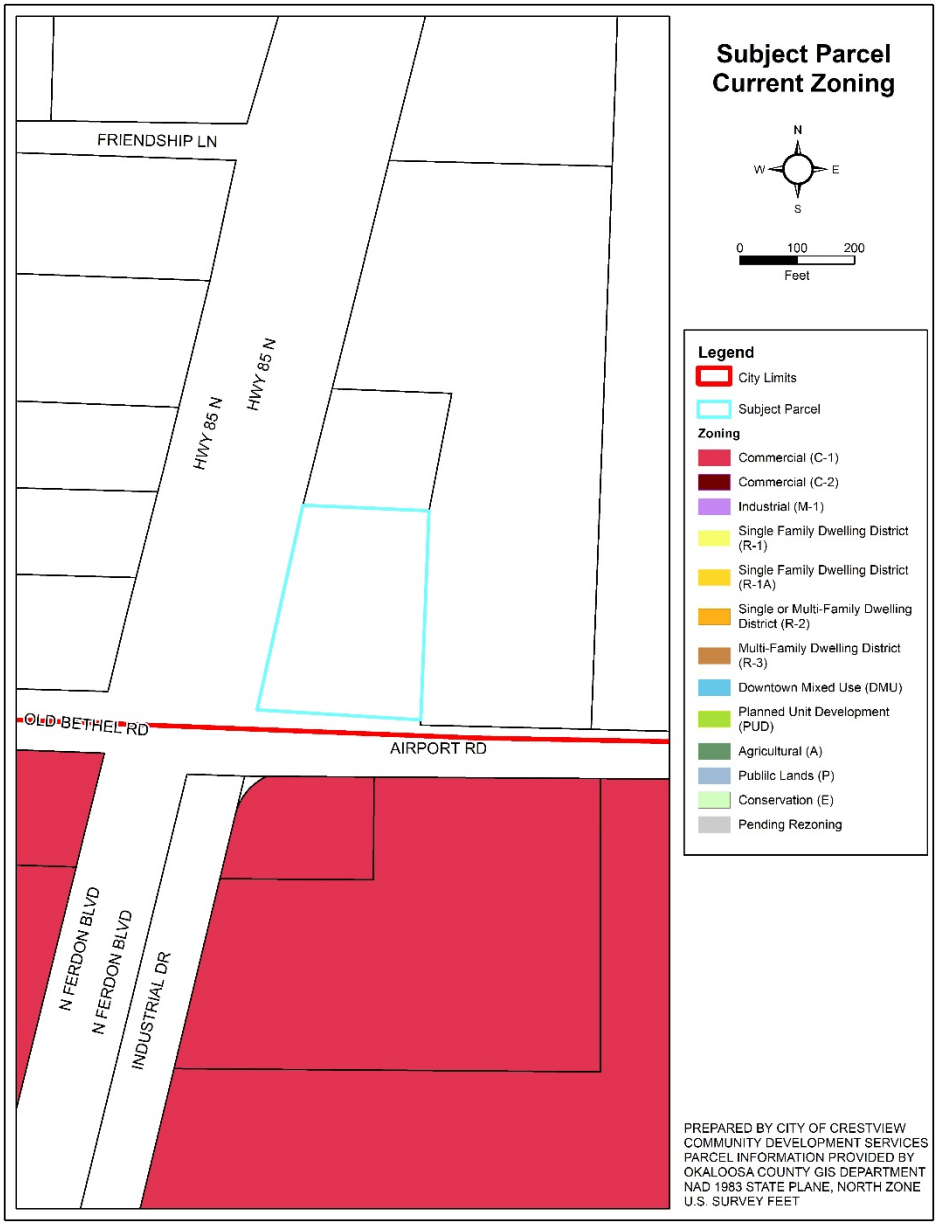
Legend
City Limits
Subject Parcel

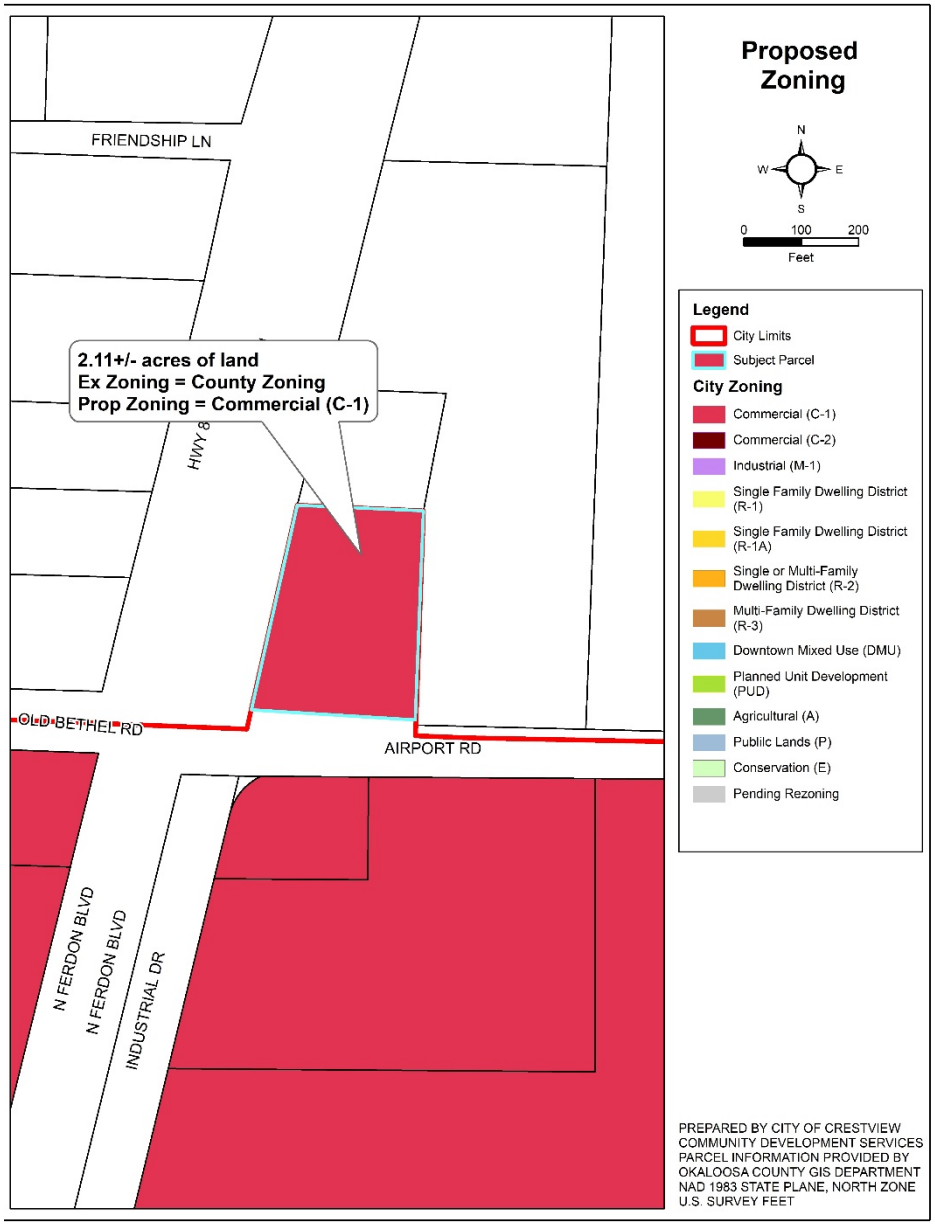
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

CURRENT AND PROPOSED FUTURE LAND USE MAPS









CURRENT AND PROPOSED ZONING DESIGNATION

3.	Application / Project Analysis

Project Description

The applicant(s) has requested voluntary annexation to the City, of the property located at 5701 HWY 85. The subject property is located on the Northeast corner of the HWY 85 and Airport Rd. intersection. The property, once the annexation processes have been completed, including the Comprehensive Plan amendment and Zoning Change processes, will be commercial in nature.

The applicant(s) has also requested the Comprehensive Plan amendment of the subject property **from Okaloosa County Mixed-Use (MU) to the City of Crestview Commercial (C) Future Land Use**. This Future Land Use amendment will allow the newly annexed lands to be developed Commercially.

The applicant(s) has also requested the Zoning Change **from Okaloosa County Mixed-Use (MU) zoning to City of Crestview Commercial (C) Zoning**. This zoning change will implement the Future Land Use change and require any proposed commercial development to meet the Land Development Code's commercial zoning district requirements.

Project Context

Current Conditions:
The subject property is currently developed by one single family dwelling. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
East	County Mixed-Use	County Mixed-Use	Place of Worship
South	City Commercial	City Commercial	Grocery/Quick Service
West	County Mixed-Use	County Mixed-Use	Single Family Dwelling
North	County Mixed-Use	County Mixed-Use	Commercial/Office

Project Compatibility:

A development application concerning the subject property has not been submitted. Based on the requested land-use and zoning designations, the property will be developed commercially. Development trends within similar commercial corridors lead staff to believe that the subject area will most likely be developed as a fueling station with a small convenience store possibly with appurtenant automatic carwash and quick service restaurant uses.

The surrounding uses include various non-residential uses of various intensities and a larger single family dwelling across HWY 85. Staff has been made aware of some movement on the residential property and has the understanding that it may be developed commercially in the not too distant future. Based on the above, staff believes that the requested annexation, comprehensive plan amendment and zoning change are compatible with the current and future surrounding uses.

Regulatory and Statutory Compliance:

Florida Statutes Chapter 171. The proposed voluntary annexation, as set forth herein, involves lands with a border(s) contiguous to the City's boundary; will not create an enclave; is compact; the lands are not within a neighboring incorporated municipality's jurisdiction; and services are or will be made available.

Florida Statute Chapter 163. The proposed amendment is on a 2.11 +/- acre parcel and is being processed as a small scale comprehensive plan amendment to the Future Land Use Map in accordance with Florida Statutes. As such, the amendment is being brought before the Local Planning Agency in a public hearing and before the City Council in a public hearing (the adoption hearing). The Florida Department of Economic Opportunity does not require review of small scale Future Land Use Map amendments unless challenged by an affected party within 30 days of adoption by the City Council.

City of Crestview Comprehensive Plan. Chapter 7 of the Comprehensive Plan establishes the various requirements for annexation as well as the Future Land Use categories and the applicant requested amendment to designate the annexed property as a Commercial Land Use is in keeping with the Plan. The Future Land Use Map of the Comprehensive Plan has established the appropriate land uses. The proposed extension of the City's boundary and commercial land use designation satisfies the Comprehensive Plan. The appropriate intensity and impervious surface area maximums will be assured during

development review. Specific Comprehensive Plan Goals Objectives and Policies in support of the requested actions are as follows:

Policy 7.A.6.6 – Because the proposed annexation is of unincorporated lands which are contiguous and compact; the annual maintenance costs are assumed to be less than the annual net revenue generated; and it improves the delineation of the City's boundary line.

Policy 7.A.2.2 – Because the amendment will serve to discourage urban sprawl.

Policy 7.A.6.3 – Because the amendment promotes infill development.

Policy 7.A.3.2 – Because the amendment is consistent with accepted planning principals and it represents efficiency of use of the property given its location relative to other uses.

Policy 16.A.1.5 – Because the amendment will be beneficial to existing commercial development, will encourage business retention and create a favorable business climate for existing businesses.

Crestview Land Development Code. The use of the property as a fueling station and convenience store is an allowable use within the commercial zoning district. There are many other appropriate commercial uses that could be permitted within the district as well. Public notice requirements of the Land Development Code have been followed.

Adequate Public Facilities:

State law requires that the City perform a public facilities evaluation when considering Comprehensive Plan Amendments of this nature. The City's Commercial Future Land Use allows for a higher intensity and for more impervious surface coverage than the County Mixed-Use Future Land Use. The following evaluation of the City's services is being undertaken with the assumption that the property will be developed at a Floor Area Ratio of 1.08 with an impervious surface area of 80%. By utilizing the maximum development potential of the requested Future Land Use, any identified impacts may be considered the worst-case scenario or upper limit of impact. Due to the fact that an application for development has not been submitted, the following evaluation is an estimation. However, when a development application is made, all impacts to City services will be addressed through the staff review and Development Order approval processes.

Project Demand:

Based on Technical Review Concurrency Determination provided by Public Services on 11/19/2019.

Transportation – "This site is at the intersection of Airport Rd, Old Bethel and HWY 85. This intersection tends to be busy, but smooth flowing except during peak am hours. The ITE lists a gas station with a convenience store at 845 trips per day and a restaurant at 90 trips per day. The total trips divided between the 3 roads gives the trip percentages shown in the following Table:

Affected Roadways	Available Capacity (Trips)		Projected Impact	
	Trips	%	Trips	%
HWY 85	11700	35%	312	3%
Old Bethel	5625	52%	311	6%
Airport	4225	39%	312	7%

Potable Water – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Potable Water Capacity = 7,788,516 GPD
Projected Impact to water and sanitary sewer systems = 8,900 GPD.

Sanitary Sewer – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Sanitary Sewer Capacity = 830,454 GPD
Projected Impact to water and sanitary sewer systems = 8,900 GPD.

Parks and Recreation – There are no Parks and Recreation levels of service that relate nor are impact by commercial development.

Solid Waste – The adopted level of service of 5.0 pounds/capita/day (policy 10.B.1.5) is a regulatory level and will be reviewed and maintained as part of the city's annual budget processes.

Stormwater and Drainage – "This site would drain onto HWY 85 and Airport Rd. Both of these roads are county roads. This site would [be] subject to all stormwater retention requirements."

Environmental Impacts:

Wetlands and Environmentally Sensitive Lands – Current wetlands data indicates the absence of any jurisdictional wetlands within the subject property.

Historical and/or Archeological Resources – The application does not address the presence of any historical or archeological resources onsite.

General Staff Comments:

Planning and Zoning. No general comments at this time.

Public Services. Included above.

Fire and Life safety. No comment relating to the current applications. However, the Fire Marshall did suggest that a hydrant may be required upon development review processes.

4.	Findings

a. The request for Annexation satisfies Florida Statute requirements for voluntary annexation.
b. The request for Comprehensive Plan Amendment is consistent with the above references and will not be a detriment to the surrounding property.
c. The request for Zoning Change is consistent with the above references and will not be a detriment to the surrounding property.
d. No adverse impacts to level of service standards nor to environmentally sensitive lands have been perceived.

5.	Conditions of Approval

a. Staff does not apply nor recommend the application of any conditions for approval of the current applications.

6.	Conclusion and Recommendation

a. The applicant has submitted the required forms for Annexation, Comprehensive Plan Amendment, and Zoning Change of the property.
b. The proposed actions satisfy the requirements of the City of Crestview's adopted Comprehensive Plan, and Land Development Code.

c. The associated Comprehensive Plan Amendment should not pose a problem if supported by proper documentation and Council intent.
d. Please review the applications based on the characteristics of the site and surrounding area; the nature of the development, including the land use type and densities/intensities; and conformity of the development with the City's Comprehensive Plan, the City's Code of Ordinances and other applicable state and city regulations, in deciding the request.

Based on the analysis above and the findings of fact, staff recommends **APPROVAL** of the applications for Annexation, Comprehensive Plan Amendment, and Zoning Change.

Assigned Staff: Stephen Schoen, AICP, Development Administrator

Received Public Comments:
1) None

CITY OF CRESTVIEW

Item # 12.4.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1734 - Highway 85 N Comprehensive Plan Amendment

BACKGROUND:

Glenda G. Gordon, et al, property owners, applied for a Comprehensive Plan Amendment to the Future Land Use Map of a ±2.18-acre parcel of land located in Section 33, Township 4 North, Range 23 West, Okaloosa County, Florida. The parcel identification number is 33-4N-23-0000-0056-0000 in the public records of Okaloosa County.

The Local Planning Agency recommended approval of the request on January 7, 2020.

DISCUSSION:

Staff provided a complete evaluation of the request. The details of this evaluation are found in the attached staff report.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

Adoption of Ordinance 1734 will have very little financial impact on the City. If the site is built out commercially it may produce a slight increase in property tax revenue.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1734 on second reading.

Attachments

1. Ordinance 1734 - Hwy 85 Comp

2. Planning Staff Report - Hwy 85

ORDINANCE:

ORDINANCE NO. 1734

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM OKALOOSA COUNTY MIXED-USE (MU) FUTURE LAND USE CATEGORY TO COMMERCIAL (C) FUTURE LAND USE CATEGORY ON APPROXIMATELY 2.18 ACRES, MORE OR LESS, IN SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2. Findings of Fact. The City Council of the City of Crestview finds the following:

A. This amendment will promote compact, orderly development and discourage urban sprawl; and

B. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and

C. A public hearing has been conducted by the City Council after "due public notice"; and

D. This amendment involves changing the future land use designation from Okaloosa County Mixed-Use (MU) Future Land Use Category to the Commercial (C) Future Land Use Category on a parcel of land containing 2.18 acres, more or less, lying within the corporate limits of the City; and

E. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens.

SECTION 3. Purpose. The purpose of this Ordinance is to adopt an amendment to the "City of Crestview Comprehensive Plan: 2020." The amendment is known as 19-S10 and it is as described in Section 4 below.

SECTION 4. Future Land Use Map Amendment. The Future Land Use Map is amended by changing the future land use category of a parcel containing approximately 2.18 acres of land, more or less, from Okaloosa County Mixed-Use (MU) Future Land Use Category to the Commercial (C) Future Land Use Category. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 2.18 acres, more or less, is known as Parcel 33-4N-23-0000-0056-0000 and commonly described as:

PARCEL:

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 88 DEGREES 03 MINUTES 40 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 295.00 FEET TO THE POINT OF BEGINNING; THENCE PROCEED NORTH 88 DEGREES 03 MINUTES 40 SECONDS WEST, A DISTANCE OF 290.98 FEET; THENCE PROCEED NORTH 13 DEGREES 36 MINUTES 51 SECONDS EAST, A DISTANCE OF 382.91 FEET; THENCE PROCEED SOUTH 87 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 216.03 FEET; THENCE PROCEED SOUTH 02 DEGREES 19 MINUTES 54 SECONDS

WEST, A DISTANCE OF 374.15 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED, CONTAINING 2.18 ACRES, MORE OR LESS.

The Commercial (C) Future Land Use Category is hereby imposed on Parcel 33-4N-23-0000-0056-0000. Exhibit A, which is attached hereto and made a part hereof by reference, graphically depicts the revisions to the Future Land Use Map and shows Parcel 33-4N-23-0000-0056-0000 thereon.

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

SECTION 6. Scrivener's Errors. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. Ordinance to be Liberally Construed. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. Repeal of Conflicting Codes, Ordinances, and Resolutions. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. Effective Date. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON

THE _____ DAY OF _____, 2020.

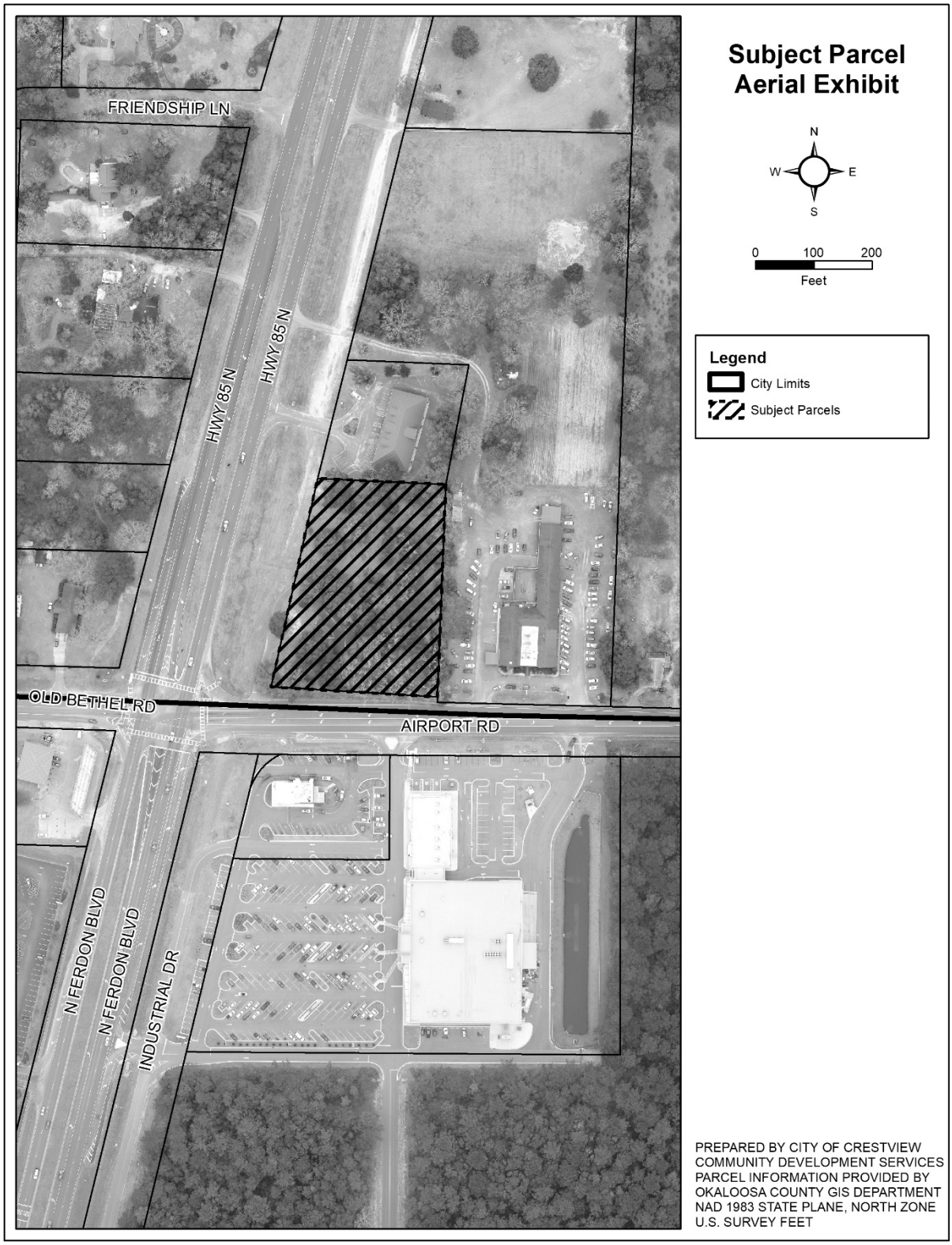
ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____DAY OF _____, 2020.

_____
J. B. WHITTEN
Mayor

EXHIBIT A


Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
City Limits
Subject Parcels
FRIENDSHIP LN
HWY 85 N
HWY 85 N
OLD BETHEL RD
AIRPORT RD
N FERDON BLVD
N FERDON BLVD
INDUSTRIAL DR
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

PLANNING AND ZONING STAFF REPORT TO THE LOCAL PLANNING AGENCY AND CITY COUNCIL

PROJECT NAME: 5701 HWY 85

PROJECT NUMBER(S): Annex 20-04
Comp (small scale) 20-05 (Amendment # 19-S10)
Rezone 20-06

AGENDA DATE: LPA – Public Hearing: January 7, 2020
City Council – First Reading: January 13, 2020
City Council – Second Reading & Public Hearing: January 27, 2020

LAST AMENDED DATE: 11/25/ 2019

1. Reviewed and Applied - References

a. Crestview Code of Ordinances, Current Edition
b. Crestview Comprehensive Plan, Current Edition
c. Florida Statutes, Current Edition

2. Project Summary

Property Owner(s)
Glenda G. Gordon
Michael K. Sapp
Sherrie D. Johnson

Applicant
Owners

Staff Planner:
Stephen Schoen, AICP

Property Location: The subject property is generally located on the northeast corner of the intersection of Highway 85 N and Airport Road and consists of ± 2.18 acres; PIN# 33-4N-23-0000-0056-0000

Application Information:
The applicant has requested annexation of the property located at 5701 Highway 85 N to the City of Crestview, Comprehensive Plan Amendment to Commercial (C), and Zoning designation of Commercial (C-1), to allow for commercial development.

Staff Recommendation:
Approval of the requested actions, subject to any conditions provided in the following report or suggested by the LPA.

Public Notice:
- Notice letters sent to property owners within 300' of the subject property on 11/26/19
- Property posting on 12/3/19
- Ad run on 12/7/19
- BOCC notified on 12/7/19

Subject Parcel Aerial Exhibit

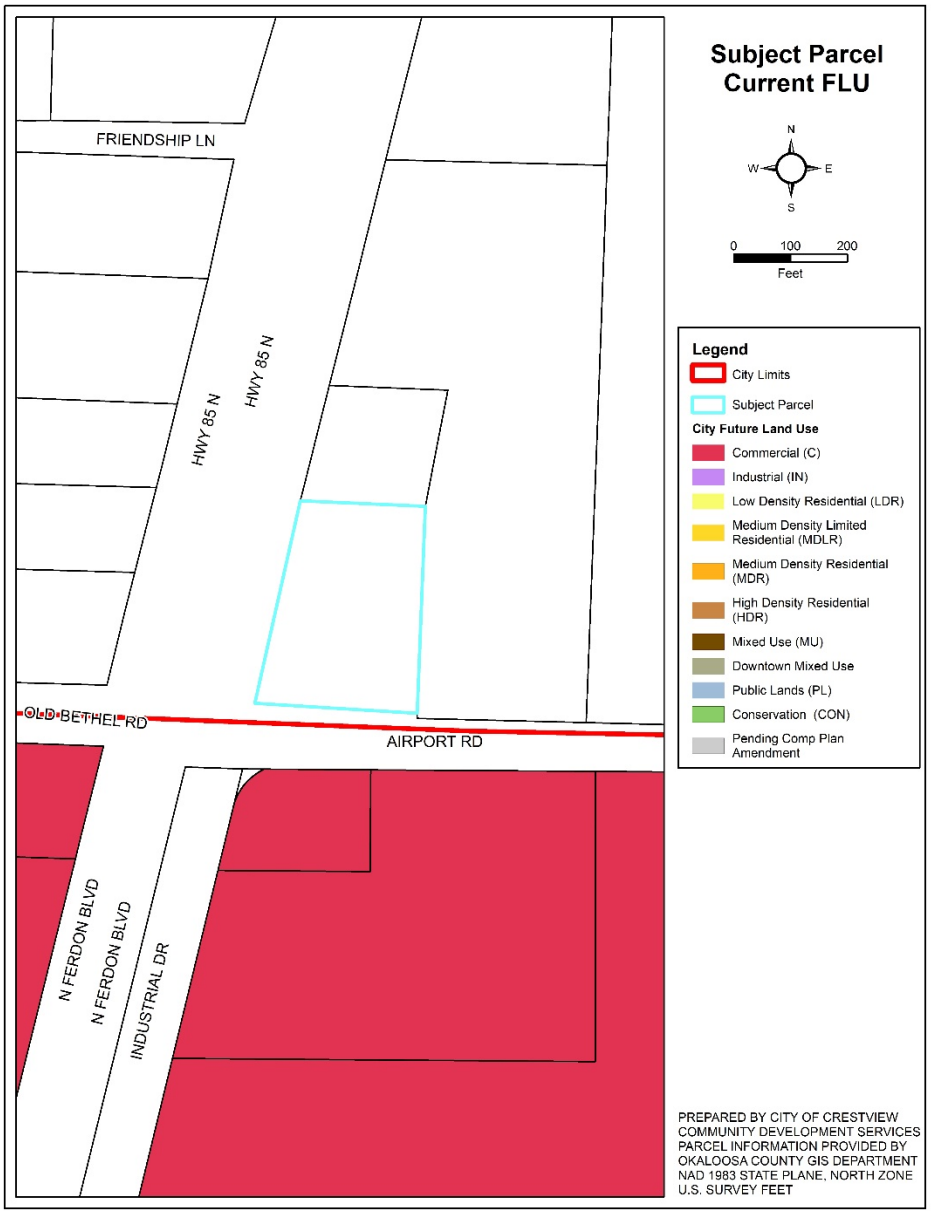
N
W E
S

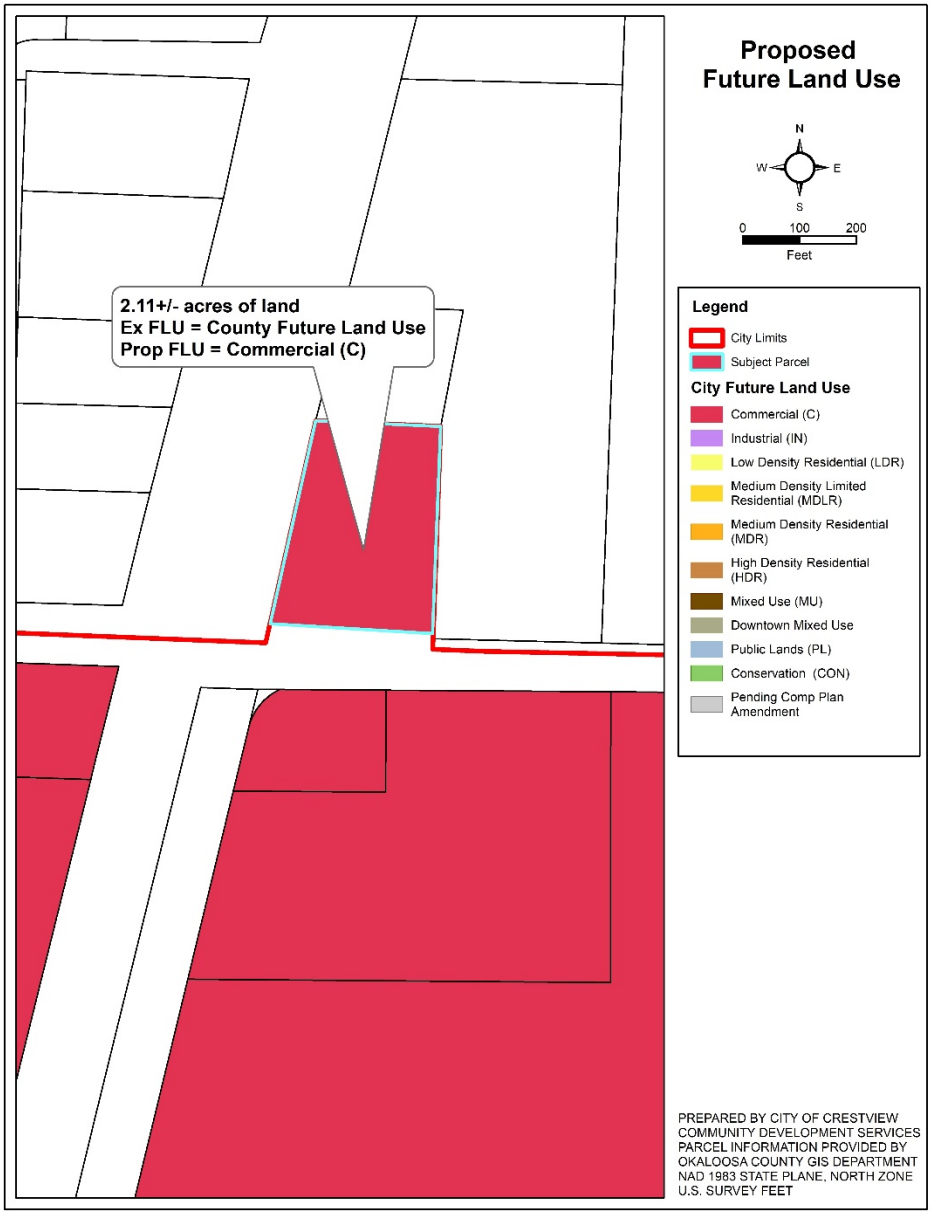
0 100 200
Feet

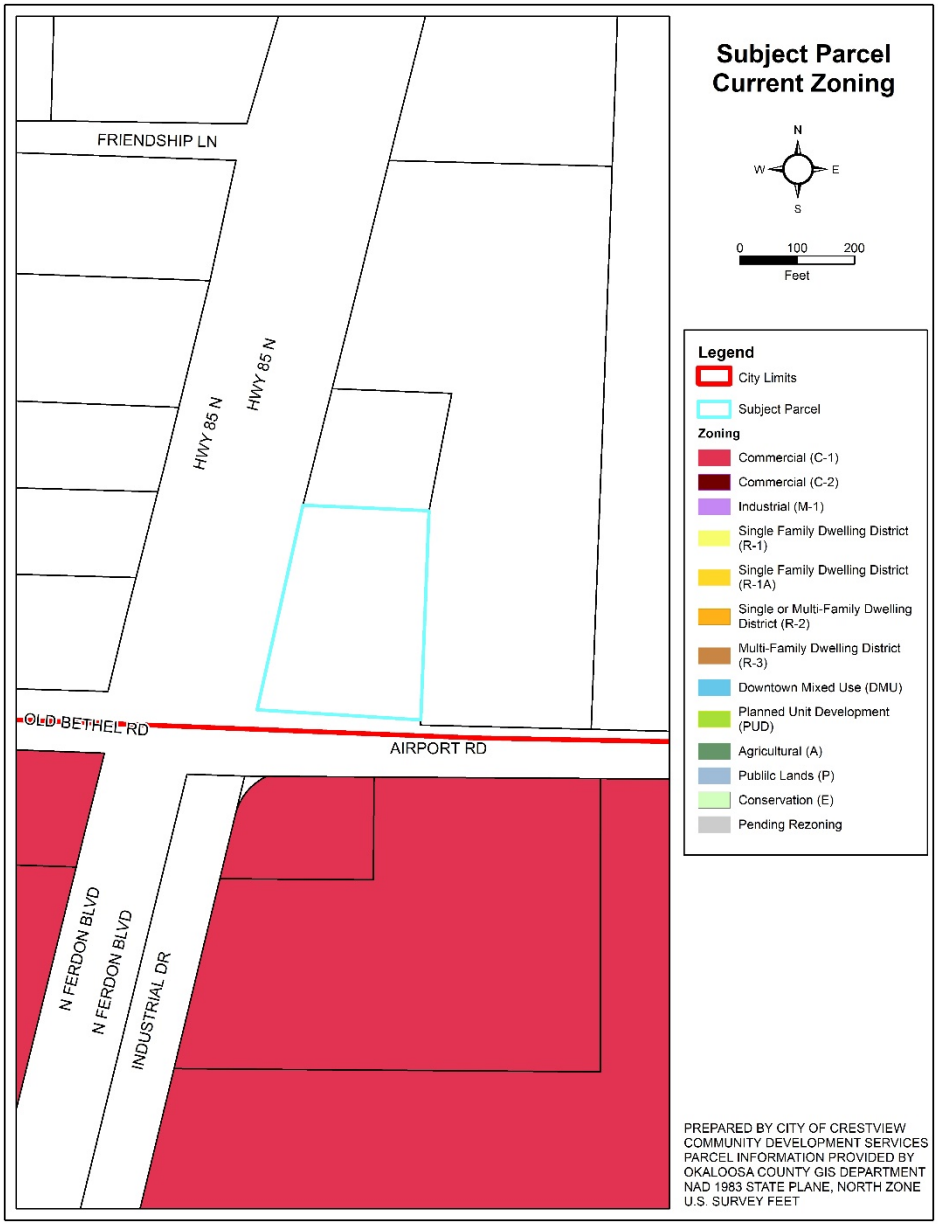
Legend
City Limits
Subject Parcel

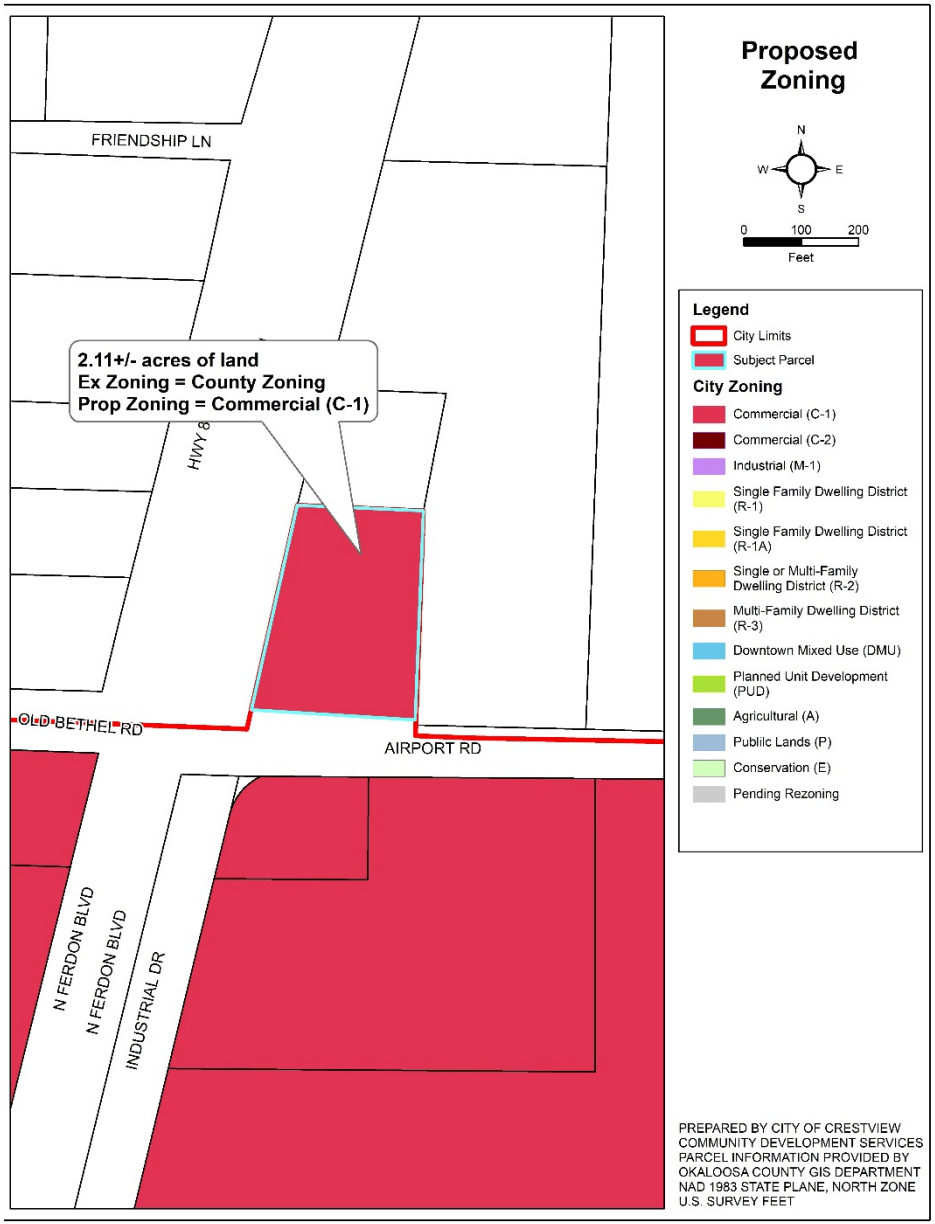
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

CURRENT AND PROPOSED FUTURE LAND USE MAPS









CURRENT AND PROPOSED ZONING DESIGNATION

3.	Application / Project Analysis

Project Description

The applicant(s) has requested voluntary annexation to the City, of the property located at 5701 HWY 85. The subject property is located on the Northeast corner of the HWY 85 and Airport Rd. intersection. The property, once the annexation processes have been completed, including the Comprehensive Plan amendment and Zoning Change processes, will be commercial in nature.

The applicant(s) has also requested the Comprehensive Plan amendment of the subject property **from Okaloosa County Mixed-Use (MU) to the City of Crestview Commercial (C) Future Land Use**. This Future Land Use amendment will allow the newly annexed lands to be developed Commercially.

The applicant(s) has also requested the Zoning Change **from Okaloosa County Mixed-Use (MU) zoning to City of Crestview Commercial (C) Zoning**. This zoning change will implement the Future Land Use change and require any proposed commercial development to meet the Land Development Code's commercial zoning district requirements.

Project Context

Current Conditions:
The subject property is currently developed by one single family dwelling. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
East	County Mixed-Use	County Mixed-Use	Place of Worship
South	City Commercial	City Commercial	Grocery/Quick Service
West	County Mixed-Use	County Mixed-Use	Single Family Dwelling
North	County Mixed-Use	County Mixed-Use	Commercial/Office

Project Compatibility:

A development application concerning the subject property has not been submitted. Based on the requested land-use and zoning designations, the property will be developed commercially. Development trends within similar commercial corridors lead staff to believe that the subject area will most likely be developed as a fueling station with a small convenience store possibly with appurtenant automatic carwash and quick service restaurant uses.

The surrounding uses include various non-residential uses of various intensities and a larger single family dwelling across HWY 85. Staff has been made aware of some movement on the residential property and has the understanding that it may be developed commercially in the not too distant future. Based on the above, staff believes that the requested annexation, comprehensive plan amendment and zoning change are compatible with the current and future surrounding uses.

Regulatory and Statutory Compliance:

Florida Statutes Chapter 171. The proposed voluntary annexation, as set forth herein, involves lands with a border(s) contiguous to the City's boundary; will not create an enclave; is compact; the lands are not within a neighboring incorporated municipality's jurisdiction; and services are or will be made available.

Florida Statute Chapter 163. The proposed amendment is on a 2.11 +/- acre parcel and is being processed as a small scale comprehensive plan amendment to the Future Land Use Map in accordance with Florida Statutes. As such, the amendment is being brought before the Local Planning Agency in a public hearing and before the City Council in a public hearing (the adoption hearing). The Florida Department of Economic Opportunity does not require review of small scale Future Land Use Map amendments unless challenged by an affected party within 30 days of adoption by the City Council.

City of Crestview Comprehensive Plan. Chapter 7 of the Comprehensive Plan establishes the various requirements for annexation as well as the Future Land Use categories and the applicant requested amendment to designate the annexed property as a Commercial Land Use is in keeping with the Plan. The Future Land Use Map of the Comprehensive Plan has established the appropriate land uses. The proposed extension of the City's boundary and commercial land use designation satisfies the Comprehensive Plan. The appropriate intensity and impervious surface area maximums will be assured during

development review. Specific Comprehensive Plan Goals Objectives and Policies in support of the requested actions are as follows:

Policy 7.A.6.6 – Because the proposed annexation is of unincorporated lands which are contiguous and compact; the annual maintenance costs are assumed to be less than the annual net revenue generated; and it improves the delineation of the City's boundary line.

Policy 7.A.2.2 – Because the amendment will serve to discourage urban sprawl.

Policy 7.A.6.3 – Because the amendment promotes infill development.

Policy 7.A.3.2 – Because the amendment is consistent with accepted planning principals and it represents efficiency of use of the property given its location relative to other uses.

Policy 16.A.1.5 – Because the amendment will be beneficial to existing commercial development, will encourage business retention and create a favorable business climate for existing businesses.

Crestview Land Development Code. The use of the property as a fueling station and convenience store is an allowable use within the commercial zoning district. There are many other appropriate commercial uses that could be permitted within the district as well. Public notice requirements of the Land Development Code have been followed.

Adequate Public Facilities:

State law requires that the City perform a public facilities evaluation when considering Comprehensive Plan Amendments of this nature. The City's Commercial Future Land Use allows for a higher intensity and for more impervious surface coverage than the County Mixed-Use Future Land Use. The following evaluation of the City's services is being undertaken with the assumption that the property will be developed at a Floor Area Ratio of 1.08 with an impervious surface area of 80%. By utilizing the maximum development potential of the requested Future Land Use, any identified impacts may be considered the worst-case scenario or upper limit of impact. Due to the fact that an application for development has not been submitted, the following evaluation is an estimation. However, when a development application is made, all impacts to City services will be addressed through the staff review and Development Order approval processes.

Project Demand:

Based on Technical Review Concurrency Determination provided by Public Services on 11/19/2019.

Transportation – "This site is at the intersection of Airport Rd, Old Bethel and HWY 85. This intersection tends to be busy, but smooth flowing except during peak am hours. The ITE lists a gas station with a convenience store at 845 trips per day and a restaurant at 90 trips per day. The total trips divided between the 3 roads gives the trip percentages shown in the following Table:

Affected Roadways	Available Capacity (Trips)		Projected Impact	
	Trips	%	Trips	%
HWY 85	11700	35%	312	3%
Old Bethel	5625	52%	311	6%
Airport	4225	39%	312	7%

Potable Water – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Potable Water Capacity = 7,788,516 GPD
Projected Impact to water and sanitary sewer systems = 8,900 GPD.

Sanitary Sewer – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Sanitary Sewer Capacity = 830,454 GPD
Projected Impact to water and sanitary sewer systems = 8,900 GPD.

Parks and Recreation – There are no Parks and Recreation levels of service that relate nor are impact by commercial development.

Solid Waste – The adopted level of service of 5.0 pounds/capita/day (policy 10.B.1.5) is a regulatory level and will be reviewed and maintained as part of the city's annual budget processes.

Stormwater and Drainage – "This site would drain onto HWY 85 and Airport Rd. Both of these roads are county roads. This site would [be] subject to all stormwater retention requirements."

Environmental Impacts:

Wetlands and Environmentally Sensitive Lands – Current wetlands data indicates the absence of any jurisdictional wetlands within the subject property.

Historical and/or Archeological Resources – The application does not address the presence of any historical or archeological resources onsite.

General Staff Comments:

Planning and Zoning. No general comments at this time.

Public Services. Included above.

Fire and Life safety. No comment relating to the current applications. However, the Fire Marshall did suggest that a hydrant may be required upon development review processes.

4.	Findings

a. The request for Annexation satisfies Florida Statute requirements for voluntary annexation.
b. The request for Comprehensive Plan Amendment is consistent with the above references and will not be a detriment to the surrounding property.
c. The request for Zoning Change is consistent with the above references and will not be a detriment to the surrounding property.
d. No adverse impacts to level of service standards nor to environmentally sensitive lands have been perceived.

5.	Conditions of Approval

a. Staff does not apply nor recommend the application of any conditions for approval of the current applications.

6.	Conclusion and Recommendation

a. The applicant has submitted the required forms for Annexation, Comprehensive Plan Amendment, and Zoning Change of the property.
b. The proposed actions satisfy the requirements of the City of Crestview's adopted Comprehensive Plan, and Land Development Code.

c. The associated Comprehensive Plan Amendment should not pose a problem if supported by proper documentation and Council intent.
d. Please review the applications based on the characteristics of the site and surrounding area; the nature of the development, including the land use type and densities/intensities; and conformity of the development with the City's Comprehensive Plan, the City's Code of Ordinances and other applicable state and city regulations, in deciding the request.

Based on the analysis above and the findings of fact, staff recommends **APPROVAL** of the applications for Annexation, Comprehensive Plan Amendment, and Zoning Change.

Assigned Staff: Stephen Schoen, AICP, Development Administrator

Received Public Comments:
1) None

CITY OF CRESTVIEW

Item # 12.5.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1735 - Highway 85 N Rezoning

BACKGROUND:

Glenda G. Gordon, et al, property owners, applied for a zoning change of a ±2.18-acre parcel of land located in Section 33, Township 4 North, Range 23 West, Okaloosa County, Florida. The parcel identification number is 33-4N-23-0000-0056-0000 in the public records of Okaloosa County.

The Local Planning Agency recommended approval of the request on January 7, 2020.

DISCUSSION:

Staff provided a complete evaluation of the request. The details of this evaluation are found in the attached staff report.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

Adoption of Ordinance 1735 will have very little financial impact on the City. If the site is built out commercially it may produce a slight increase in property tax revenue.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1735 on second reading.

Attachments

1. Ordinance 1735 - Hwy 85 Rezone
2. Planning Staff Report - Hwy 85

ORDINANCE:

ORDINANCE NO. 1735

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 2.18 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY MIXED-USE (MU) ZONING DISTRICT TO THE COMMERCIAL (C-1); PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2. PROPERTY REZONED. The following described 2.18 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 2.18 acres, more or less, being formerly zoned Okaloosa County Mixed-Use (MU) with the Commercial (C) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1734, is hereby rezoned to the Commercial (C-1) to wit:

PIN # 33-4N-23-0000-0056-0000

PARCEL

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 88 DEGREES 03 MINUTES 40 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 295.00 FEET TO THE POINT OF BEGINNING; THENCE PROCEED NORTH 88 DEGREES 03 MINUTES 40 SECONDS WEST, A DISTANCE OF 290.98 FEET; THENCE PROCEED NORTH 13 DEGREES 36 MINUTES 51 SECONDS EAST, A DISTANCE OF 382.91 FEET; THENCE PROCEED SOUTH 87 DEGREES 50 MINUTES 11 SECONDS EAST, A DISTANCE OF 216.03 FEET; THENCE PROCEED SOUTH 02 DEGREES 19 MINUTES 54 SECONDS WEST, A DISTANCE OF 374.15 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED, CONTAINING 2.18 ACRES, MORE OR LESS.

SECTION 3. MAP UPDATE.

The Crestview Zoning Map, current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance. Attached hereto as Exhibit A.

SECTION 4. SEVERABILITY. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions of this ordinance are declared severable.

SECTION 5. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 7. REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment 19-S10 is adopted by Ordinance # 1734 and becomes legally effective.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON

THE _____ DAY OF _____, 2020.

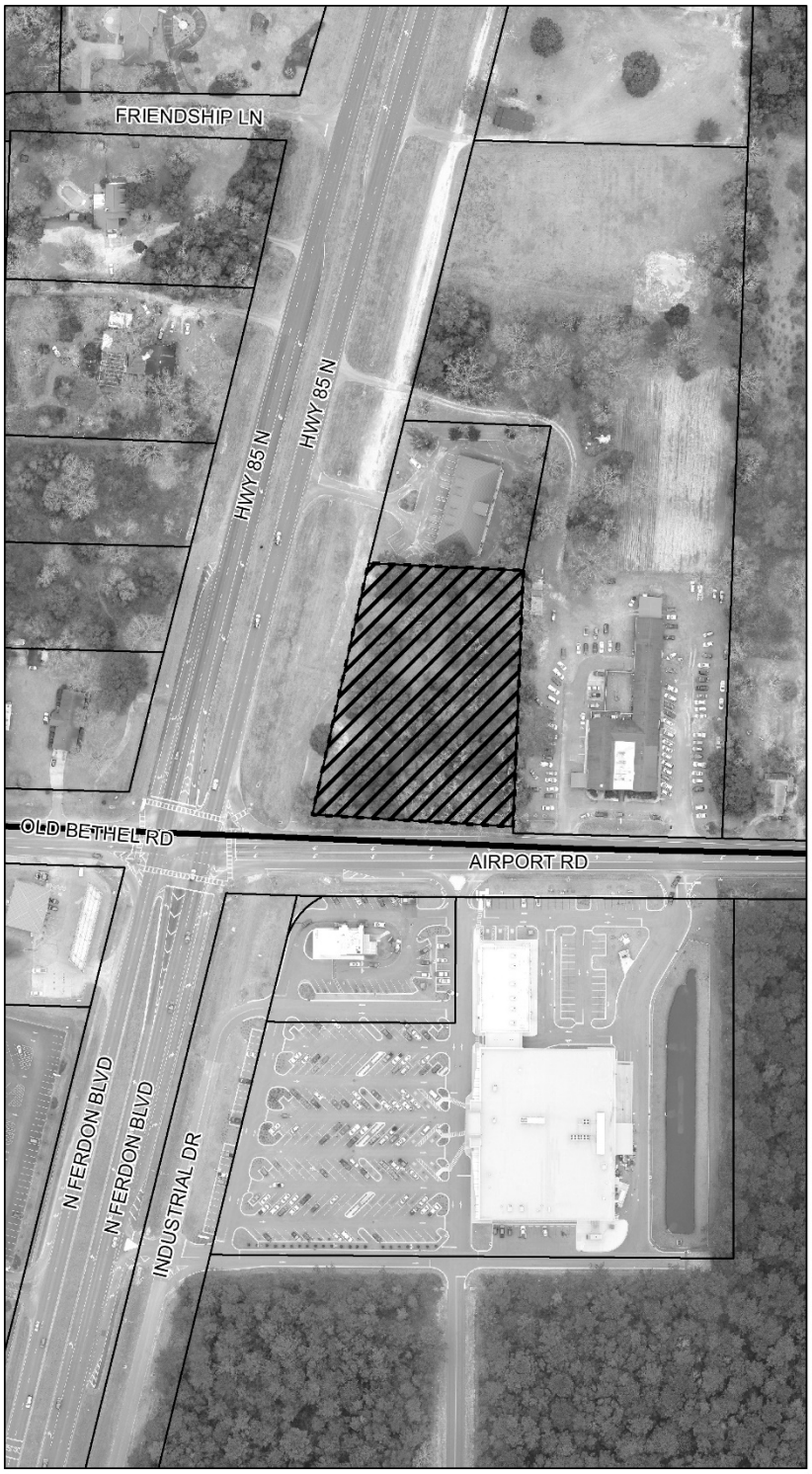
ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____DAY OF _____, 2020.

_____
J. B. WHITTEN
Mayor

EXHIBIT A



Subject Parcel Aerial Exhibit

N
W E
S

0 100 200
Feet

Legend
City Limits
Subject Parcels

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

PLANNING AND ZONING STAFF REPORT TO THE LOCAL PLANNING AGENCY AND CITY COUNCIL

PROJECT NAME: 5701 HWY 85

PROJECT NUMBER(S): Annex 20-04
Comp (small scale) 20-05 (Amendment # 19-S10)
Rezone 20-06

AGENDA DATE: LPA – Public Hearing: January 7, 2020
City Council – First Reading: January 13, 2020
City Council – Second Reading & Public Hearing: January 27, 2020

LAST AMENDED DATE: 11/25/ 2019

1. Reviewed and Applied - References

a. Crestview Code of Ordinances, Current Edition
b. Crestview Comprehensive Plan, Current Edition
c. Florida Statutes, Current Edition

2. Project Summary

Property Owner(s)
Glenda G. Gordon
Michael K. Sapp
Sherrie D. Johnson

Applicant
Owners

Staff Planner:
Stephen Schoen, AICP

Property Location: The subject property is generally located on the northeast corner of the intersection of Highway 85 N and Airport Road and consists of ± 2.18 acres; PIN# 33-4N-23-0000-0056-0000

Application Information:
The applicant has requested annexation of the property located at 5701 Highway 85 N to the City of Crestview, Comprehensive Plan Amendment to Commercial (C), and Zoning designation of Commercial (C-1), to allow for commercial development.

Staff Recommendation:
Approval of the requested actions, subject to any conditions provided in the following report or suggested by the LPA.

Public Notice:
- Notice letters sent to property owners within 300' of the subject property on 11/26/19
- Property posting on 12/3/19
- Ad run on 12/7/19
- BOCC notified on 12/7/19

Subject Parcel Aerial Exhibit

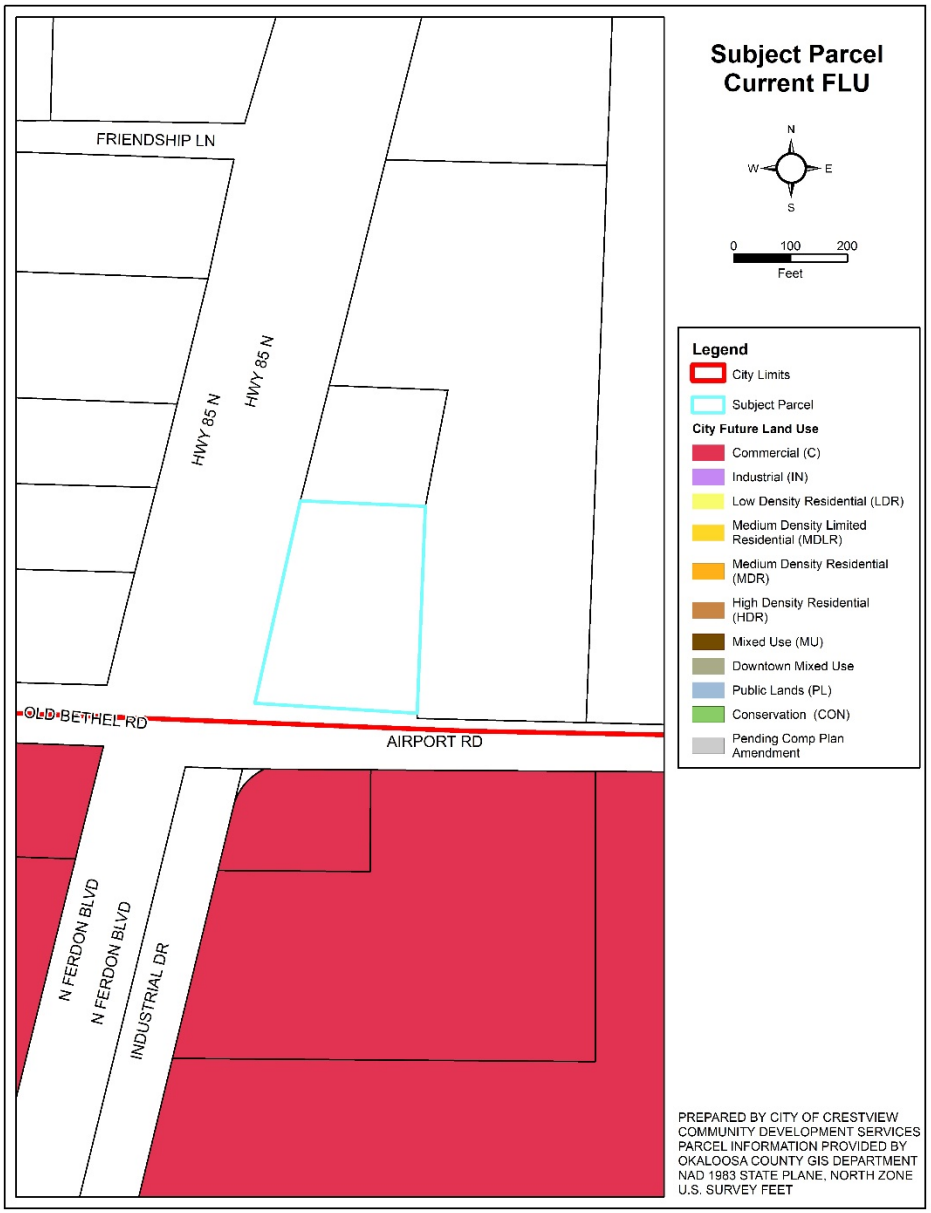
N
W E
S

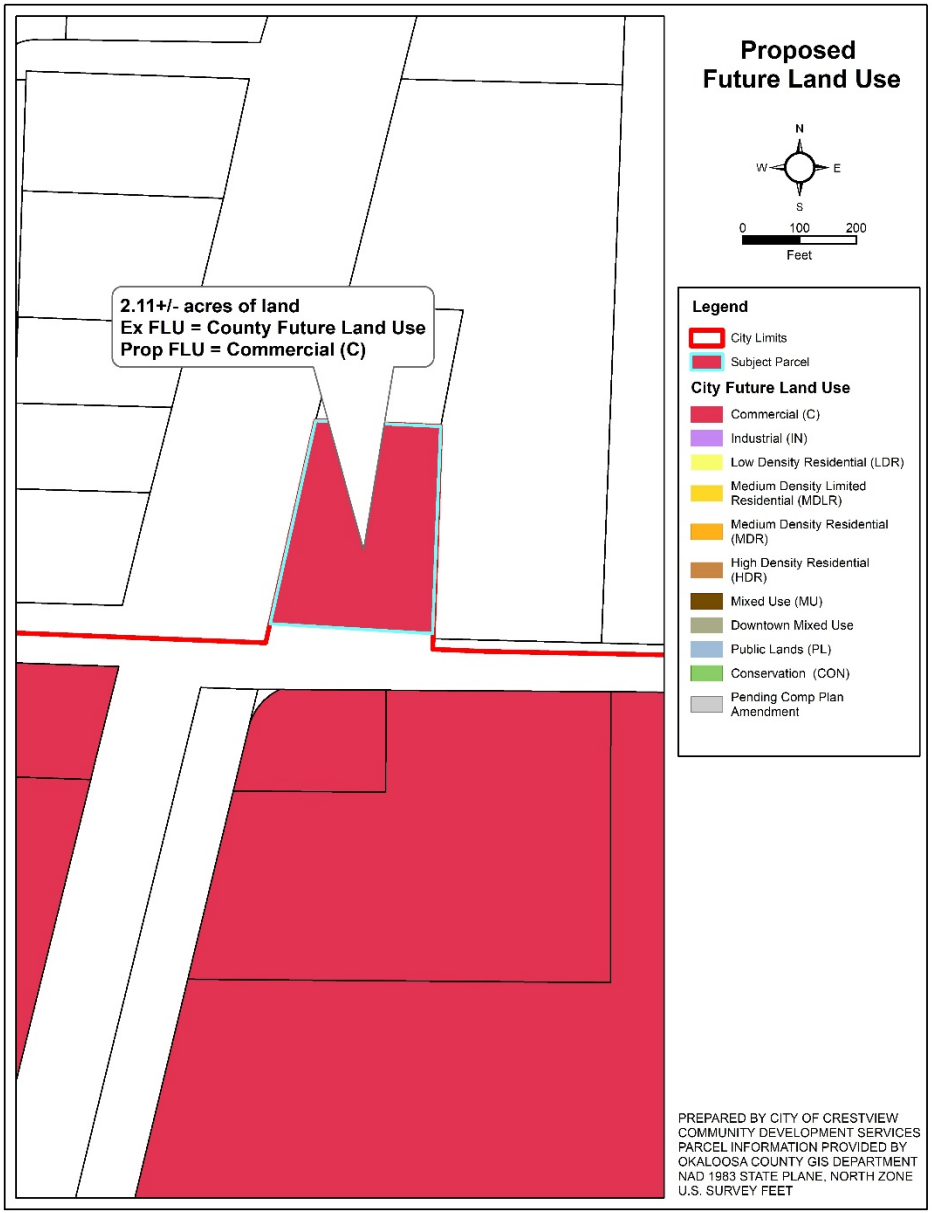
0 100 200
Feet

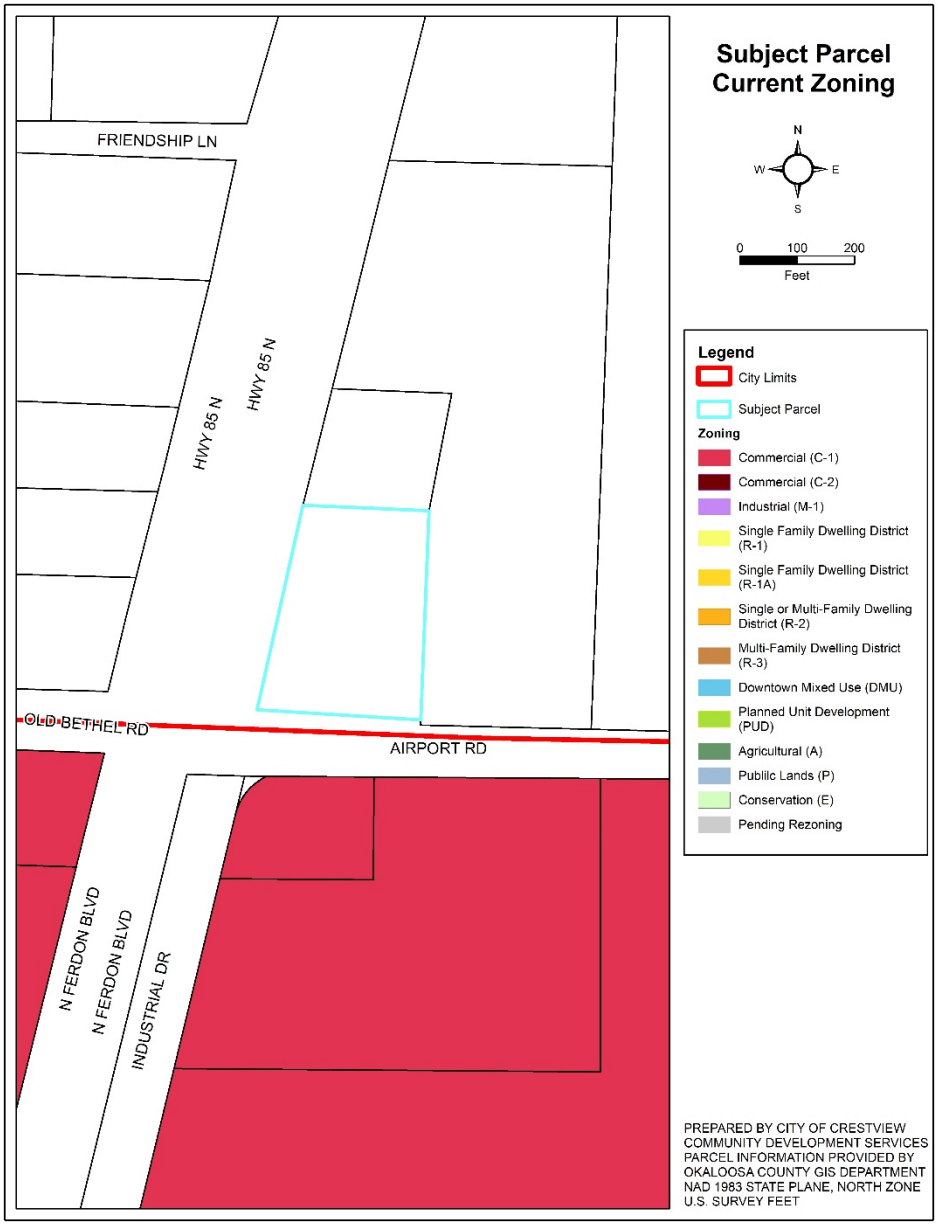
Legend
City Limits
Subject Parcel

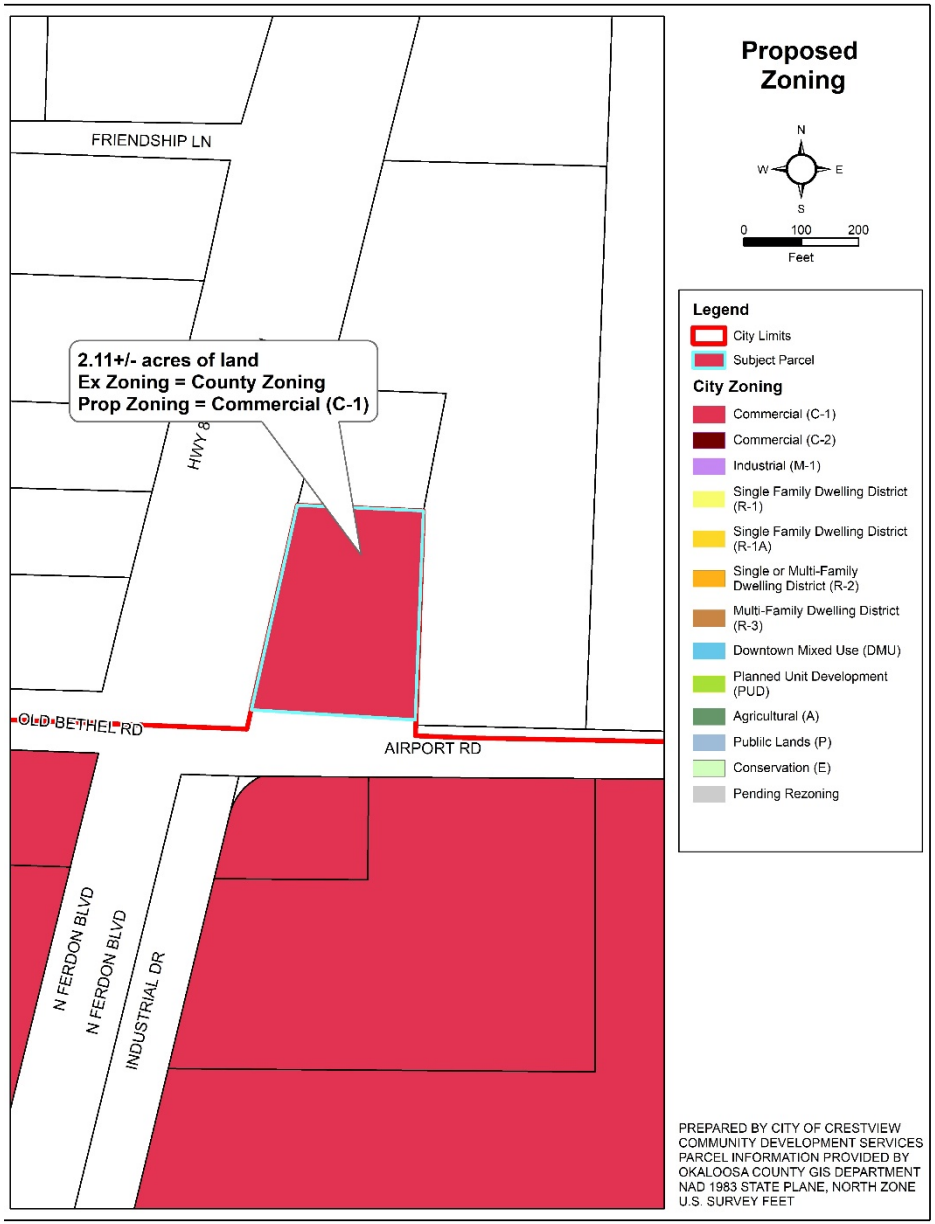
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

CURRENT AND PROPOSED FUTURE LAND USE MAPS









CURRENT AND PROPOSED ZONING DESIGNATION

3.	Application / Project Analysis

Project Description

The applicant(s) has requested voluntary annexation to the City, of the property located at 5701 HWY 85. The subject property is located on the Northeast corner of the HWY 85 and Airport Rd. intersection. The property, once the annexation processes have been completed, including the Comprehensive Plan amendment and Zoning Change processes, will be commercial in nature.

The applicant(s) has also requested the Comprehensive Plan amendment of the subject property **from Okaloosa County Mixed-Use (MU) to the City of Crestview Commercial (C) Future Land Use**. This Future Land Use amendment will allow the newly annexed lands to be developed Commercially.

The applicant(s) has also requested the Zoning Change **from Okaloosa County Mixed-Use (MU) zoning to City of Crestview Commercial (C) Zoning**. This zoning change will implement the Future Land Use change and require any proposed commercial development to meet the Land Development Code's commercial zoning district requirements.

Project Context

Current Conditions:
The subject property is currently developed by one single family dwelling. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
East	County Mixed-Use	County Mixed-Use	Place of Worship
South	City Commercial	City Commercial	Grocery/Quick Service
West	County Mixed-Use	County Mixed-Use	Single Family Dwelling
North	County Mixed-Use	County Mixed-Use	Commercial/Office

Project Compatibility:

A development application concerning the subject property has not been submitted. Based on the requested land-use and zoning designations, the property will be developed commercially. Development trends within similar commercial corridors lead staff to believe that the subject area will most likely be developed as a fueling station with a small convenience store possibly with appurtenant automatic carwash and quick service restaurant uses.

The surrounding uses include various non-residential uses of various intensities and a larger single family dwelling across HWY 85. Staff has been made aware of some movement on the residential property and has the understanding that it may be developed commercially in the not too distant future. Based on the above, staff believes that the requested annexation, comprehensive plan amendment and zoning change are compatible with the current and future surrounding uses.

Regulatory and Statutory Compliance:

Florida Statutes Chapter 171. The proposed voluntary annexation, as set forth herein, involves lands with a border(s) contiguous to the City's boundary; will not create an enclave; is compact; the lands are not within a neighboring incorporated municipality's jurisdiction; and services are or will be made available.

Florida Statute Chapter 163. The proposed amendment is on a 2.11 +/- acre parcel and is being processed as a small scale comprehensive plan amendment to the Future Land Use Map in accordance with Florida Statutes. As such, the amendment is being brought before the Local Planning Agency in a public hearing and before the City Council in a public hearing (the adoption hearing). The Florida Department of Economic Opportunity does not require review of small scale Future Land Use Map amendments unless challenged by an affected party within 30 days of adoption by the City Council.

City of Crestview Comprehensive Plan. Chapter 7 of the Comprehensive Plan establishes the various requirements for annexation as well as the Future Land Use categories and the applicant requested amendment to designate the annexed property as a Commercial Land Use is in keeping with the Plan. The Future Land Use Map of the Comprehensive Plan has established the appropriate land uses. The proposed extension of the City's boundary and commercial land use designation satisfies the Comprehensive Plan. The appropriate intensity and impervious surface area maximums will be assured during

development review. Specific Comprehensive Plan Goals Objectives and Policies in support of the requested actions are as follows:

Policy 7.A.6.6 – Because the proposed annexation is of unincorporated lands which are contiguous and compact; the annual maintenance costs are assumed to be less than the annual net revenue generated; and it improves the delineation of the City's boundary line.

Policy 7.A.2.2 – Because the amendment will serve to discourage urban sprawl.

Policy 7.A.6.3 – Because the amendment promotes infill development.

Policy 7.A.3.2 – Because the amendment is consistent with accepted planning principals and it represents efficiency of use of the property given its location relative to other uses.

Policy 16.A.1.5 – Because the amendment will be beneficial to existing commercial development, will encourage business retention and create a favorable business climate for existing businesses.

Crestview Land Development Code. The use of the property as a fueling station and convenience store is an allowable use within the commercial zoning district. There are many other appropriate commercial uses that could be permitted within the district as well. Public notice requirements of the Land Development Code have been followed.

Adequate Public Facilities:

State law requires that the City perform a public facilities evaluation when considering Comprehensive Plan Amendments of this nature. The City's Commercial Future Land Use allows for a higher intensity and for more impervious surface coverage than the County Mixed-Use Future Land Use. The following evaluation of the City's services is being undertaken with the assumption that the property will be developed at a Floor Area Ratio of 1.08 with an impervious surface area of 80%. By utilizing the maximum development potential of the requested Future Land Use, any identified impacts may be considered the worst-case scenario or upper limit of impact. Due to the fact that an application for development has not been submitted, the following evaluation is an estimation. However, when a development application is made, all impacts to City services will be addressed through the staff review and Development Order approval processes.

Project Demand:

Based on Technical Review Concurrency Determination provided by Public Services on 11/19/2019.

Transportation – "This site is at the intersection of Airport Rd, Old Bethel and HWY 85. This intersection tends to be busy, but smooth flowing except during peak am hours. The ITE lists a gas station with a convenience store at 845 trips per day and a restaurant at 90 trips per day. The total trips divided between the 3 roads gives the trip percentages shown in the following Table:

Affected Roadways	Available Capacity (Trips)		Projected Impact	
	Trips	%	Trips	%
HWY 85	11700	35%	312	3%
Old Bethel	5625	52%	311	6%
Airport	4225	39%	312	7%

Potable Water – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Potable Water Capacity = 7,788,516 GPD
Projected Impact to water and sanitary sewer systems = 8,900 GPD.

Sanitary Sewer – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Sanitary Sewer Capacity = 830,454 GPD
Projected Impact to water and sanitary sewer systems = 8,900 GPD.

Parks and Recreation – There are no Parks and Recreation levels of service that relate nor are impact by commercial development.

Solid Waste – The adopted level of service of 5.0 pounds/capita/day (policy 10.B.1.5) is a regulatory level and will be reviewed and maintained as part of the city's annual budget processes.

Stormwater and Drainage – "This site would drain onto HWY 85 and Airport Rd. Both of these roads are county roads. This site would [be] subject to all stormwater retention requirements."

Environmental Impacts:

Wetlands and Environmentally Sensitive Lands – Current wetlands data indicates the absence of any jurisdictional wetlands within the subject property.

Historical and/or Archeological Resources – The application does not address the presence of any historical or archeological resources onsite.

General Staff Comments:

Planning and Zoning. No general comments at this time.

Public Services. Included above.

Fire and Life safety. No comment relating to the current applications. However, the Fire Marshall did suggest that a hydrant may be required upon development review processes.

4.	Findings

a. The request for Annexation satisfies Florida Statute requirements for voluntary annexation.
b. The request for Comprehensive Plan Amendment is consistent with the above references and will not be a detriment to the surrounding property.
c. The request for Zoning Change is consistent with the above references and will not be a detriment to the surrounding property.
d. No adverse impacts to level of service standards nor to environmentally sensitive lands have been perceived.

5.	Conditions of Approval

a. Staff does not apply nor recommend the application of any conditions for approval of the current applications.

6.	Conclusion and Recommendation

a. The applicant has submitted the required forms for Annexation, Comprehensive Plan Amendment, and Zoning Change of the property.
b. The proposed actions satisfy the requirements of the City of Crestview's adopted Comprehensive Plan, and Land Development Code.

c. The associated Comprehensive Plan Amendment should not pose a problem if supported by proper documentation and Council intent.
d. Please review the applications based on the characteristics of the site and surrounding area; the nature of the development, including the land use type and densities/intensities; and conformity of the development with the City's Comprehensive Plan, the City's Code of Ordinances and other applicable state and city regulations, in deciding the request.

Based on the analysis above and the findings of fact, staff recommends **APPROVAL** of the applications for Annexation, Comprehensive Plan Amendment, and Zoning Change.

Assigned Staff: Stephen Schoen, AICP, Development Administrator

Received Public Comments:
1) None

CITY OF CRESTVIEW

Item # 12.6.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1736 - Arena Road Comprehensive Plan Amendment

BACKGROUND:

Crestview Property Services, property owner, applied for a Comprehensive Plan Amendment to the Future Land Use Map of a ±1.97-acre parcel of land located in Section 19, Township 3 North, Range 23 West, Okaloosa County, Florida. The parcel identification number is 19-3N-23-0000-0004-0000 in the public records of Okaloosa County.

The Local Planning Agency recommended approval of the request on January 7, 2020.

DISCUSSION:

Staff provided a complete evaluation of the request. The details of this evaluation are found in the attached staff report.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

Adoption of Ordinance 1736 will have very little financial impact on the City. If the site is built out, it may produce a slight increase in property tax revenue.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1736 on second reading.

Attachments

1. Ordinance 1736 - Arena Rd Comp

2. Planning Staff Report - Arena Rd

ORDINANCE:

ORDINANCE NO. 1736

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) FUTURE LAND USE CATEGORY TO INDUSTRIAL (IN) FUTURE LAND USE CATEGORY ON APPROXIMATELY 1.97 ACRES, MORE OR LESS, IN SECTION 19, TOWNSHIP 3 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2. Findings of Fact. The City Council of the City of Crestview finds the following:

A. This amendment will promote compact, orderly development and discourage urban sprawl; and

B. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and

C. A public hearing has been conducted by the City Council after "due public notice"; and

D. This amendment involves changing the future land use designation from Low Density Residential (LDR) Future Land Use Category to the Industrial (IN) Future Land Use Category on a parcel of land containing 1.97 acres, more or less, lying within the corporate limits of the City; and

E. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens.

SECTION 3. Purpose. The purpose of this Ordinance is to adopt an amendment to the "City of Crestview Comprehensive Plan: 2020." The amendment is known as 19-S11 and it is as described in Section 4 below.

SECTION 4. Future Land Use Map Amendment. The Future Land Use Map is amended by changing the future land use category of a parcel containing approximately 1.97 acres of land, more or less, from Low Density Residential (LDR) Future Land Use Category to the Industrial (IN) Future Land Use Category. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 1.97 acres, more or less, is known as Parcel 19-3N-23-0000-0004-0000 and commonly described as:

PARCEL:

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 19, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TWO ACRES IN THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 23 WEST, BEING ONE ACRE EAST AND WEST AND TWO ACRES NORTH AND SOUTH. ALL LYING AND BEING IN OKALOOSA COUNTY, FLORIDA.

The Industrial (IN) Future Land Use Category is hereby imposed on Parcel 19-3N-23-0000-0004-0000. Exhibit A, which is attached hereto and made a part hereof by reference, graphically depicts the revisions to the Future Land Use Map and shows Parcel 19-3N-23-0000-0004-0000 thereon.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for

substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Scrivener's Errors. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. Ordinance to be Liberally Construed. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. Repeal of Conflicting Codes, Ordinances, and Resolutions. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. Effective Date. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON

THE _____ DAY OF _____, 2020.

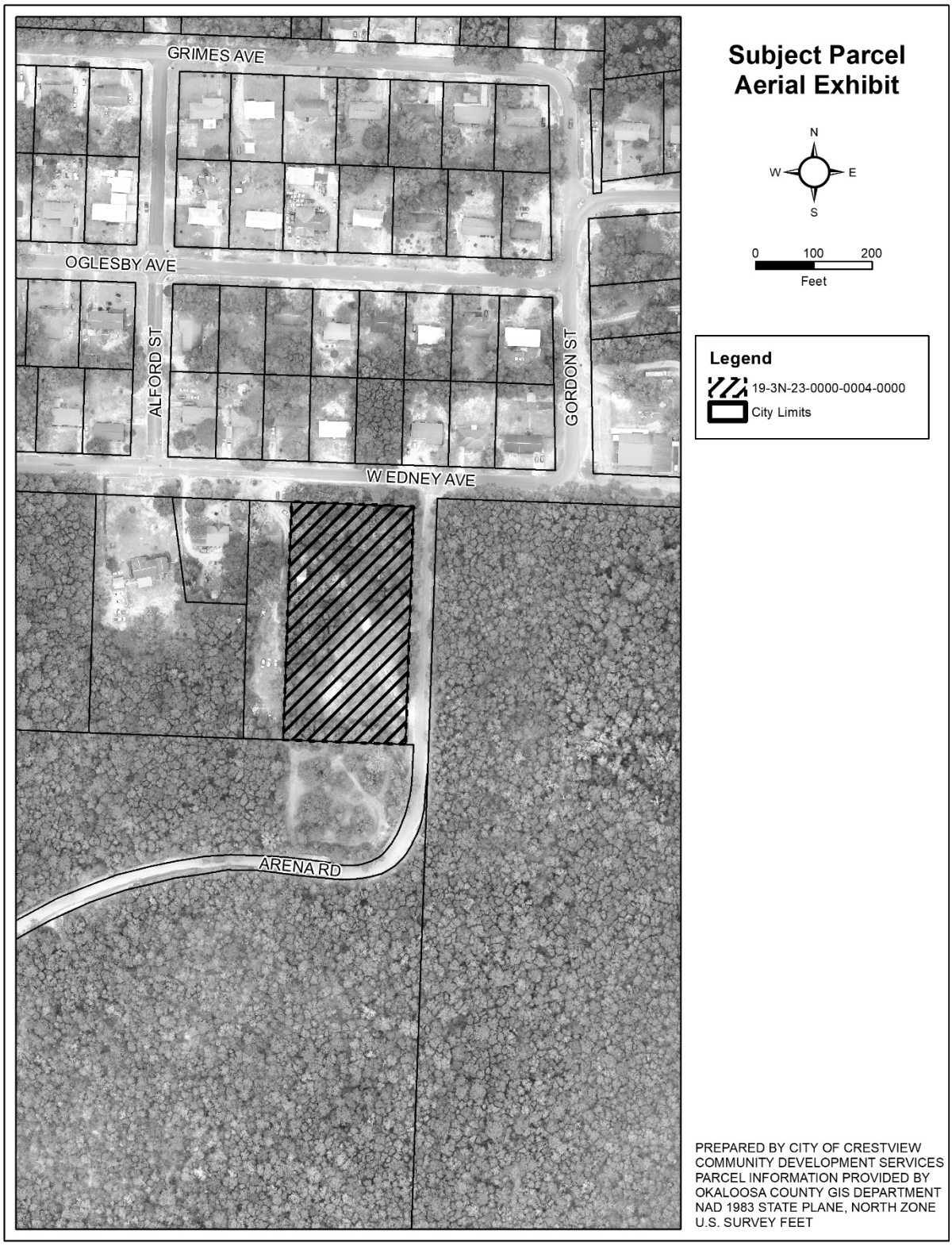
ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____DAY OF _____, 2020.

_____
J. B. WHITTEN
Mayor

EXHIBIT A


GRIMES AVE
OGLESBY AVE
ALFORD ST
GORDON ST
W EDNEY AVE
ARENA RD
Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
19-3N-23-0000-0004-0000
City Limits
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

PLANNING AND ZONING STAFF REPORT TO THE LOCAL PLANNING AGENCY AND CITY COUNCIL

PROJECT NAME: Arena Rd. Comprehensive Plan Amendment and Zoning Change

PROJECT NUMBER(S): Comp (small scale) 20-07 (Amendment # 19-S11)
Rezone 20-08

AGENDA DATE: LPA – Public Hearing: January 7, 2020
City Council – First Reading: January 13, 2020
City Council – Second Reading & Public Hearing: January 27, 2020

LAST AMENDED DATE: 12/09/ 2019

1. Reviewed and Applied - References

a. Crestview Code of Ordinances, Current Edition
b. Crestview Comprehensive Plan, Current Edition
c. Florida Statutes, Current Edition

2. Project Summary

Property Owner(s)
Crestview Property Services, LLC

Applicant
Property Owners

Staff Planner:
Stephen Schoen, AICP

Property Location: The subject property is generally located on the southwest corner of the intersection of Arena Road and Edney Avenue West and consists of 1.97+/- acres;
PIN# 19-3N-23-0000-0004-0000

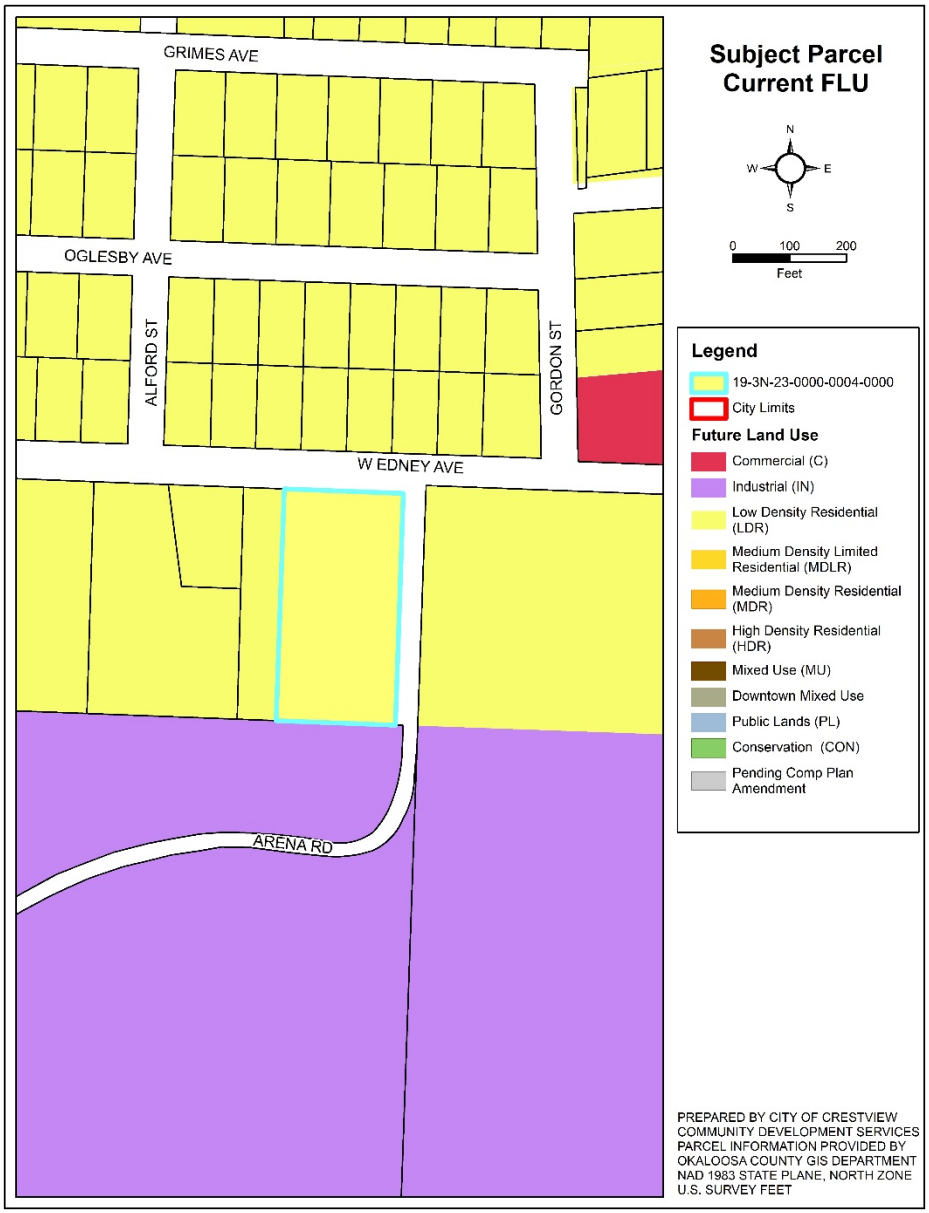
Application Information:
The applicant has requested Comprehensive Plan Amendment to Industrial (I), and Zoning designation of Industrial (M-1), to allow for industrial development.

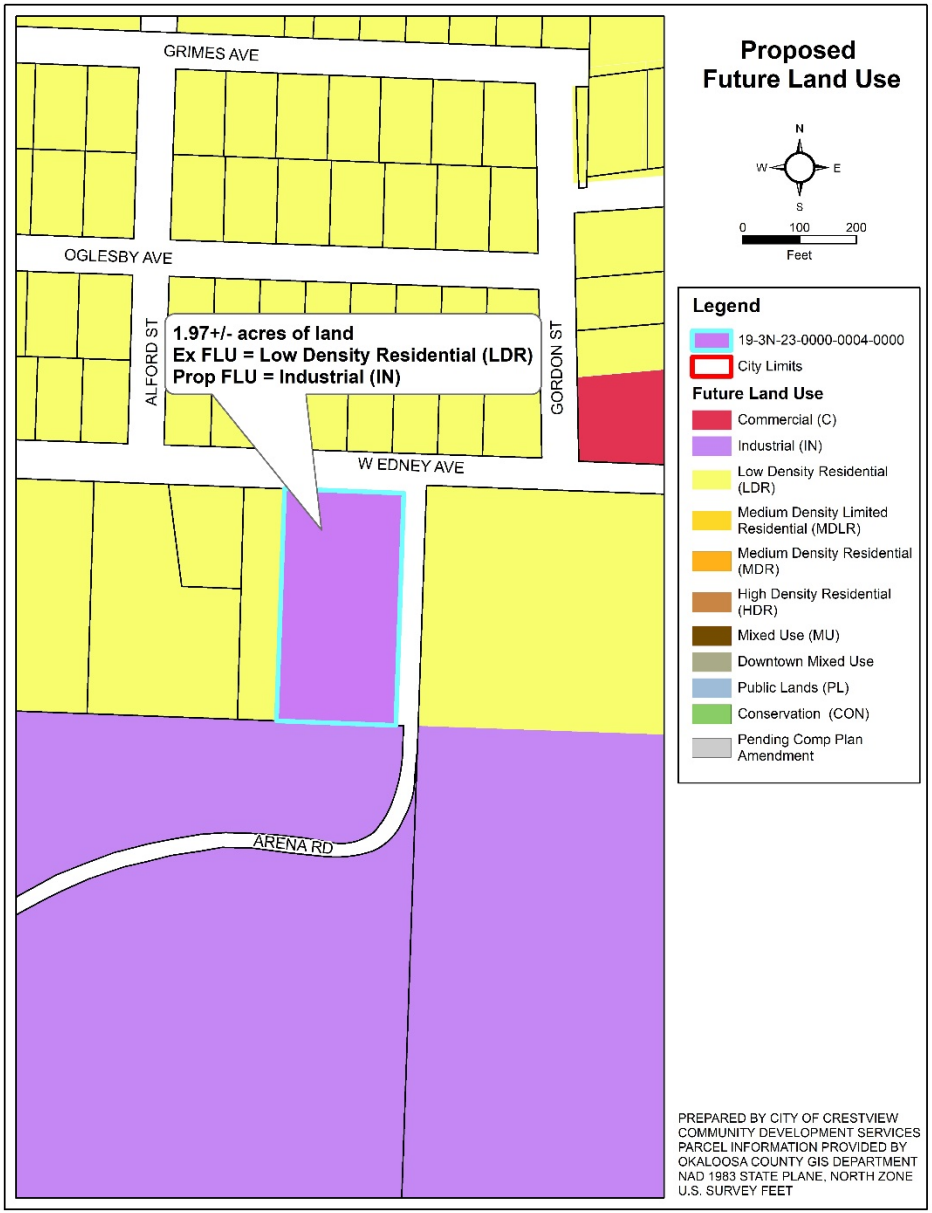
Staff Recommendation:
Approval of the requested actions, subject to any conditions provided in the following report or suggested by the LPA.

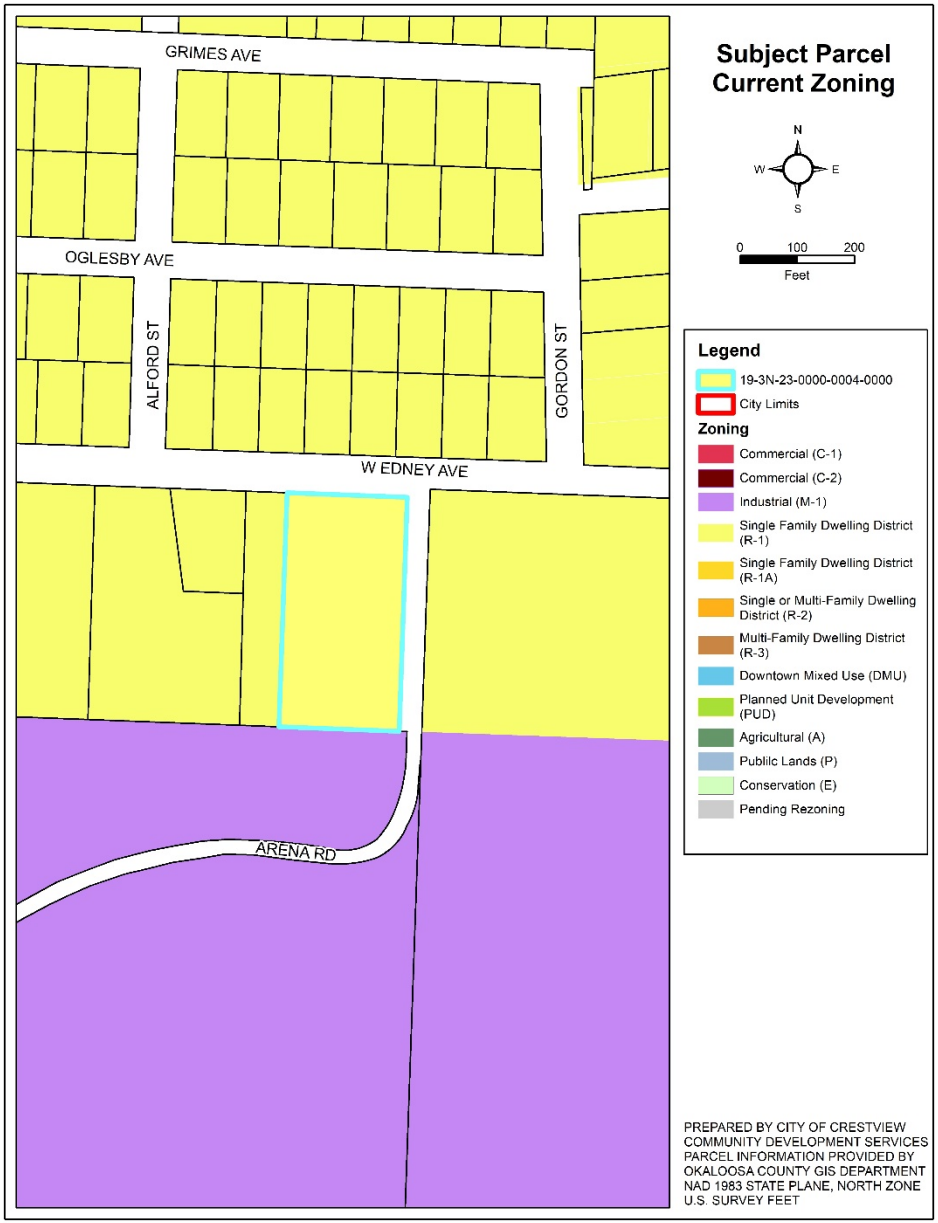
Public Notice:
- Notice letters sent to property owners within 300' of the subject property on 11/26/19
- Property posting on 12/3/19
- Ad run on 12/7/19
- BOCC notified on 12/7/19

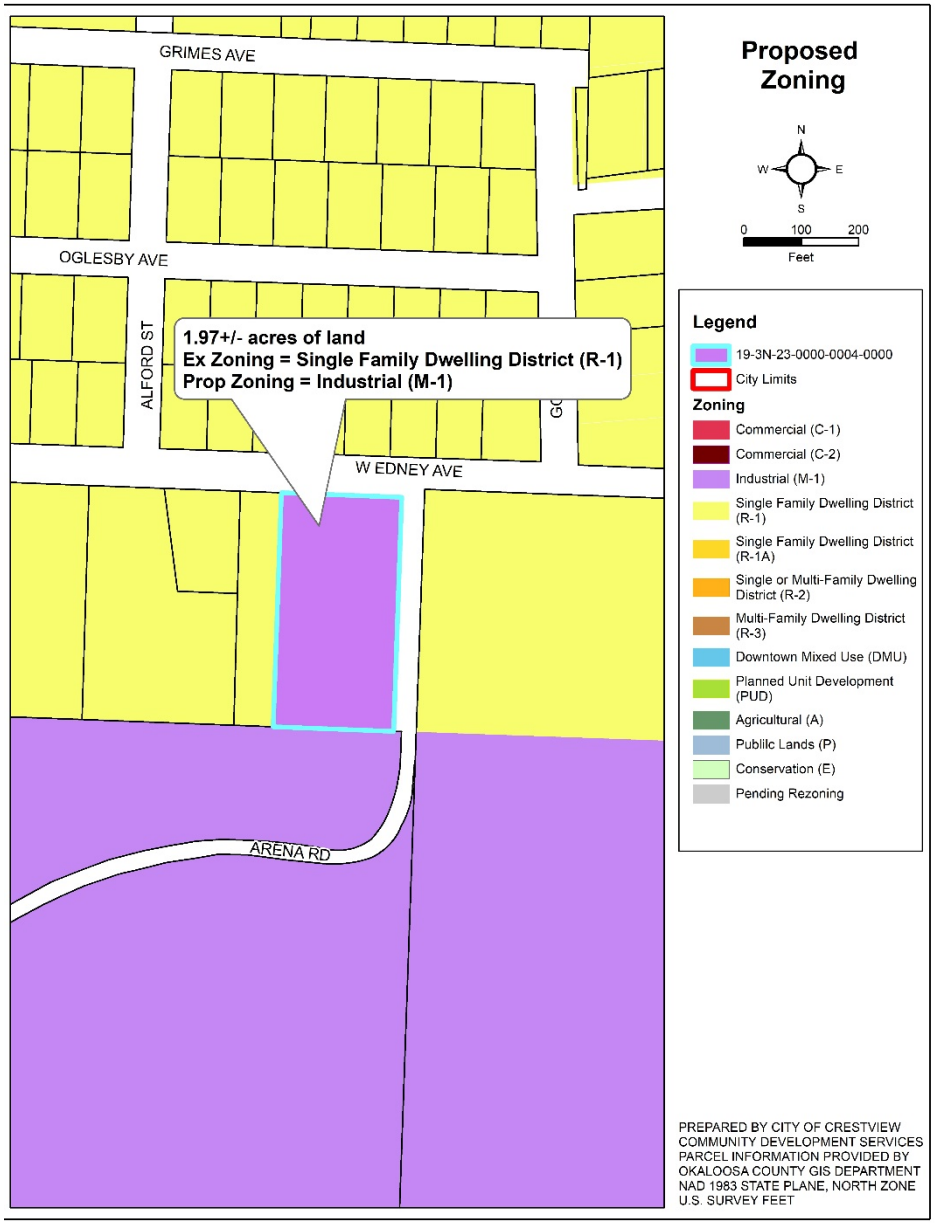
GRIMES AVE
OGLESBY AVE
ALFORD ST
GORDON ST
W EDNEY AVE
ARENA RD
Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
19-3N-23-0000-0004-0000
City Limits
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

CURRENT AND PROPOSED FUTURE LAND USE MAPS









CURRENT AND PROPOSED ZONING DESIGNATION

3.	Application / Project Analysis

Project Description

The applicant(s) has requested the Comprehensive Plan amendment of the subject property **from Low Density Residential to the Industrial (I) Future Land Use**. This Future Land Use amendment will allow the newly annexed lands to be developed Industrially.

The applicant(s) has also requested the Zoning Change **from Single Family Dwelling (R-1) zoning to Industrial (M-1) Zoning**. This zoning change will implement the Future Land Use change and require any proposed industrial development to meet the Land Development Code's M-1 zoning district requirements.

Project Context

Current Conditions:
The subject property is currently developed by one single family dwelling. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
East	City LDR	City R-1	Vacant
South	City Industrial	City M-1	Vacant
West	City LDR	City R-1	Single Family Dwelling
North	City LDR	City R-1	Single Family Dwelling

Project Compatibility:

A development application concerning the subject property has not been submitted. Based on the requested land-use and zoning designations, the property will be developed industrially.

The surrounding uses include single family dwellings. Generally, Industrial uses are not compatible with single family residential uses and this separation of uses has been the crux of zoning law in the United States. However, development within the industrial zoning district, when located adjacent to residential uses and/or zoning districts is required to increase setbacks and landscape buffering. The nature of the proposed industrial use is not currently known and there may be a need for additional buffering based on the site design. Compatibility of the requested comprehensive plan amendment and zoning change with the neighborhood could be maintained by the use of properly placed and sized buffers that would be dependent on the specific site plan.

Regulatory and Statutory Compliance:

Florida Statute Chapter 163. The proposed amendment is on a 1.97 +/- acre parcel and is being processed as a small-scale comprehensive plan amendment to the Future Land Use Map in accordance with Florida Statutes. As such, the amendment is being brought before the Local Planning Agency in a public hearing and before the City Council in a public hearing (the adoption hearing). The Florida Department of Economic Opportunity does not require review of small-scale Future Land Use Map amendments unless challenged by an affected party within 30 days of adoption by the City Council.

City of Crestview Comprehensive Plan. Chapter 7 of the Comprehensive Plan establishes the various requirements for Future Land Use categories and the applicant requested amendment to designate the annexed property as an Industrial Land Use is in keeping with the Plan. The Future Land Use Map of the Comprehensive Plan has established the appropriate land uses. The appropriate intensity and impervious surface area maximums will be assured during development review. Specific Comprehensive Plan Goals Objectives and Policies in support of the requested actions are as follows:

Policy 7.A.2.2 – Because the amendment may serve to discourage urban sprawl.

Policy 7.A.6.3 – Because the amendment promotes infill development.

Policy 16.A.1.5 – Because the amendment may be beneficial to existing commercial development, will encourage business retention and create a favorable business climate for existing businesses.

Crestview Land Development Code. The use of the property as an allowable industrial use, provided the Comprehensive Plan and Zoning change is approved, will undergo development review to ensure compliance with the Land Development Code.

Adequate Public Facilities:

State law requires that the City perform a public facilities evaluation when considering Comprehensive Plan Amendments of this nature. The City's Industrial Future Land Use allows for a higher intensity and for more impervious surface coverage than the Low Density Residential Future Land Use. The following evaluation of the City's services is being undertaken with the assumption that the property will be developed at a Floor Area Ratio of 1.2 with an impervious surface area of 82%. By utilizing the maximum development potential of the requested Future Land Use, any identified impacts may be considered the worst-case scenario or upper limit of impact. Due to the fact that an application for development has not been submitted, the following evaluation is an estimation. However, when a development application is made, all impacts to City services will be addressed through the staff review and Development Order approval processes.

Project Demand:

Based on Technical Review Concurrency Determination provided by Public Services on 12/5/2019. "A medium sized 30,000ft^2 warehouse with 10 employees using 20gpd/ft^2 was used for calculations. No information was given to assess the future use of this property. This assumption is only one potential use of the property. The actual development of the property may cause discrepancies between the calculated and actual utility usage. If the property was to be developed today, it may not be able to be put online until the available city sewer capacity is increased."

Transportation – "This parcel connects to Edney and Arena Roads. The primary access would be from Lloyd St. or MLK Jr. Ave. This means HWY 85 and 90 would be impacted. This section of HWY85 is 11% over capacity and is currently a[n] LOS F. Mitigation would be required when development occurs." The total trips divided between the 4 roads gives the trip percentages shown in the following Table:

Affected Roadways	Available Capacity (Trips)		Projected Impact	
	Trips	%	Trips	%
N Lloyd St.	8075	75%	13	0.1%
MLK Jr. Ave.	8475	82%	26	0.3%
HWY 85	17000	46%	13	0.1%
HWY 85	-3800	-11%	26	Over Capacity

Potable Water – "There is sufficient water capacity to serve this property."
Available Potable Water Capacity = 7,780,00[0] GPD
Projected Impact to water and sanitary sewer systems = 650,000 GPD.

Sanitary Sewer – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Sanitary Sewer Capacity = 833,000 GPD
Projected Impact to water and sanitary sewer systems = 650,000 GPD.

Parks and Recreation – There are no Parks and Recreation levels of service that relate nor are impact by commercial development.

Solid Waste – The adopted level of service of 5.0 pounds/capita/day (policy 10.B.1.5) is a regulatory level and will be reviewed and maintained as part of the city's annual budget processes.

Stormwater and Drainage – "Stormwater ponds would be required on this site."

Environmental Impacts:

Wetlands and Environmentally Sensitive Lands – Current wetlands data indicates the absence of any jurisdictional wetlands within the subject property.

Historical and/or Archeological Resources – The application does not address the presence of any historical or archeological resources onsite.

General Staff Comments:

Planning and Zoning. Though there has not been a development order application submitted concerning the development of the subject lands it is important to consider the compatibility of the surrounding and abutting residential uses. The actual development of these lands, though industrial in nature, may not be incompatible with the surrounding uses. The Comprehensive Plan and Land Development Code both have mechanisms to allow for increased compatibility through landscape buffering and setbacks that will certainly be adhered to during any development approval process.

Public Services. Included above.

Fire and Life safety. No comment relating to the current applications.

4.	Findings

a. The request for Comprehensive Plan Amendment is consistent with the above references and may not be a detriment to the surrounding property.
b. The request for Zoning Change is consistent with the above references and may not be a detriment to the surrounding property.
c. There is the potential for impacts to level of service standards, specifically to sanitary sewer capacity. However, any identified impacts would be addressed during development review.

5.	Conditions of Approval

a. Staff does not apply nor recommend the application of any conditions for approval of the current requests.
b. Staff will apply appropriate compatibility buffers during development review.

6.	Conclusion and Recommendation

a. The applicant has submitted the required forms for the Comprehensive Plan Amendment, and Zoning Change of the property.
b. The proposed actions satisfy the requirements of the City of Crestview's adopted Comprehensive Plan, and Land Development Code.
c. The associated Comprehensive Plan Amendment should not pose a problem if supported by proper documentation and Council intent.
d. Please review the applications based on the characteristics of the site and surrounding area; the nature of the development, including the land use type and densities/intensities; and conformity of the development with the City's Comprehensive Plan, the City's Code of Ordinances and other applicable state and city regulations, in deciding the request.

Based on the analysis above and the findings of fact, staff would recommend approval of the applications for Comprehensive Plan Amendment and Zoning Change. The placement of appropriate compatibility buffers will be determined during the development review process.

Assigned Staff: Elgin Duley III, Planning Administrator

Received Public Comments:
1) None

CITY OF CRESTVIEW

Item # 12.7.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1737 - Arena Road Rezoning

BACKGROUND:

Crestview Property Services, property owner, applied for a zoning change of a ±1.97-acre parcel of land located in Section 19, Township 3 North, Range 23 West, Okaloosa County, Florida. The parcel identification number is 19-3N-23-0000-0004-0000 in the public records of Okaloosa County.

The Local Planning Agency recommended approval of the request on January 7, 2020.

DISCUSSION:

Staff provided a complete evaluation of the request. The details of this evaluation are found in the attached staff report.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability.

Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services.

Quality of Life- these six areas focus on the overall experience when provided by the city.

Opportunity- Promote an environment that encourages economic and educational opportunity.

FINANCIAL IMPACT

Adoption of Ordinance 1737 will have very little financial impact on the City. If the site is built out, it may produce a slight increase in property tax revenue.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1737 on second reading.

Attachments

1. Ordinance 1737 - Arena Rd Rezone
2. Planning Staff Report - Arena Rd

ORDINANCE:

ORDINANCE NO. 1737

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 1.97 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 19, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE SINGLE FAMILY DWELLING DISTRICT (R-1) ZONING DISTRICT TO THE INDUSTRIAL (M-1); PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2. PROPERTY REZONED. The following described 1.97 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 1.97 acres, more or less, being formerly zoned Single Family Dwelling District (R-1) with the Industrial (IN) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1736, is hereby rezoned to the Industrial (M-1) to wit:

PIN # 19-3N-23-0000-0004-0000

PARCEL

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 19, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TWO ACRES IN THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 23 WEST, BEING ONE ACRE EAST AND WEST AND TWO ACRES NORTH AND SOUTH. ALL LYING AND BEING IN OKALOOSA COUNTY, FLORIDA.

SECTION 3. MAP UPDATE.

The Crestview Zoning Map, current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance. Attached hereto as Exhibit A.

SECTION 4. SEVERABILITY. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions of this ordinance are declared severable.

SECTION 5. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 7. REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment 19-S11 is adopted by Ordinance # 1736 and becomes legally effective.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

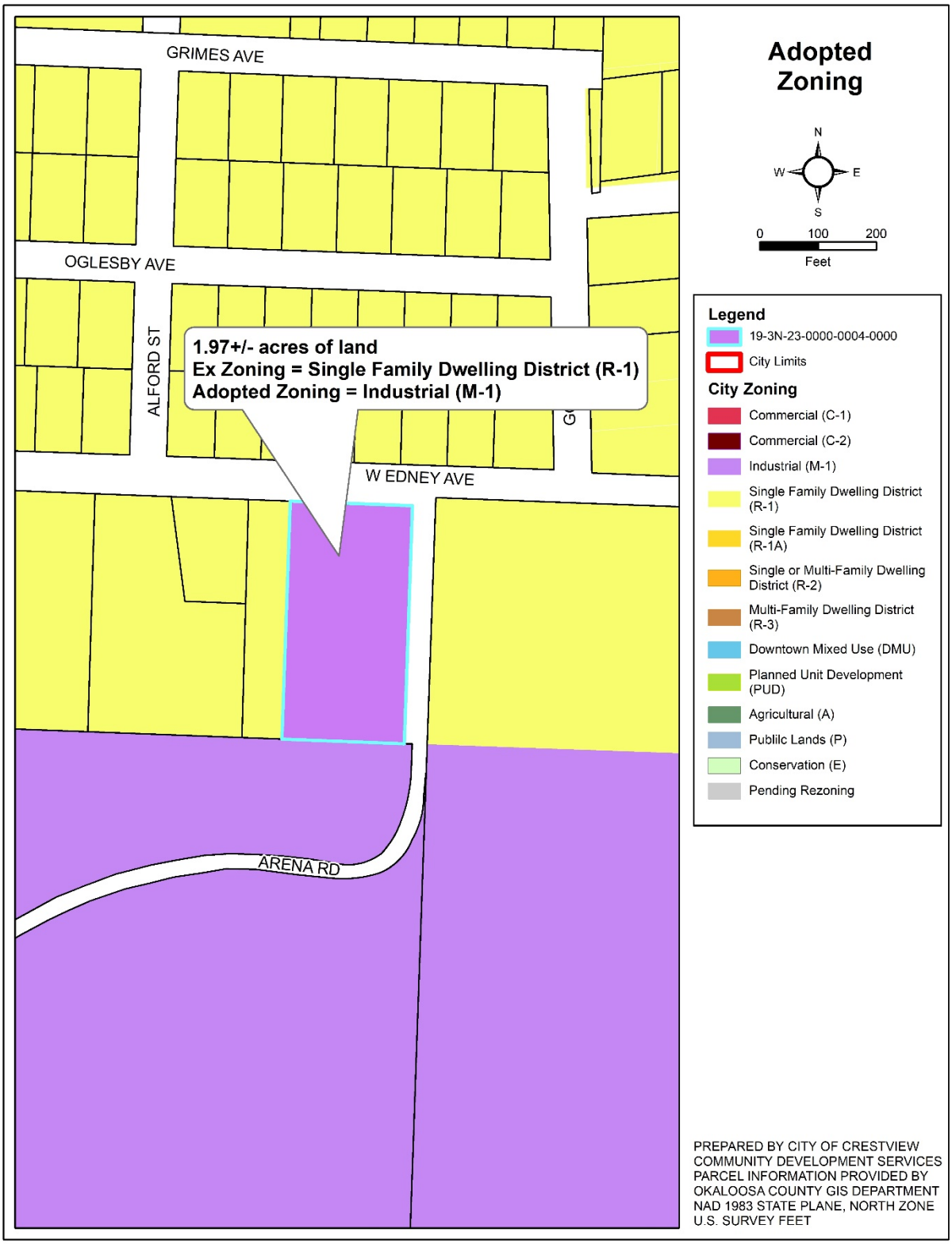
ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____DAY OF _____, 2020.

_____
J. B. WHITTEN
Mayor

EXHIBIT A


GRIMES AVE
OGLESBY AVE
ALFORD ST
W EDNEY AVE
ARENA RD
1.97+/- acres of land
Ex Zoning = Single Family Dwelling District (R-1)
Adopted Zoning = Industrial (M-1)
Adopted Zoning
N
W
E
S
0
100
200
Feet
Legend
19-3N-23-0000-0004-0000
City Limits
City Zoning
Commercial (C-1)
Commercial (C-2)
Industrial (M-1)
Single Family Dwelling District (R-1)
Single Family Dwelling District (R-1A)
Single or Multi-Family Dwelling District (R-2)
Multi-Family Dwelling District (R-3)
Downtown Mixed Use (DMU)
Planned Unit Development (PUD)
Agricultural (A)
Publilc Lands (P)
Conservation (E)
Pending Rezoning
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

PLANNING AND ZONING STAFF REPORT TO THE LOCAL PLANNING AGENCY AND CITY COUNCIL

PROJECT NAME: Arena Rd. Comprehensive Plan Amendment and Zoning Change

PROJECT NUMBER(S): Comp (small scale) 20-07 (Amendment # 19-S11)
Rezone 20-08

AGENDA DATE: LPA – Public Hearing: January 7, 2020
City Council – First Reading: January 13, 2020
City Council – Second Reading & Public Hearing: January 27, 2020

LAST AMENDED DATE: 12/09/ 2019

1. Reviewed and Applied - References

a. Crestview Code of Ordinances, Current Edition
b. Crestview Comprehensive Plan, Current Edition
c. Florida Statutes, Current Edition

2. Project Summary

Property Owner(s)
Crestview Property Services, LLC

Applicant
Property Owners

Staff Planner:
Stephen Schoen, AICP

Property Location: The subject property is generally located on the southwest corner of the intersection of Arena Road and Edney Avenue West and consists of 1.97+/- acres;
PIN# 19-3N-23-0000-0004-0000

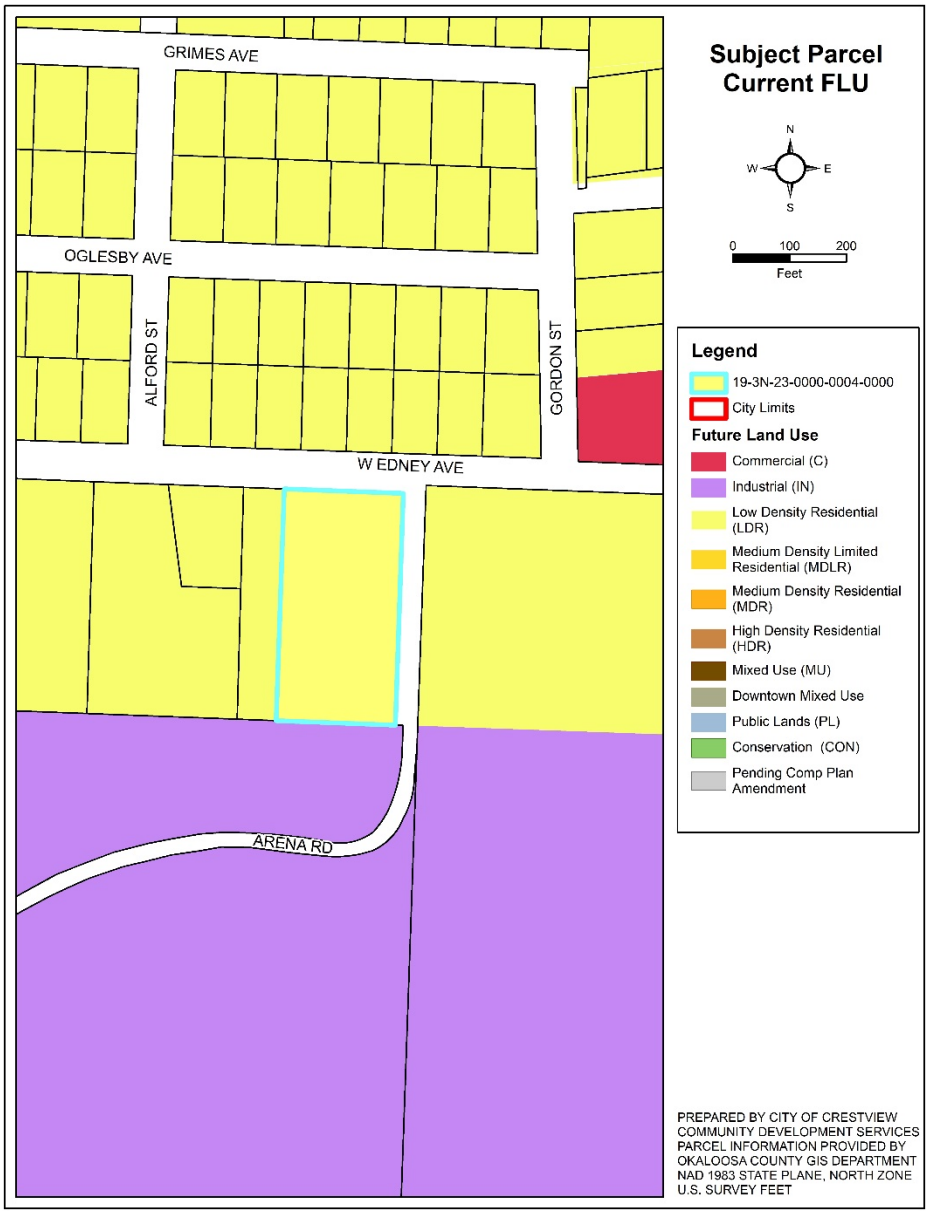
Application Information:
The applicant has requested Comprehensive Plan Amendment to Industrial (I), and Zoning designation of Industrial (M-1), to allow for industrial development.

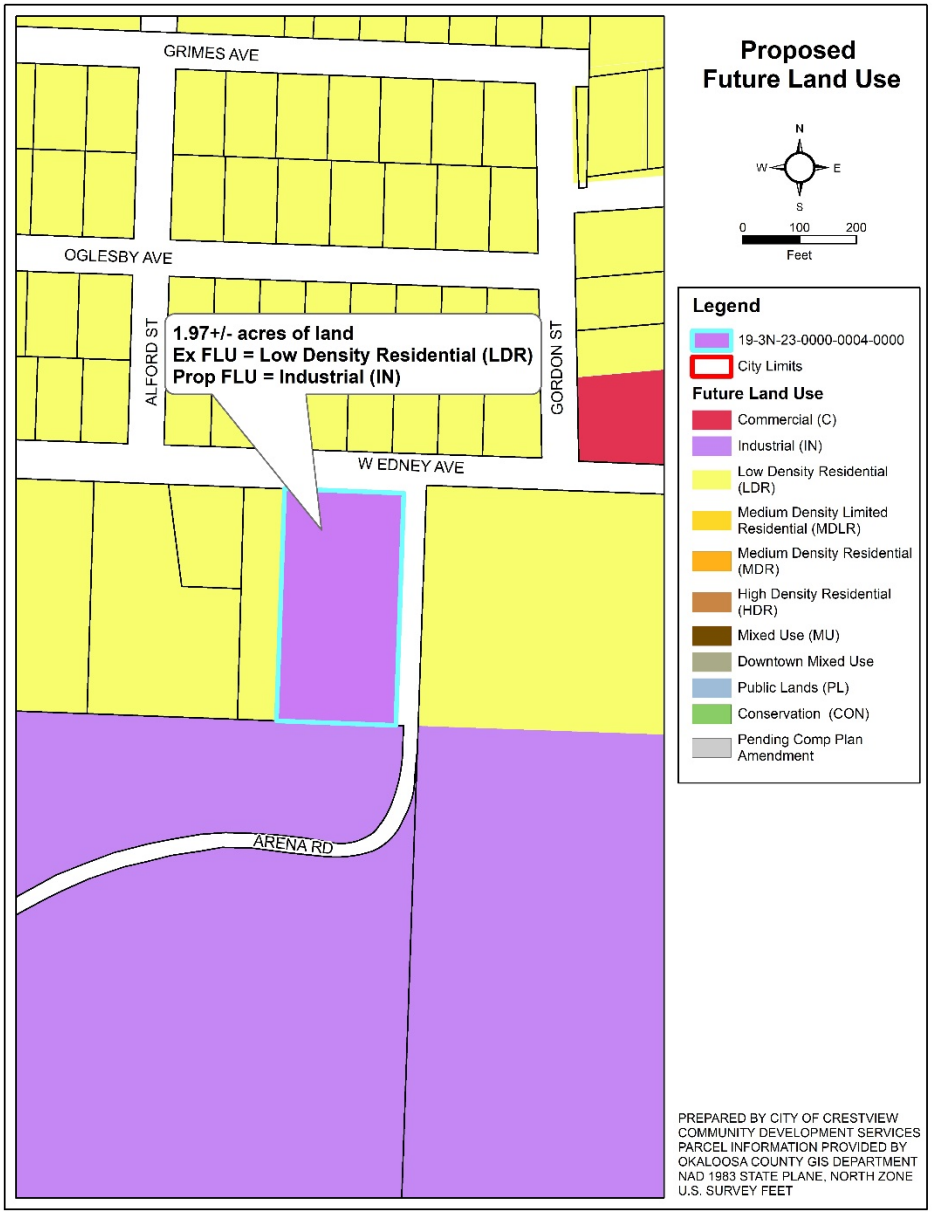
Staff Recommendation:
Approval of the requested actions, subject to any conditions provided in the following report or suggested by the LPA.

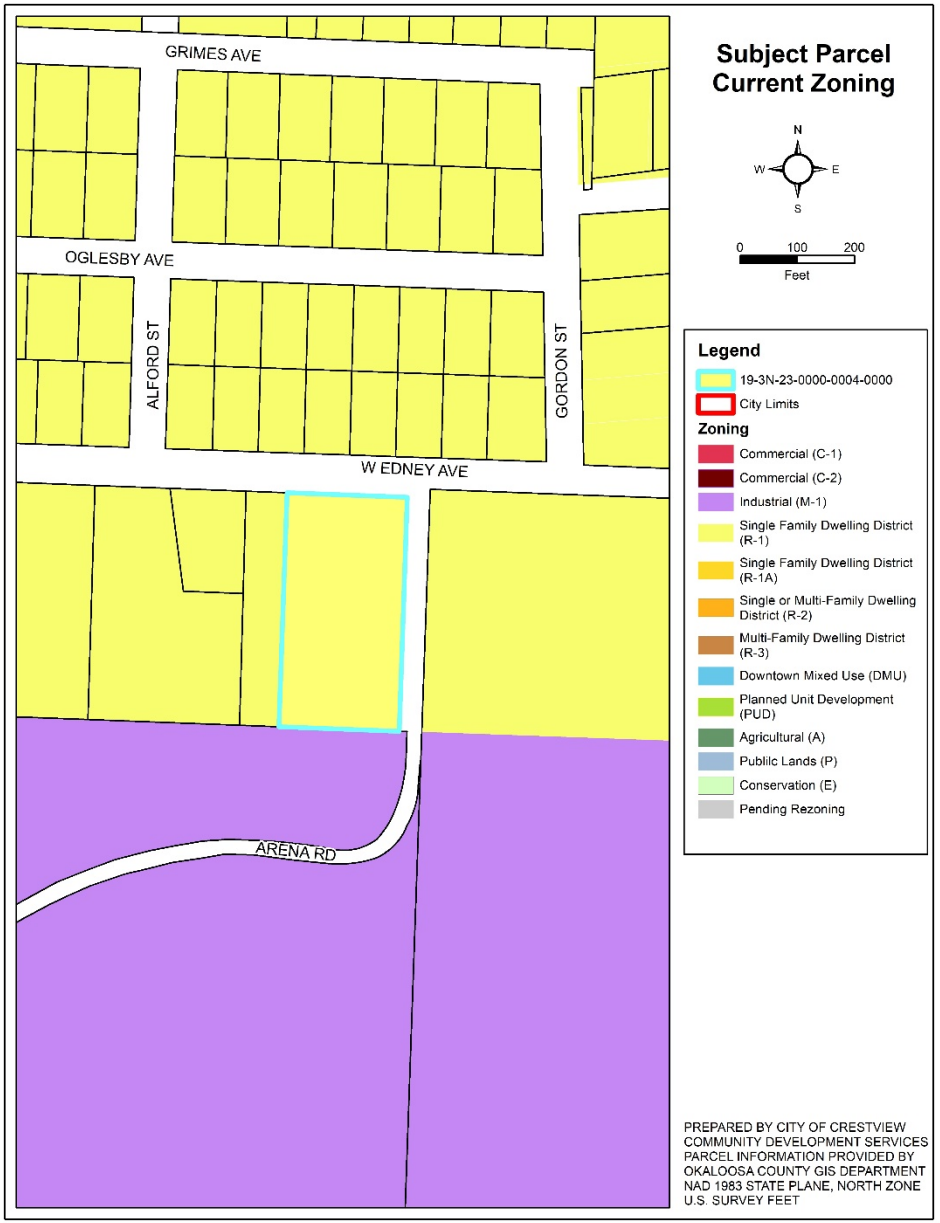
Public Notice:
- Notice letters sent to property owners within 300' of the subject property on 11/26/19
- Property posting on 12/3/19
- Ad run on 12/7/19
- BOCC notified on 12/7/19

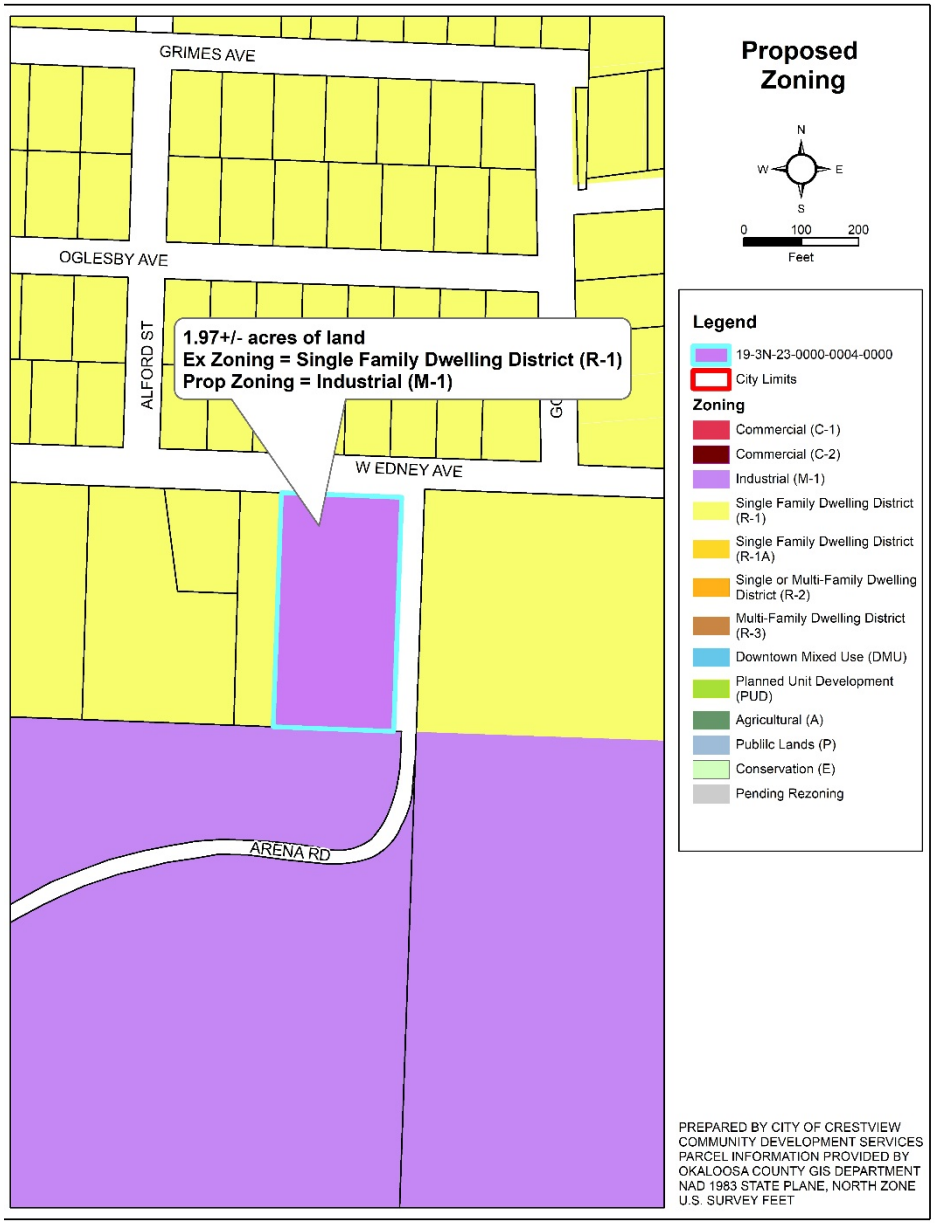
GRIMES AVE
OGLESBY AVE
ALFORD ST
GORDON ST
W EDNEY AVE
ARENA RD
Subject Parcel
Aerial Exhibit
N
W
E
S
0
100
200
Feet
Legend
19-3N-23-0000-0004-0000
City Limits
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

CURRENT AND PROPOSED FUTURE LAND USE MAPS









CURRENT AND PROPOSED ZONING DESIGNATION

3.	Application / Project Analysis

Project Description

The applicant(s) has requested the Comprehensive Plan amendment of the subject property **from Low Density Residential to the Industrial (I) Future Land Use**. This Future Land Use amendment will allow the newly annexed lands to be developed Industrially.

The applicant(s) has also requested the Zoning Change **from Single Family Dwelling (R-1) zoning to Industrial (M-1) Zoning**. This zoning change will implement the Future Land Use change and require any proposed industrial development to meet the Land Development Code's M-1 zoning district requirements.

Project Context

Current Conditions:
The subject property is currently developed by one single family dwelling. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
East	City LDR	City R-1	Vacant
South	City Industrial	City M-1	Vacant
West	City LDR	City R-1	Single Family Dwelling
North	City LDR	City R-1	Single Family Dwelling

Project Compatibility:

A development application concerning the subject property has not been submitted. Based on the requested land-use and zoning designations, the property will be developed industrially.

The surrounding uses include single family dwellings. Generally, Industrial uses are not compatible with single family residential uses and this separation of uses has been the crux of zoning law in the United States. However, development within the industrial zoning district, when located adjacent to residential uses and/or zoning districts is required to increase setbacks and landscape buffering. The nature of the proposed industrial use is not currently known and there may be a need for additional buffering based on the site design. Compatibility of the requested comprehensive plan amendment and zoning change with the neighborhood could be maintained by the use of properly placed and sized buffers that would be dependent on the specific site plan.

Regulatory and Statutory Compliance:

Florida Statute Chapter 163. The proposed amendment is on a 1.97 +/- acre parcel and is being processed as a small-scale comprehensive plan amendment to the Future Land Use Map in accordance with Florida Statutes. As such, the amendment is being brought before the Local Planning Agency in a public hearing and before the City Council in a public hearing (the adoption hearing). The Florida Department of Economic Opportunity does not require review of small-scale Future Land Use Map amendments unless challenged by an affected party within 30 days of adoption by the City Council.

City of Crestview Comprehensive Plan. Chapter 7 of the Comprehensive Plan establishes the various requirements for Future Land Use categories and the applicant requested amendment to designate the annexed property as an Industrial Land Use is in keeping with the Plan. The Future Land Use Map of the Comprehensive Plan has established the appropriate land uses. The appropriate intensity and impervious surface area maximums will be assured during development review. Specific Comprehensive Plan Goals Objectives and Policies in support of the requested actions are as follows:

Policy 7.A.2.2 – Because the amendment may serve to discourage urban sprawl.

Policy 7.A.6.3 – Because the amendment promotes infill development.

Policy 16.A.1.5 – Because the amendment may be beneficial to existing commercial development, will encourage business retention and create a favorable business climate for existing businesses.

Crestview Land Development Code. The use of the property as an allowable industrial use, provided the Comprehensive Plan and Zoning change is approved, will undergo development review to ensure compliance with the Land Development Code.

Adequate Public Facilities:

State law requires that the City perform a public facilities evaluation when considering Comprehensive Plan Amendments of this nature. The City's Industrial Future Land Use allows for a higher intensity and for more impervious surface coverage than the Low Density Residential Future Land Use. The following evaluation of the City's services is being undertaken with the assumption that the property will be developed at a Floor Area Ratio of 1.2 with an impervious surface area of 82%. By utilizing the maximum development potential of the requested Future Land Use, any identified impacts may be considered the worst-case scenario or upper limit of impact. Due to the fact that an application for development has not been submitted, the following evaluation is an estimation. However, when a development application is made, all impacts to City services will be addressed through the staff review and Development Order approval processes.

Project Demand:

Based on Technical Review Concurrency Determination provided by Public Services on 12/5/2019. "A medium sized 30,000ft^2 warehouse with 10 employees using 20gpd/ft^2 was used for calculations. No information was given to assess the future use of this property. This assumption is only one potential use of the property. The actual development of the property may cause discrepancies between the calculated and actual utility usage. If the property was to be developed today, it may not be able to be put online until the available city sewer capacity is increased."

Transportation – "This parcel connects to Edney and Arena Roads. The primary access would be from Lloyd St. or MLK Jr. Ave. This means HWY 85 and 90 would be impacted. This section of HWY85 is 11% over capacity and is currently a[n] LOS F. Mitigation would be required when development occurs." The total trips divided between the 4 roads gives the trip percentages shown in the following Table:

Affected Roadways	Available Capacity (Trips)		Projected Impact	
	Trips	%	Trips	%
N Lloyd St.	8075	75%	13	0.1%
MLK Jr. Ave.	8475	82%	26	0.3%
HWY 85	17000	46%	13	0.1%
HWY 85	-3800	-11%	26	Over Capacity

Potable Water – "There is sufficient water capacity to serve this property."
Available Potable Water Capacity = 7,780,00[0] GPD
Projected Impact to water and sanitary sewer systems = 650,000 GPD.

Sanitary Sewer – "EPA typical flows are 10 gals per vehicle served for auto stations and 3 gallons per meal for restaurants."
Available Sanitary Sewer Capacity = 833,000 GPD
Projected Impact to water and sanitary sewer systems = 650,000 GPD.

Parks and Recreation – There are no Parks and Recreation levels of service that relate nor are impact by commercial development.

Solid Waste – The adopted level of service of 5.0 pounds/capita/day (policy 10.B.1.5) is a regulatory level and will be reviewed and maintained as part of the city's annual budget processes.

Stormwater and Drainage – "Stormwater ponds would be required on this site."

Environmental Impacts:

Wetlands and Environmentally Sensitive Lands – Current wetlands data indicates the absence of any jurisdictional wetlands within the subject property.

Historical and/or Archeological Resources – The application does not address the presence of any historical or archeological resources onsite.

General Staff Comments:

Planning and Zoning. Though there has not been a development order application submitted concerning the development of the subject lands it is important to consider the compatibility of the surrounding and abutting residential uses. The actual development of these lands, though industrial in nature, may not be incompatible with the surrounding uses. The Comprehensive Plan and Land Development Code both have mechanisms to allow for increased compatibility through landscape buffering and setbacks that will certainly be adhered to during any development approval process.

Public Services. Included above.

Fire and Life safety. No comment relating to the current applications.

4.	Findings

a. The request for Comprehensive Plan Amendment is consistent with the above references and may not be a detriment to the surrounding property.
b. The request for Zoning Change is consistent with the above references and may not be a detriment to the surrounding property.
c. There is the potential for impacts to level of service standards, specifically to sanitary sewer capacity. However, any identified impacts would be addressed during development review.

5.	Conditions of Approval

a. Staff does not apply nor recommend the application of any conditions for approval of the current requests.
b. Staff will apply appropriate compatibility buffers during development review.

6.	Conclusion and Recommendation

a. The applicant has submitted the required forms for the Comprehensive Plan Amendment, and Zoning Change of the property.
b. The proposed actions satisfy the requirements of the City of Crestview's adopted Comprehensive Plan, and Land Development Code.
c. The associated Comprehensive Plan Amendment should not pose a problem if supported by proper documentation and Council intent.
d. Please review the applications based on the characteristics of the site and surrounding area; the nature of the development, including the land use type and densities/intensities; and conformity of the development with the City's Comprehensive Plan, the City's Code of Ordinances and other applicable state and city regulations, in deciding the request.

Based on the analysis above and the findings of fact, staff would recommend approval of the applications for Comprehensive Plan Amendment and Zoning Change. The placement of appropriate compatibility buffers will be determined during the development review process.

Assigned Staff: Elgin Duley III, Planning Administrator

Received Public Comments:
1) None

CITY OF CRESTVIEW Item # 12.8.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Ordinance

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Trae Duley, Planner
DATE:	1/22/2020
SUBJECT:	Ordinance 1740 - Six Month Moratorium on Annexation Fees - Properties 10 acres or less

BACKGROUND:

Voluntary Annexation is the process of incorporating property, at the owners' request, into a City's jurisdictional boundary. The State has a number of requirements on the land that can be annexed, these include contiguity to the City's boundary line, compactness, and service availability time lines.

An annexation process is not complete until a Comprehensive Plan Amendment and Rezoning of the subject property occurs. The State separates Comprehensive Plan Amendments into categories - small-scale and conventional. Generally, small-scale amendments are to the
Future Land Use map alone and only for properties of 10 acres or less.

The costs of annexation into the City of Crestview have historically included the following:
a) Voluntary Annexation Application - $1,200.00
b) Comprehensive Plan Amendment (small-scale) - $1,200.00, plus $20.00 per acre.
c) Consultant Fee – typically $2,400.00
d) Zoning Change - $600.00

There are many reasons for customers to be interested in annexation into the City of Crestview, water utility, excellent fire and life safety services, and a close and available government. However, the costs of voluntary annexation can serve to be prohibitive for many individuals
seeking to be incorporated.

DISCUSSION:

A six-month moratorium on annexation processes which require a small-scale amendment process, would allow for analysis of the current voluntary annexation process fee structure.

The current fee structure is built from the understanding that three public hearings are required per process step to include public notice and staff hours.

A complete review of Florida Statute, case law, and other local regulatory mechanisms should be undertaken to establish an equitable "small-scale" voluntary annexation fee structure that would allow for the City to better serve its potential customers while ensuring all of its internal obligations are satisfied.

Potential increases in annual tax base revenue streams can serve to curtail any initial "out-of-pocket"

expenditure from the City in its provision of staff time and Ad placement.

This is the same request as the previous waiver. Staff needs additional time to complete the goals of this Ordinance.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Communication- To engage, inform and educate public and staff

Quality of Life- these six areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Opportunity- Promote an environment that encourages economic and educational opportunity

FINANCIAL IMPACT

Dependent upon the number of "small-scale" voluntary annexation applications submitted within the specified moratorium timeframe.

Initial staff review has indicated approximately 30 hrs. of staff time and the costs of the public notice which could total $1,600.00 or more. However, when considering the benefits of annexation and the potential tax revenue, especially in areas where City services are already available, the return on this initial investment could be seen in the first year.

RECOMMENDED ACTION

Staff respectfully recommends approval of Ordinance 1740 on second reading.

Attachments

None

ORDINANCE:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR A SIX-MONTH WAIVER PERIOD FOR THE COLLECTION OF ANNEXATION APPLICATION FEES FOR PROPERTIES OF 10 ACRES OR LESS IN AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the imposition of voluntary annexation application fees is a product of the City of Crestview's home rule power; and

WHEREAS, the City Council of the City of Crestview finds that the collection of voluntary annexation application fees is an important measure which ensures that staff time and the necessary Public Notices are provided for in an equitable manner; and

WHEREAS, the City Council of the City of Crestview finds that voluntary annexation into the City is both a benefit to the applicant and to the Citizens of Crestview; and

WHEREAS, the City Council of the City of Crestview finds that the current voluntary annexation application fee may be overburdensome on those citizens wishing to be annexed into the City; and

WHEREAS, the City Council of the City of Crestview finds that a six-month waiver of the collection of voluntary annexation application fees on those properties that are 10 acres or less in area, will provide necessary opportunity for the City to analyze and establish an equitable annexation application fee structure that represents the City's shared interests in annexation.

BE IT ADOPTED BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA AS FOLLOWS:

Section 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.021 and Section 163.31801, Florida Statutes and Article I, Section 2 of the City Charter.

Section 2. That Section 102-352, Planning and zoning review, recommendations, processing and fees, of Chapter 102, Land Use Regulations, City of Crestview, Florida, is hereby amended to read as follows:

Sec. 102-352. – Planning and zoning review, recommendations, processing and fees.

(c) Land planning application, administrative and processing fees. Prior to the time of submittal of an application, a schedule of projected fees shall be provided to the applicant. The application fees are due at time of submittal; the other applicable administrative fees, charges, consultant fees and direct expenses, if needed, shall be due thru the process cycle. Until the appropriate fees have been paid in full, no action shall be taken on any application or appeal. <u>There is hereby established a Voluntary Annexation Application Fee Waiver for a period of approximately 6 months beginning on the effective date of January 13, 2020 and ending on June 13, 2020. The waiver shall be applied to all applicable Annexation, Small-Scale Comprehensive Plan Amendment, and Zoning Changes applications for property of 10 acres or less in area,</u>

being annexed into the City of Crestview. This fee waiver is only applicable to those applications for annexation as described above and shall not be applied to Comprehensive Plan Amendments nor Zoning Change applications absent an annexation application for the same property(s). The waiver shall not be applied retroactively to any application for annexation nor shall it apply to any annexation application that was voluntarily cancelled within 180 days of the effective date of this section.

Section 3. SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. EFFECTIVE DATE. This ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE
DAY OF _____, 2020.

ATTEST:

_____
ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

_____
J. B. WHITTEN, Mayor

CITY OF CRESTVIEW Item # 14.1.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Action Item

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Tim Bolduc, City Manager
DATE:	1/23/2020
SUBJECT:	Memorandum of Understanding With the Marine Forces Special Operations Command

BACKGROUND:

On January 7, 2020, Major G. Roy Bechtold of the Marine Forces Special Operations contacted the Mayor with a request to enter into an Memorandum of Understanding to conduct training in the Crestview area.

The Mayor spoke with representatives from MARSOC to discuss the training operation.

DISCUSSION:

The request is for the City to allow special operations covert training inside the city limits. The training will be conducted with no impact to the City and will allow the marines to get training necessary for the missions they perform abroad.

The MOU has been reviewed by the City Manager, the Chief of Police and the City Attorney.

The approval of this MOU is a step to continue the strong relationship between the City of Crestview and our armed forces.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Communication- To engage, inform and educate public and staff

Quality of Life- these six areas focus on the overall experience when provided by the city.

Safety- Ensure the continuous safety of citizens and visitors

FINANCIAL IMPACT

There is no financial impact related to this item.

RECOMMENDED ACTION

Staff respectively requests City Council approval for the Mayor to execute the Memorandum of Understanding as provided.

Attachments

1. Crestview City-Notification-of-Training-Letter
2. Crestview, FL MOU

UNITED STATES MARINE CORPS
MARINE FORCES SPECIAL OPERATIONS COMMAND
PSC BOX 20119
CAMP LEJEUNE, NC 28542-0119

IN REPLY REFER TO:
3307

NOTIFICATION OF TRAINING
FROM
MARINE FORCES SPECIAL OPERATIONS COMMAND (MARFORSOC)
AND
THE CITY OF CRESTVIEW, FLORIDA

Subj: NOTIFICATION OF TRAINING

1. PURPOSE. The purpose of this notification is to notify the City of Crestview, Florida of MARFORSOC's intent to conduct training within the boundaries of Crestview, Florida per the Memorandum of Understanding between MARFORSOC and the City of Crestview, Florida expiring on [Date TBD, Pending Crestview City MOU approval].

2. TRAINING DATES. The training will last from 24 April, 2020 through 06 May, 2020.

3. SCOPE. There will be approximately eight to ten MARFORSOC Marines and other exercise participants conducting low visibility reconnaissance training between the hours of 0800 to 2200 each day. Training will be conducted in and around Crestview, Florida and surrounding areas. Marines participating in the training will travel in and around the area by rental vehicle and will be wearing civilian clothing. No firearms (real or simulated), ammunition, or pyrotechnics will be used during this training. Prior to the start of the training, local law enforcement will be notified and the Marines will be thoroughly briefed on the safety plan.

4. All personnel will be operating under official government orders and will be able to produce a government identification card and exercise participant's card at all times. MARFORSOC personnel will obey all local and state laws and posted speed limits. At no time will MARFORSOC personnel engage in any activity that will place themselves or others in danger and they will obey all orders from civilian law enforcement agencies.

5. The point of contact in regards to this matter is Mr. Austin Clancy, at (910)440-1908 (office), (541)602-4981(cell) or via email at Austin.Clancy2@socom.mil.

UNITED STATES MARINE CORPS
MARINE FORCES SPECIAL OPERATIONS COMMAND
PSC BOX 20116
CAMP LEJEUNE, NORTH CAROLINA 28542-0116

IN REPLY REFER TO:
3307
G-7

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
MARINE FORCES SPECIAL OPERATIONS COMMAND (MARFORSOC)
AND
THE CITY OF CRESTVIEW, FLORIDA

1. Purpose. The purpose of this memorandum is to memorialize the approval by the municipal leadership of the city of Crestview, Florida for MARFORSOC to conduct training in Crestview, Florida. MARFORSOC requests that the city of Crestview, Florida grant MARFORSOC the authority to periodically conduct required training within the city. All such training will be coordinated under the guidelines set forth in this agreement. All personnel involved in these exercises will be consenting military personnel, government civilian workers, or contractors; no private citizens will be part of or involved in the training exercises in any manner.

2. Approval. The city of Crestview and Crestview Police Department hereby agrees to permit members of MARFORSOC (to include all military, civilian, and contractor support personnel) to conduct military training, to include [surveillance, advanced communications, raid, reconnaissance, Convoy, Foot Movement of troops and Equipment, Drop Zone, Landing or Pick up Zone, other helicopter operations, and other required training necessary to develop special operations skills within the boundaries of Crestview, Florida. Training and informal meetings will be restricted specifically to commercial/restaurant and public gathering areas of the above stated city and will not involve direct contact with the local populace. Any training to be conducted on private property in the above-mentioned city will be coordinated with and approved by the property owners involved. This approval is subject to the following:

a. This MOU becomes effective upon execution by the city of Crestview, Florida, Crestview Police Department and MARFORSOC and will run for five (5) years from the date of execution of the last signing party unless sooner terminated under the provisions of paragraph 7(b). This MOU recognizes that MARFORSOC intends to conduct training in the city of Crestview,

Florida on multiple occasions over that time period. Prior to conducting any training, MARFORSOC will provide advance written notice to civilian leadership and law enforcement officials. The notice will include current contact information, training personnel points of contact, type of training to be conducted, areas to be utilized during training and dates of intended usage (see enclosures (1) and (2)). The information will be provided in order to give the Crestview the maximum possible visibility over training and to provide notice to law enforcement activities of our presence in the area. Every effort will be made by MARFORSOC to provide written notice at least thirty (30) days in advance of any training in order to allow sufficient time for both parties to mutually resolve any outstanding issues and address any concerns. During the conduct of any training, MARFORSOC will conduct daily liaison with the designated law enforcement personnel.

b. MARFORSOC shall not knowingly use any commercial/public gathering areas in any unlawful way.

c. 31 U.S.C. Sect. 1341, "The Anti-Deficiency Act", prohibits open-ended indemnification and "hold harmless agreements" by the U.S. Government. However, sovereign immunity is waived if any damages do occur, in order to hold the federal government liable. The U.S. Government is responsible, under the terms of the Federal Tort Claims Act (FTCA), 28 U.S.C. 1346(b), 2671-2680, or the Military Claims Act (MCA) 10 U.S.C. 2733, as applicable, for any injury to persons or damage to property proximately caused by acts or omissions of Government employees acting within the scope of their employment. The FTCA, and supporting case law, provides several means of recovery for negligent acts of Government personnel. The injured party may submit a claim directly against the U.S. Government; a defendant may implead the U.S. Government as a third-party tortfeasor; or a defendant may later pursue the U.S. Government in a separate indemnity action or claim submission, for any amounts paid to the injured party due to negligence of the U.S. Government. A perfected claim requires a completed U.S. Government Standard Form 95 and proof substantiating the claimed amount. Other documentation may be required on a case by case basis. Claims packages may be submitted to the below offices by email, fax, or standard mail. For required documents, see http://www.jag.navy.mil/organization/code_15_packets_forms.htm. Claims packages may be submitted to the Camp Lejeune Office by standard mail.

Commanding General

LSSS-E (Claims)
PSC Box 20005
MCIEAST-MCB
Camp Lejeune, NC 28542-0005

3. For all training exercises, MARFORSOC, via the officer in charge (OIC) of the exercise, will ensure that local law enforcement is informed of all areas, times, and dates that will be utilized for training. All activities conducted at these venues will be appropriate for the intended training objective. Additionally, MARFORSOC staff will embed a liaison element within the Crestview Police Department that will notify the requisite elements of the Crestview Police Department of any activity within each district. MARFORSOC instructors will either be on site or in the vicinity of training in order to critique training as well as function as an on-site liaison to ensure training is conducted in accordance with this agreement. In the event a situation presents itself involving local law enforcement, an Exercise Participant Card will be provided that includes contact information of the MARFORSOC leadership responsible for the training and the MARFORSOC Public Affairs Office. The Crestview, Police Department will intervene and act as they deem necessary to handle and resolve any situation.

4. Unless otherwise agreed upon in writing, MARFORSOC training activities in the city of Crestview will be low-impact and low-visibility. MARFORSOC activities are not likely to attract undue attention nor should the conduct of activities alert any civilians/members of the establishment who are in the immediate area. In the event that a civilian/non-law enforcement official or uniformed member of local law enforcement approach and begin to question any personnel conducting training about their activities, the personnel conducting training will provide an Exercise Participant Card and Military Identification Card. The personnel conducting training will contact their OIC in any situation where civilians or law enforcement personnel intervene in the training. In this instance, all personnel conducting training will comply with instructions from local law enforcement officials and will immediately inform their OIC.

5. Prior to the start of the exercise, MARFORSOC members will receive classes and be thoroughly briefed on the safety plan and rules of training. No personal vehicles are authorized for use by the Marines conducting this training. Tactical vehicles, Rental and/or government plated vehicles consisting of sedans, mini-vans, and sport utility vehicles will be utilized during this training.

6. MARFORSOC personnel conducting training will not conduct concealed carry of firearms at any time during training. MARFORSOC personnel will not conduct open carry of firearms, simulated firearms, or pyrotechnic devices during the course of active training in Crestview without advance notice to Crestview.

a. "Active training" does not include transportation of weapons between training locations.

b. MARFORSOC may be permitted to carry firearms, simulated firearms, or pyrotechnic devices on a case-by-case basis. In such instances, MARFORSOC will provide a description of the desired activity to the Crestview in the required notification letter four weeks prior to commencement of the exercise. MARFORSOC will coordinate with Crestview Law Enforcement detailing the starting and ending point of each movement, time of movement, activities to be exercised, make/model/license plate of vehicles, and number of personnel executing activity. The city of Crestview maintains the right to refuse to permit the desired activity. Any refusal will be provided by Crestview in writing in response to the notification within two weeks of receipt of the notification of training.

7. All MARFORSOC personnel will be in civilian attire or military uniforms; however, they will be able to produce an Exercise Participant Card and a government identification card at all times. All MARFORSOC personnel conducting training and exercise staff will obey all traffic laws and posted speed limits. At no time will MARFORSOC personnel engage in any activity that will put themselves or others in danger, and they will obey all orders from civilian law enforcement agencies. The training exercise will culminate when all exercise participants have departed the Crestview area. The MARFORSOC OIC will notify the Crestview Police Department upon completion of the exercise. The MARFORSOC OIC will provide the Crestview Mayor's Office a signed copy of this document and a copy of the notification for each training event for the record.

8. <u>Non-Disclosure.</u> Crestview, Florida agrees not to disclose any MARFORSOC tactics, techniques, procedures, methods of training, or exercise concepts or scenarios that Crestview may learn during discussions with MARFORSOC about exercises or by observation during the conduct of an exercise. Additionally, Crestview agrees not to disclose the identity of MARFORSOC personnel conducting training or, if not active duty Marines,

their affiliation with MARFORSOC (e.g., contracted civilian role players or members of other armed services). Furthermore, Crestview, Florida agrees not to disclose the locations or dates of the MARFORSOC exercises beyond those with a need to know within the city of Crestview's affiliation.

9. Modification or Termination

a. Modifications to this MOU must be in writing and signed by authorized representatives of the city of Crestview and MARFORSOC. The representative for MARFORSOC can be contacted at MARFORSOC, ATTN: Office of the Staff Judge Advocate, PSC Box 20116, Camp Lejeune, NC 28542-0116 or via phone at 910-440-0928. The representative for the office of the Crestview's Mayors can be contacted at [city POC Info] or via phone at [city POC phone], and via email at [city POC e-mail].

b. This MOU shall remain in effect for five (5) years from the date of execution of the last signing party. Both the city of Crestview and MARFORSOC retain the right to terminate this MOU at any time, with ninety (90) days written notice to the other party, for any reason.

_____
Deputy Chief of Staff
MARFORSOC

Date:

_____
JB Whitten
Mayor
City of Crestview, FL
Date:

_____
Stephen G. McCosker
Chief of Police
Crestview Police Department
Date:

CITY OF CRESTVIEW

Item # 17.1.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Action Item

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Elizabeth Roy, City Clerk
DATE:	1/23/2020
SUBJECT:	Discussion/Approval of City Council and CRA Workshop Dates.

BACKGROUND:

From time to time the City Council and the Community Redevelopment Agency need to have Workshops to discuss items that need more time than is practical in a regular meeting.

Items are not brought to a vote in these workshops, but if necessary they are brought forward to a regular Council or CRA meeting for approval.

DISCUSSION:

There has been a request to review the City Charter.

We are requesting that this workshop be held at 4:30 PM on Monday, February 24th at 4:30 PM just prior to the regular council meeting.

There has been a request from Staff to have a CRA workshop to discuss parking in the Main Street Area.

We are requesting that this workshop be held at 5:00 PM on Thursday, March 5th.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these six areas focus on the overall experience when provided by the city.

Mobility- Provide safe, efficient and accessible means for mobility

FINANCIAL IMPACT

There is no financial impact with the scheduling of these workshops.

RECOMMENDED ACTION

Staff respectively requests that the council approve the 2 dates presented for Workshops for the City Council and the CRA Board.

Attachments

None

CITY OF CRESTVIEW

Item # 17.2.

Staff Report

CITY COUNCIL MEETING DATE: January 27, 2020
TYPE OF AGENDA ITEM: Action Item

TO:	Mayor and City Council
CC:	City Manager, City Clerk, Staff and Attorney
FROM:	Elizabeth Roy, City Clerk
DATE:	1/22/2020
SUBJECT:	Appointment of New Member to the Police and Fire Retirement Board

BACKGROUND:

Members of the City's Retirement boards are appointed in several different manners.

Two of the members of the Police and Fire Retirement Board are appointed by the City Council at large.

DISCUSSION:

Mr. Rodney Salisbury resigned his position on the Police and Fire Retirement Board at the regular meeting on December 3, 2019.

His position is Council appointed.

This vacancy has been advertised through the City's Social Media accounts and information on the vacancy has been sent to the City Council members.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;
Foundational- these are the four areas of focus that make up the necessary foundation of a successful local government.

Communication- To engage, inform and educate public and staff

Quality of Life- these six areas focus on the overall experience when provided by the city.
Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

FINANCIAL IMPACT

There is no financial impact to the City of Crestview.

RECOMMENDED ACTION

Staff respectively requests that the Council appoint a member to the Police and Fire Retirement Board from those presented, or table the matter until the February Council Meeting.

Attachments

None