



EXECUTIVE COMMITTEE MEETING Regular Meeting Agenda

April 4, 2022
5:30 PM
6738 Dixon Street
Milton, FL 32570

1. Open Meeting

2. Invocation

Reverend Fitzgerald Lindsey
Pastor, New Providence Missionary Baptist Church

3. Pledge of Allegiance

4. Approval of Agenda for Additional Items

- Recommendation for Additional Items from Staff
- Recommendation for Additional Items from Council

5. Recognitions, Special Presentations and Awards

Employee Recognition
Johnny Norton
Bill Gamblin

Proclamation
Murray Hamilton

6. Public Hearings/Meetings

7. Invited Speakers

8. Persons to Appear

9. City Attorney's Report

10. City Clerk's Report

11. Agenda Items

Administration Department

Item # 2022-180
Tobacco Free Workplace Policy

Item # 2022-219
OMNIA Partners Contract for Purchase of Playground Equipment

Item # 2022-223
Special Event Permit Application - Community Easter Egg Hunt

Item # 2022-224
Special Event Permit Application - Krewe of Airship Pirates Crawfish Boil

Item # 2022-225
Special Event Permit Application - Family Celebration on Blackwater

Office of Economic Development

Item # 2022-209
2021 CRA Annual Report

Item # 2022-230
2022 Business Improvement Program Cycle 2

Planning Department

Item # 2022-194
City of Milton Board Vacancies

Item # 2022-233
Mobile Vendors Status Update

Item # 2022-234
Dogwood Drive Development Agreement

Public Works Department

Item # 2022-227
Roeville Area Water Well and Elevated Tank, Engineer Scope of Services. (Task Order)

Item # 2022-242
Developer's Agreement for Ecosouth Services.

- 12. Council Reports**
- 13. Mayor Report: Heather Lindsay**
- 14. City Manager's Report**
- 15. Public Input**
- 16. Adjourn/Recess**

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the City at least 48 hours before the meeting by contacting City Hall, 6738 Dixon Street, Milton, or by calling 983-5410.

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



Agenda Item #
Employee Recognition
Johnny Norton
Bill Gamblin

MEETING DATE

April 4, 2022

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

None



Agenda Item # 2022-248
Proclamation
Murray Hamilton

MEETING DATE

April 4, 2022

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

None



Agenda Item # 2022-180

Tobacco Free Workplace Policy

MEETING DATE

April 4, 2022

PREPARED BY

BACKGROUND

The City of Milton adopted a tobacco free workplace policy effective October 1, 2013. This policy prohibits tobacco use on City property and has pre-employment tobacco free requirements. "Effective October 1, 2013, the City of Milton will only hire applicants who do not smoke or use any tobacco products in any way, and have not used tobacco products six (6) months prior to the application process."

This policy was presented to council in 2018 for review. The original policy stated that violation of the tobacco policy would result in termination of employment. Council approved the revision of the policy to now include cessation assistance and progressive steps to assist the employee in achieving the goal of being nicotine free.

SUMMARY

The purpose of this policy is to protect against the health hazards of environmental tobacco smoke and tobacco products, to protect non-smoking members and the public from the inherent dangers and risks of tobacco while in the workplace, and to project a professional image of the City of Milton's employees and facilities. It is the policy of the City of Milton to prohibit the use of tobacco products in and/or on any City property by its members and any visitors from the public. Furthermore, it is in the best interest of the agency for the effective delivery of public safety services by its members to hire only those persons who do not use tobacco products.

Currently, after an applicant is offered conditional employment, the candidate completes employment screening: drug/nicotine/background/references/MVR (per position) /credit report (per position). Employees that were hired before 2013 or began using tobacco products pay 5% of their health insurance premium.

Per council request at the February COW meeting, the policy has been updated to remove nicotine-free hiring and nicotine use penalties on health insurance premiums.

RECOMMENDATION

The Committee of the Whole recommends approval of the updated policy.

ATTACHMENTS

1. Draft 4.2 Tobacco-Free Workplace

CITY OF MILTON POLICY

Title: Tobacco-Free Workplace Policy	Page: 1	Policy Number: 4.2
Effective Date: December 11, 2012	Revised Date: April 19, 2018	Next Review Date:
Approved by Council:		

The City of Milton is committed to promoting health and wellness in the workplace and the community, and to provide a safe, clean, and healthy environment for our employees and customers.

I. PURPOSE

The purpose of this policy is to protect against the health hazards of environmental tobacco smoke and tobacco products, to protect non-smoking members and the public from the inherent dangers and risks of tobacco while in the workplace, and to project a professional image of the City of Milton's employees and facilities. It is the policy of the City of Milton to prohibit the use of tobacco products in and/or on any City property by its members and any visitors from the public. Furthermore, it is in the best interest of the agency for the effective delivery of public safety services by its members to hire only those persons who do not use tobacco products.

II. DEFINITION OF TOBACCO PRODUCTS

- A. For the purpose of this general order, all forms of tobacco products or similar products will be inclusive of, but not limited to: cigarettes, cigars, pipes, electronic cigarettes, chewing tobacco, snuff, and generic equivalents thereof.

III. ESTABLISHMENT

Effective October 1, 2013, the City of Milton is a Smoke and Tobacco-Free workplace.

- A. The use of any tobacco products in the buildings, on City property, and in vehicles owned or being used, by the City of Milton, shall be prohibited.
- The ban on the use of tobacco products shall apply to all City of Milton Employees, contract personnel, and all visitors in or on City property.
 - There shall be no area set aside for the purpose of tobacco use on City property.
- B. Employees hired after October 1, 2013 are strictly prohibited from using tobacco products on City property. Tobacco products will not be used while working on City time.
- C. Employees hired prior to October 1, 2013 are encouraged to stop the use of tobacco products. These tenured employees must adhere to all provisions of this policy. The City

of Milton will provide as much assistance as is reasonably possible to our employees who wish to quit smoking, in the form of smoking cessation programs.

IV. PRE-EMPLOYMENT REQUIREMENTS

Effective October 1, 2013, the City of Milton will only hire applicants who do not smoke or use any tobacco products in any way, and have not used tobacco products six (6) months prior to the application process. New applicants shall sign an agreement stating they do not now, and will not in the future, use any tobacco products. Violation of this agreement through a positive test or failure to test, will result in the following actions:

Step 1. Cessation class

- Employee will be retested the following November.
 - If the employee tests positive again they will move to step two.

Step 2. Cessation class

- 2 Days suspension with no pay
- Employee will be tested 6 months later
 - If the employee tests positive again they will move to step three.

Step 3. Cessation Class

- 1 week suspension with no pay
- Employee will be tested 90 days later
 - If employee is still positive for nicotine there will be disciplinary action up to termination.

A. By hiring persons who do not use tobacco products, the City of Milton intends to reduce the amount of lost productivity and lost work days due to poor health as a result of tobacco product usage.

B. Lost work days and decreases in productivity result in decreased efficiency. By hiring persons who do not use tobacco products, the department intends to increase efficiency and insure that services relative to public safety are not affected as a result of absenteeism and limited activity due to poor health as a result of the use of tobacco products.

V. NICOTINE TESTING

A. All potential employees hired after October 1, 2013 will have to take and pass a nicotine test for employment.

B. All Employees who participate in the City Health Plan will be tested for nicotine annually to establish any contributions he/she will have to pay towards his/her healthcare premium. Employees will be asked to sign a Tobacco Test Authorization stating he/she gives permission to release tobacco test results to the City. Employees who do not complete a tobacco screening or choose to use tobacco products will be required to pay up to 5% of their health insurance premium. In accordance to the Wellness Program

~~Policy, employees must comply with the wellness program in order to be given credit for participation (See 2.5 Wellness Program Policy). Employees that do not participate in the wellness program may be required to pay up to an additional 5% of their health insurance premium. Employees will be required to complete an online Health Risk Assessment (HRA).~~

Approved by: _____ Date: _____
City Manager



Agenda Item # 2022-219

OMNIA Partners Contract for Purchase of Playground Equipment

MEETING DATE

April 4, 2022

PREPARED BY

Diane Ebentheuer, Purchasing
Agent/Risk Manager

BACKGROUND

The City purchasing policy allows Council to waive the bid process and use "Other Contracts" that have gone through the review processes and have been approved by another government entity. The Lucille Johnson Park needs playground equipment.

SUMMARY

OMNIA Partners Contract #2017001134
Pricing: \$44,612.95
Vendor: GameTime

RECOMMENDATION

The Committee of the Whole recommends to waive the bid process and approve piggyback of OMNIA Partners (the largest and most experienced purchasing organization for public and private sector procurement) contract for Playground Equipment to GameTime for \$44,612.95.

ATTACHMENTS

1. OMNIA Partners Playground Equipment to GameTime



c/o Struthers Recreation, LLC.
P.O. Box 1178
Pelham, AL 35124
Phone: 800-221-8869
Fax: 205-663-5012

12/28/2021
Quote #102129-01-01

Milton Playground

City of Milton Parks and Recreation
Attn: John Norton
5629 Byrom Street
Milton, FL 32570
Phone: 850-983-5466
Fax: 850-983-4598
john.norton@ci.milton.fl.us

Ship to Zip 32570

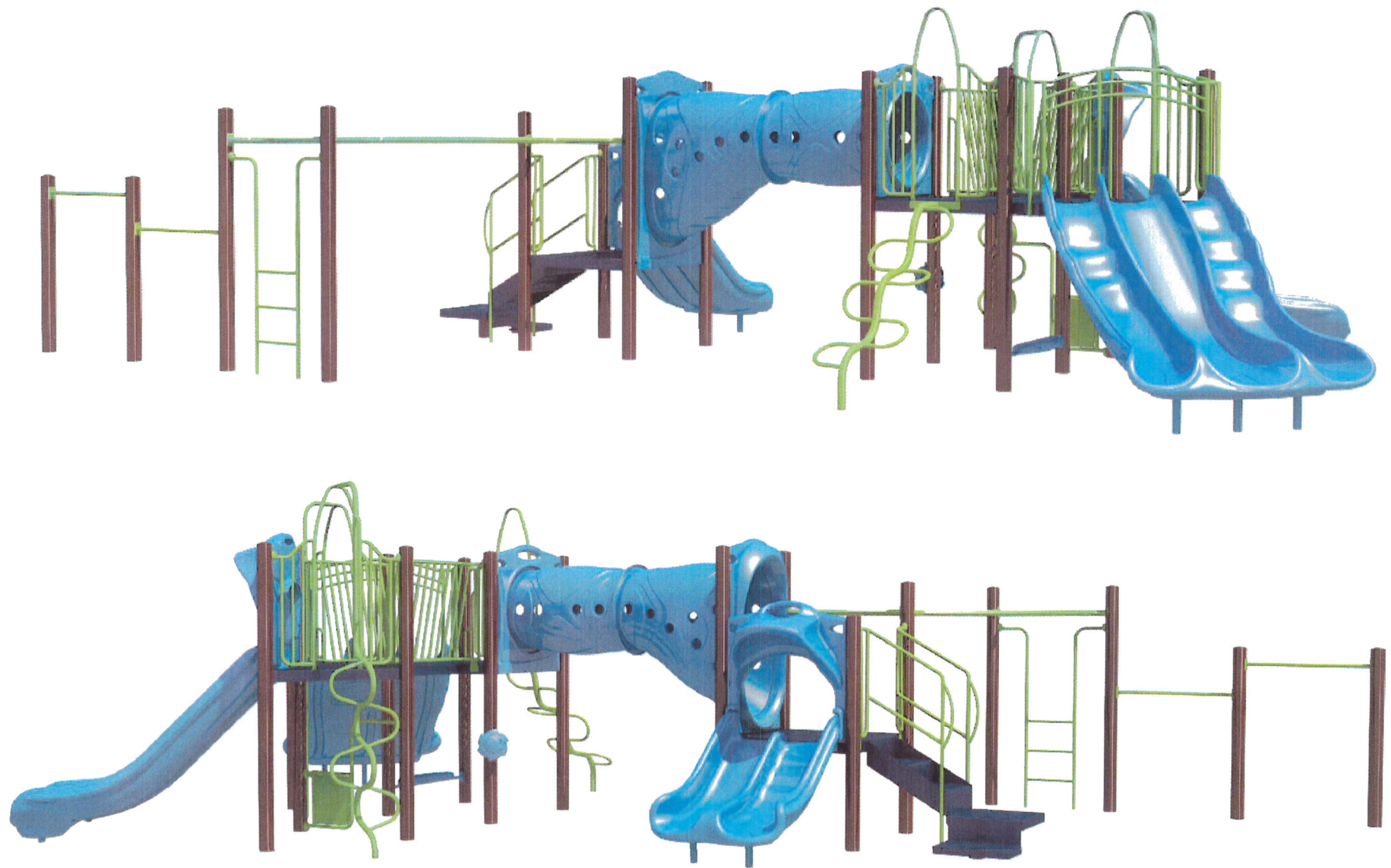
Quantity	Part #	Description	Unit Price	Amount
1	178749	GameTime - Owner's Kit	\$66.00	\$66.00
1	RDU	GameTime - 05170-D1 PowerScope Play Structure	\$36,495.00	\$36,495.00
1	INSTALL	GameTime - Installation of Playground Equipment	\$9,750.00	\$9,750.00
Contract: OMNIA #2017001134			Sub Total	\$46,311.00
			Discount	(\$8,758.80)
			Material Surcharge	\$5,075.89
			Freight	\$1,984.86
			Total	\$44,612.95



OMNIA Partners Contract #2017001134

Purchase Orders must be made out to [GameTime](#) when purchasing through the contract.

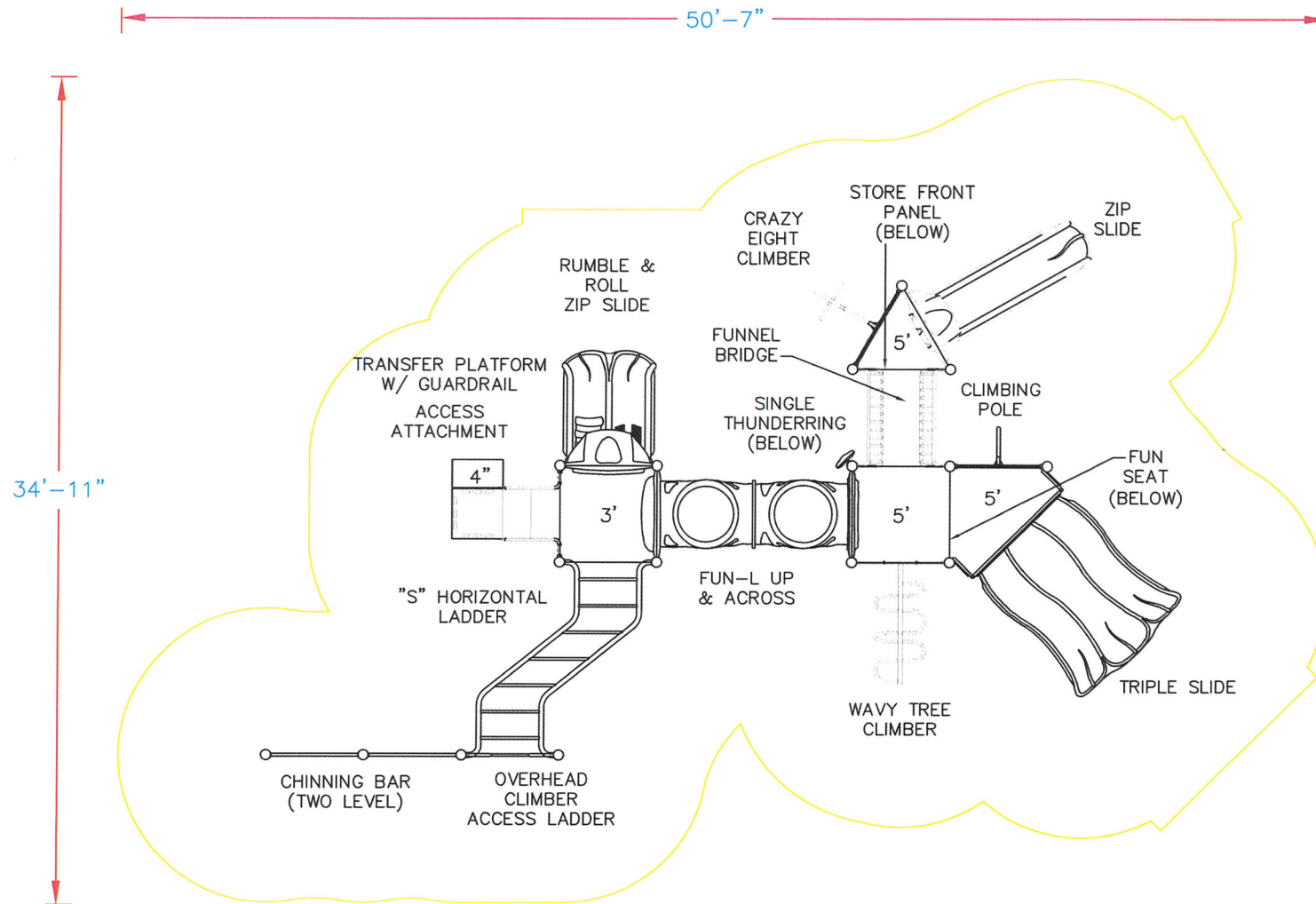
Pricing: Quotes are valid for 30 days from date of quotation. **Pricing may change after 30 days.** If ship to zip code changes, freight may change.
UNLESS SPECIFICALLY INCLUDED, THIS QUOTATION EXCLUDES ALL EQUIPMENT ASSEMBLY AND INSTALLATION; SAFETY SURFACING; BORDERS AND DRAINAGE PROVISIONS, ALL SITE WORK AND LANDSCAPING; REMOVAL OF EXISTING EQUIPMENT; ACCEPTANCE OF EQUIPMENT AND OFF-LOADING AND STORAGE OF GOODS PRIOR TO INSTALLATION. SIGNED ACCEPTANCE OF THIS QUOTE ASSUMES ACCEPTANCE OF TERMS AND CONDITIONS ON ATTACHED PAGE. TERMS: NET 30 DAYS



STRUTHERS
RECREATION

Milton P&R
Playground

GameTime®
A PLAYCORE Company



PO Box 1178
Pelham, AL 35124
p. 205.663.5058
t. 800.221.8869
f. 205.663.5012
www.struthersrecreation.com

Milton P&R

Project Manager:
John Kilpatrick

This play
equipment is
recommended
for children ages

5-12

Minimum Area Required:
35' x 51'

Scale: NTS

This drawing can be
scaled only when in
an 8 1/2" x 11" format

IMPORTANT: Soft resilient surfacing should be placed in the use zones of all equipment, as specified for each type of equipment, and at depths to meet the critical fall heights as specified by the U.S. consumer Product Safety Commission, ASTM standard F 1487 and Canadian Standard CAN/CSA-Z-614

Drawn By:
M. Isbell
Date:
12.28.2021
Drawing Name:
05170-D1



Agenda Item # 2022-223

Special Event Permit Application - Community Easter Egg Hunt

MEETING DATE

April 4, 2022

PREPARED BY

Stephen Prestesater, Director
of Public Relations

BACKGROUND

The Community Easter Egg Hunt was first organized in 2021 by Amber Leek and the Leek Family. The event featured a large egg hunt with prizes for attendees. This event received assistance from the city for the use of Jernigans Landing. It also received donor support from local organizations, which helped allow the organizers to give so much back to the residents. The 2021 event was held on April 3, from 10 am to 5 pm. The setup started early with teams of volunteers to assist with laying out the eggs. The kickoff of this event took place at noon. All that was required for this event from the city was the use of the space and a dumpster for cleaning up.

SUMMARY

Amber Leek and the Leek family look to hold their second annual Community Easter Egg Hunt at Jernigan's Landing, on April 16, 2022. This event will be similar to the 2021 event held at the same location. Setup for the event will begin at 7 am with the kick-off of the event to be provided by the event organizer. The expected time is between 11 am and 12 pm. The estimated participation is 300. This event is free to the community and will have no fiscal impact on the city. Mrs. Leek has stated that she will pay the \$270 fee for the use of the location and trash cans.

RECOMMENDATION

The Committee of the Whole approved this item and moved it forward to the Executive Committee Meeting.

ATTACHMENTS

1. Special Event Permit Application - Easter Egg Hunt by Scoops



Special Event Permit Application

City of Milton

6738 Dixon Street, Milton FL, 32570

850-983-5400 pio@miltonfl.org

Instructions:

To process this application all applicable pages must be filled out completely and submitted to the City.
Pages 1-6 are mandatory with every application. If you are requesting support and/ or sponsorship for your event, the City of Milton Outside Agency Funding Application is required in addition to this application.
For questions about requirements, fees or the application process contact the Office of Economic Development.

Applicant & Event Organizer Information

☐ Individual ☐ Not-for Profit ☐ For Profit ☐ Charity
☒ Other: Small Business

Name of Organization: Scoops Ice Cream & Sweets

Address: 6835 Caroline St City: Milton

Phone: 850-889-5403 Email: scoopsmilton@gmail.com

Event POC: Amber Leek

Phone: 850-889-5403 Email: scoopsmilton@gmail.com

Event Information

☐ Concert ☐ Park Festival ☐ Street Festival ☐ Parade/ Procession
☐ Run/ Walk ☐ Sporting Event ☐ Sale/ Market ☐ Private Event/ Wedding
☒ Other Community Easter Egg Hunt

Event Name: _____

Event website/ Event Page: _____

Event Location: Jernigans Landing Event Date(s) 4/16/2022 to 4/16/2022

Time of Event: Day 1 7am to noon (Day 2 - Optional) n/a to _____

Setup Date & Time: 4/16/2022 at 7am Teardown Date & Time: 11am at noon

Estimated Attendance: 300 Is the Event Free to attend? ☒ YES ☐ NO

Special Event Questionnaire

Below are questions about the event. Please answer all questions and attach additional documents, if necessary, to the application.

Will a City park be utilized?	(page 3)	☒ YES	☐ NO
Will equipment from the City of Milton be needed?	(page 3)	☒ YES	☐ NO
Will you need the City's Stage?	(page 3)	☐ YES	☒ NO
Will there be amplified sound?	(page 4)	☒ YES	☐ NO
Will you need the City's portable restroom?	(page 3)	☒ YES	☐ NO
Will tents larger than 10'x10' be erected?	(page 4)	☐ YES	☒ NO
Will inflatable bounce houses be erected?	(page 4)	☐ YES	☒ NO
Will you be using water slides?	(page 4)	☐ YES	☒ NO
Will you need City Dumpsters/ Trashcans?	(page 3)	☒ YES	☐ NO
Will there be fireworks?	(page 4)	☐ YES	☒ NO
Will vendors be selling merchandise, food, or wares?	(page 4)	☐ YES	☒ NO
Will food be cooked at the event?	(page 4)	☐ YES	☒ NO
Will alcohol be sold or given away at this event?	(page 4)	☐ YES	☒ NO
Will animals/ pets be allowed at the event?	(page 4)	☒ YES	☐ NO
Will you be using State or County Roads?	(page 4)	☐ YES	☒ NO
Will temporary No Parking Signs be utilized?	(page 4)	☒ YES	☐ NO
Will EMT be on site?	(page 3)	☒ YES	☐ NO
Will you need security?	(page 3)	☐ YES	☒ NO
Will you require power on-site?	(page 3)	☒ YES	☐ NO
Will you require water on-site?	(page 3)	☐ YES	☒ NO

If you have answered YES to any of these questions, please see page 3-4 and select the items you request to use.

Do you have a Marketing Plan and if so, how will you notify surrounding businesses/ residents of your event? Social media, flyers, word of mouth, local radio stations

Have you prepared a to scale event map/ layout that meets all ADA parking and access requirements?
☒ YES ☐ NO

City Fee Sheet

(City Fees are the fixed cost for the use of its facilities, licenses, insurance, parks, equipment, etc.)

Location(s)/ Facility used at event:

- | | | |
|---|-------|---|
| ☐ North Riverwalk | \$150 | ☐ North Willing Street |
| ☐ South Riverwalk | \$150 | ☐ South Willing Street |
| ☐ Entire Riverwalk | \$250 | ☐ North Elmira Street |
| ☐ N Riverwalk Gazebo | \$50 | ☐ South Elmira Street |
| ☐ S Riverwalk Pavilion | \$50 | ☐ Imogene Parking Lot |

Jernigan's Landing (Downtown event location for the City of Milton. Select all applicable)

- | | | | |
|---|-------|---|-------|
| ☒ Riverside | \$100 | ☒ Festival Area | \$150 |
|---|-------|---|-------|

☐ Other: _____

Requested Items:

QTY

QTY

- | | | | | |
|---|-------------------|---|------------------|----------|
| ☒ Portable Restroom | \$250 | ☐ Portable Restroom | \$350 | |
| (at Jernigan's landing) | | (at alternate location) | | |
| ☐ City Stage 14'x28' | \$350 | ☐ City Movie System | \$250 | |
| ☐ Live Music Licensing *** | \$200 | ☐ Movie Licensing *** | \$(at cost) | |
| ☐ Event Insurance | \$(at cost) | ☐ Barricades | \$100 per | _____ |
| ☐ Street Info Sign | \$250 per | ☐ Cones | \$10 per | _____ |
| ☐ Tables 6ft | \$5 per | ☐ Dumpster | \$50 per | _____ |
| ☐ Tables & Chairs D/S/R | \$100 | ☒ City Garbage Cans | \$10 per | <u>2</u> |
| ☐ Small Generator's | \$100 | ☐ Large Generator | \$250 | |
| ☐ Generator power distro | \$100 | ☐ Hose-bid water distro | \$100 | |
| ☐ City Hydrant tap fee | \$50 + meter rate | ☐ Fire/EMS (if available) | \$30hr / 2hr min | |
| ☐ Police (if available) | \$25hr / 4hr min | ☐ Public Works Crew | \$20hr/ 2hr min | |
| ☐ Other City Staff | \$25hr/ 2hr min | ☐ Street Sweeping | \$250 per sweep | |
| ☐ Electrical Activation | \$75 + meter rate | ☐ Event Clean-up | \$100hr | |
| ☐ Parade Package (including Police, Public Works, Planning and required street closures) | | | \$1,000 | |
| ☐ Concert Package (including light & sound production from our 3 rd party vendor) | | | \$1,600 | |

*Published music, movies, and other electronic art forms are protected by US Copyright and Trademark laws. Unauthorized use of copyrighted work is illegal.

**Must be free event, open to the public and located within the City Limits to access the City's ASCAP, BMI and SESAC License.

Ordinances & Special Requests

Tourism District and Downtown Milton Special Requests:

NOTE: Tourism District Special Request Applications must be received by the city sixty (60) days prior to the event. Events with Alcohol must submit ninety (90) days prior to the event.

I hereby request waiver of the following ordinances: **(only available in the Tourism District)**

- ☐ Open Container Ordinance (Section 6-27)
- ☒ Noise Ordinance (LDR Section III-5.16)
- ☒ Animal Control Ordinance (Section 4-37(b))
- ☐ And/ or other Ordinance _____

I hereby request the following regarding the Blackwater River:

- ☐ Activate Boating Restricted Areas
- ☐ Activate 24-hour docking at the Riverwalk

I hereby request the use of Fireworks in the City of Milton:

- ☐ By selecting this box, you must complete the City of Milton Fireworks Display Permit Application

**note – Fireworks are subject to approval by the City Fire Chief and must be done by a licensed and insured pyrotechnics professional. Additional information will be provided.*

Time Period from when these requests will take place:

From: _____ Date: _____ To: _____ Date: _____

I hereby request that vendors be allowed to sell their wares at the event. All vendors know they must abide by all federal, state, county, and local laws regarding resell, sell of their ware. All vendors have their applicable license's available if requested. City will not be held liable. ☐ YES ☐ NO

Will this event require Road Closures? ----- ☒ YES ☐ NO

Stewart Street requires a separate FDOT application. A scheduled meeting with the Planning Department is required for a State Road Closure. Ensure you have your date/ time confirmed prior to submitting your information. The City will assist.

If so, please list street names:

- 1) Willing St @ Jernigans Landing
- 2) Pine Street at the corner of Elmira St
- 3) _____
- 4) _____

Is this an annual Event? ☒ YES ☐ NO

If YES, list the date(s) requested for next year. Please note that requesting the date(s) on this application does not guarantee a hold or act as a confirmation of the requested date(s).

Requested event date(s): 4/8/2023 Alternative Date(s): 4/15/2023

Additional Documents Required with Application

All events require an Event Site Map and copy of Insurance Certificate's 10 days prior. Below are additional documents that may be required to be submitted with the application. Application will be considered incomplete without these documents.

For additional information on what is required please contact the Office of Economic Development.



Event Site Map



Event Race Route Map



Parade Route & Alternate

Event organizers must provide a site map with vendor locations, portable restrooms, run/ walk route, etc. at the time this application is submitted. A detailed listing of all services is required for public awareness & safety.



Insurance Certificate(s)



Fireworks Application



Other (any other agency)



Tax Exempt Certificate and 501(c)3 Documentation *(if the entity is claiming tax exempt and/ or non-profit status)*

Rules & Regulations

Application Dates:

- The permit application process should begin at least 60 days prior to the event date. 90 days if alcohol is to be sold or given away. Parade application process should allow 6 months.
- Once all documents have been submitted, City Staff will schedule a meeting to review all information and ensure event organizers have met all requirements. Staff will at this time develop an Agenda Analysis for Councils review. Council will be informed during the Committee of the Whole meeting. This meeting takes place the third Thursday of every month.
- Each event will require Councils approval and organizers should attend *(if requesting support)*.

Cancellation Policy:

- Event application fees are non-refundable if the event is cancelled by the applicant.
- Although event application fees are non-refundable, if an event is cancelled due to inclement weather, the fee may be credited towards an alternate date. Event Organizers must inform the Office of Economic Development when cancelling any event. An alternate date must take place within one year of the original event date.

ADA Accessibility Guidelines:

- Event Organizers must make the event accessible to people with disabilities to the greater extent possible in compliance with the requirements of the American with Disabilities Act (ADA).
- Accessible parking must also be provided for persons with Disabilities. Information regarding accessible parking locations should be included as part of the event site map.

Clean-Up:

- It is understood that clean-up will be performed immediately following the event. Event site must be returned to its pre-event state. Failure to adequately clean-up event site may result in a fee. Adequacy of clean-up will be assessed by City of Milton Code Enforcement.

Hold Harmless Agreement

For and in consideration of having been granted permission by the City of Milton to hold a Special Event within the City of Milton limits, the undersigned hereby agrees on behalf of the organization, to indemnify and hold harmless the City of Milton, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, liability and expenses in conjunction with loss of life, bodily injury or personal injury or property damage, including loss of use thereof, directly or indirectly caused by, resulting from, arising out of or occurring in connection with this permitted activity.

The undersigned also agrees to protect and hold harmless the City of Milton, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, liability and expenses, present, past or future which may be asserted by this organization, or any member of this organization, or any participant of third party arising out of or occurring in connection with this permitted event.

By the signature to this document the undersigned acknowledges that it understands the contents of this document and is voluntarily agreeing to its terms.

In witness whereof I have here unto set my hand and seal this ____ day of _____ in 20__

Name of Special Event Milton Community Easter Egg Hunt

Date(s) of Special Event 4/16/2022

Name of Organization Scoops Ice Cream & Sweets

Event Organizers Name Amber Leek

Address of Organization 6835 Caroline St Milton, FL 32570

Phone Number 850-889-5403

Email _____

Printed Name

Signature

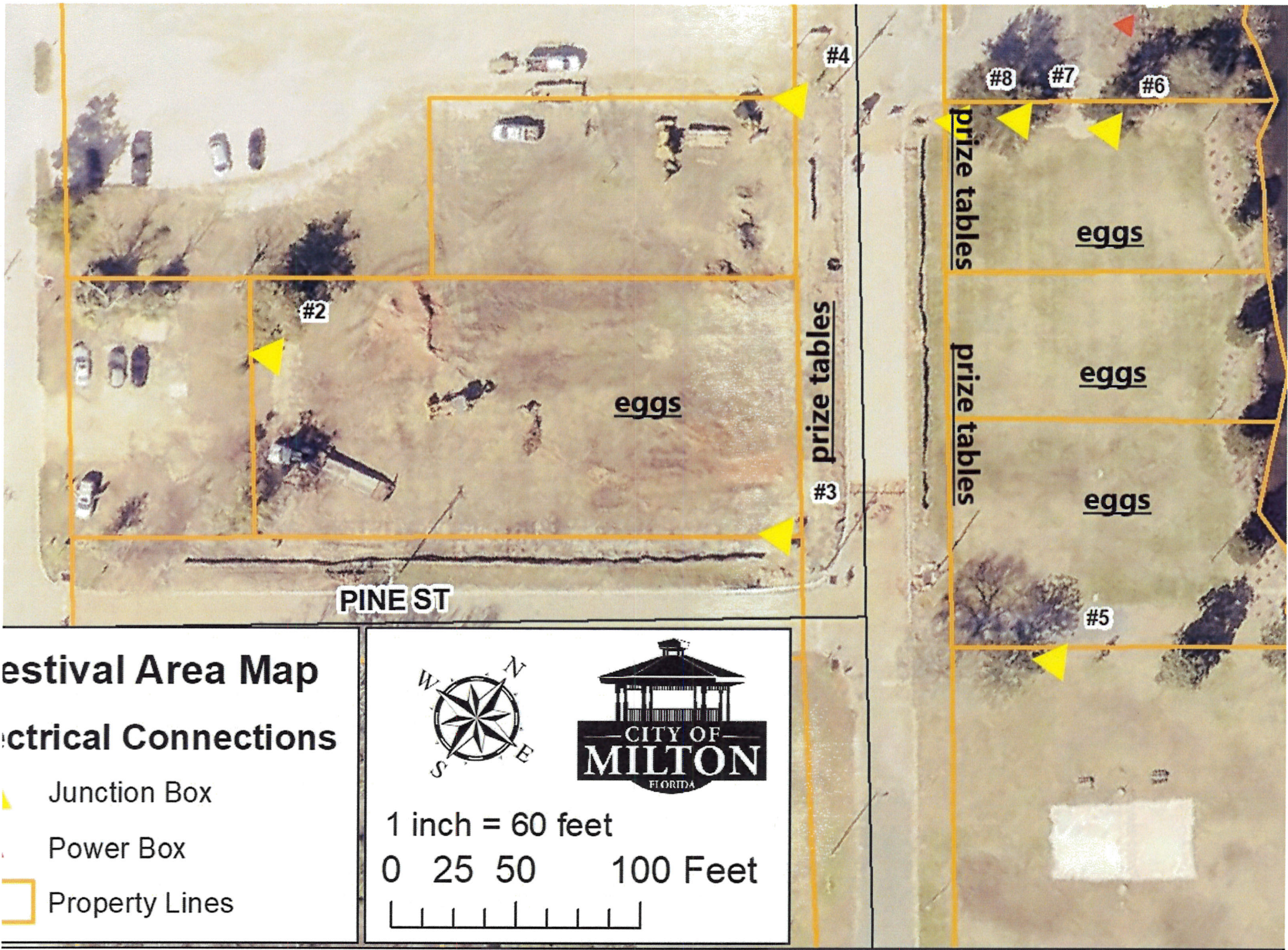
Amber Leek

Amber Leek

Internal Signatures Required for Approval:

Office of Economic Development: _____ Planning: _____

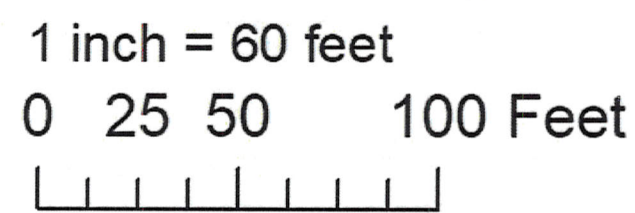
Public Works: _____ Police: _____ Fire: _____



Festival Area Map

Electrical Connections

-  Junction Box
-  Power Box
-  Property Lines





Agenda Item # 2022-224

Special Event Permit Application - Krewe of Airship Pirates Crawfish Boil

MEETING DATE

April 4, 2022

PREPARED BY

Stephen Prestesater, Director
of Public Relations

BACKGROUND

The Krewe of Airship Pirates was originally scheduled to hold this event at Beardless BrewHaus. However, as they will not be open on time, the request has been made to move the event to Jernigan's Landing. This is the first year this event has been held on City Property. This event is a fundraiser for the Ronald McDonald House in Pensacola.

SUMMARY

The Krewe of Airship Pirates is requesting to hold a Crawfish Boil at Jernigan's Landing on Saturday, April 16, 2022. This event would be held immediately following the Community Easter Egg Hunt. Both event organizers met and discussed logistics and how they could work together to pull both events off. This event will feature live entertainment, vendors, a raffle, and boiled mudbugs. This event is scheduled from 12 pm to 5 pm and teardown will commence at 5:01 pm.

RECOMMENDATION

City staff has discovered that the Emerald Coast Krewe of Airship Pirates no longer holds a non-profit designation. At this time, the staff recommends three options for the council to review.

- 1- Allow the event to still take place, with the notice that Patrick will have to pay the full fee for the event application. Items that are only allowed to be used by non-profit organizations will not be permitted for use. This means the city stage and the portable restroom would not be permitted as per the 2022 revised special event permit application. The fee for this event would be \$335.
- 2 - Pull the event application and do not allow permitting of the event.
- 3 - Wait to see if Patrick is able to work out the non-profit designation with the IRS and the state. If he is able to do so, allow the event to take place as requested at the Committee of the Whole, and require that he returns for an Event After Action Report to show that he is in good standing and that his designation is official.

ATTACHMENTS

1. Special Event Permit Application - Crawfish boil by Krewe of Airship Pirates
2. Outside Agency Funding Application - Crawfish boil by Krewe of Airship Pirates



Special Event Permit Application

City of Milton

6738 Dixon Street, Milton FL, 32570

850-983-5400 pio@miltonfl.org

Instructions:

To process this application all applicable pages must be filled out completely and submitted to the City.
Pages 1-6 are mandatory with every application. If you are requesting support and/ or sponsorship for your event, the
City of Milton Outside Agency Funding Application is required in addition to this application.
For questions about requirements, fees or the application process contact the Office of Economic Development.

Applicant & Event Organizer Information

- ☐ Individual ☒ Not-for Profit ☐ For Profit ☐ Charity
☐ Other: _____

Name of Organization: KREWE OF AIRSHIP PIRATES

Address: 2026 EVENTIDE ROAD City: MILTON, FL

Phone: 850-748-9696 Email: AIRSHIPPIRATES@YAHOO.COM

Event POC: PATRICK FITZGERALD

Phone: 850-748-9696 Email: pcfard69@yahoo.com

Event Information

- ☒ Concert ☒ Park Festival ☐ Street Festival ☐ Parade/ Procession
☐ Run/ Walk ☐ Sporting Event ☐ Sale/ Market ☐ Private Event/ Wedding
☐ Other: _____

Event Name: KREWE OF AIRSHIP PIRATES CRAWFISH BOIL

Event website/ Event Page: www.kreweofairshipirates.com

Event Location: Jernigan's Landing Event Date(s) 4/16/22 to 4/16/22

Time of Event: Day 1 12:00pm to 5:00pm (Day 2 - Optional) _____ to _____

Setup Date & Time: 4/16/22 at 10:00am Teardown Date & Time: 4/16/22 at 5:00pm

Estimated Attendance: 300 Is the Event Free to attend? ☒ YES ☐ NO

Special Event Questionnaire

Below are questions about the event. Please answer all questions and attach additional documents, if necessary, to the application.

Will a City park be utilized?	(page 3)	☒ YES	☐ NO
Will equipment from the City of Milton be needed?	(page 3)	☒ YES	☐ NO
Will you need the City's Stage?	(page 3)	☒ YES	☐ NO
Will there be amplified sound?	(page 4)	☒ YES	☐ NO
Will you need the City's portable restroom?	(page 3)	☒ YES	☐ NO
Will tents larger than 10'x10' be erected?	(page 4)	☒ YES	☐ NO
Will inflatable bounce houses be erected?	(page 4)	☐ YES	☒ NO
Will you be using water slides?	(page 4)	☐ YES	☒ NO
Will you need City Dumpsters/ Trashcans?	(page 3)	☒ YES	☐ NO
Will there be fireworks?	(page 4)	☐ YES	☒ NO
Will vendors be selling merchandise, food, or wares?	(page 4)	☒ YES	☐ NO
Will food be cooked at the event?	(page 4)	☒ YES	☐ NO
Will alcohol be sold or given away at this event?	(page 4)	☒ YES	☐ NO
Will animals/ pets be allowed at the event?	(page 4)	☒ YES	☐ NO
Will you be using State or County Roads?	(page 4)	☐ YES	☒ NO
Will temporary No Parking Signs be utilized?	(page 4)	☐ YES	☒ NO
Will EMT be on site?	(page 3)	☐ YES	☒ NO
Will you need security?	(page 3)	☐ YES	☒ NO
Will you require power on-site?	(page 3)	☒ YES	☐ NO
Will you require water on-site?	(page 3)	☒ YES	☐ NO

If you have answered YES to any of these questions, please see page 3-4 and select the items you request to use.

Do you have a Marketing Plan and if so, how will you notify surrounding businesses/ residents of your event? **FACEBOOK AND WALK-IN TO NOTIFY**

Have you prepared a to scale event map/ layout that meets all ADA parking and access requirements?

☒ YES ☐ NO

City Fee Sheet

(City Fees are the fixed cost for the use of its facilities, licenses, insurance, parks, equipment, etc.)

Location(s)/ Facility used at event:

- | | | |
|---|-------|---|
| ☐ North Riverwalk | \$150 | ☐ North Willing Street |
| ☐ South Riverwalk | \$150 | ☐ South Willing Street |
| ☐ Entire Riverwalk | \$250 | ☐ North Elmira Street |
| ☐ N Riverwalk Gazebo | \$50 | ☐ South Elmira Street |
| ☐ S Riverwalk Pavilion | \$50 | ☐ Imogene Parking Lot |

Jernigan's Landing (Downtown event location for the City of Milton. Select all applicable)

- | | | | |
|---------------------------------------|-------|---|-------|
| ☐ Riverside | \$100 | ☒ Festival Area | \$150 |
| ☐ Other: _____ | | | |

Requested Items:

QTY

QTY

- | | | | | |
|---|-------------------|---|------------------|----------|
| ☒ Portable Restroom
(at Jernigan's landing) | \$250 | ☐ Portable Restroom
(at alternate location) | \$350 | |
| ☒ City Stage 14'x28' | \$350 | ☐ City Movie System | \$250 | |
| ☐ Live Music Licensing *** | \$200 | ☐ Movie Licensing *** | \$(at cost) | |
| ☐ Event Insurance | \$(at cost) | ☐ Barricades | \$100 per | _____ |
| ☐ Street Info Sign | \$250 per | ☐ Cones | \$10 per | _____ |
| ☐ Tables 6ft | \$5 per | ☒ Dumpster | \$50 per | <u>1</u> |
| ☐ Tables & Chairs D/S/R | \$100 | ☒ City Garbage Cans | \$10 per | <u>6</u> |
| ☐ Small Generator's | \$100 | ☐ Large Generator | \$250 | |
| ☐ Generator power distro | \$100 | ☐ Hose-bid water distro | \$100 | |
| ☐ City Hydrant tap fee | \$50 + meter rate | ☐ Fire/EMS (if available) | \$30hr / 2hr min | |
| ☐ Police (if available) | \$25hr / 4hr min | ☐ Public Works Crew | \$20hr/ 2hr min | |
| ☐ Other City Staff | \$25hr/ 2hr min | ☐ Street Sweeping | \$250 per sweep | |
| ☒ Electrical Activation | \$75 + meter rate | ☐ Event Clean-up | \$100hr | |
| ☐ Parade Package (including Police, Public Works, Planning and required street closures) | | | \$1,000 | |
| ☐ Concert Package (including light & sound production from our 3 rd party vendor) | | | \$1,600 | |

*Published music, movies, and other electronic art forms are protected by US Copyright and Trademark laws. Unauthorized use of copyrighted work is illegal.

**Must be free event, open to the public and located within the City Limits to access the City's ASCAP, BMI and SESAC License.

Ordinances & Special Requests

Tourism District and Downtown Milton Special Requests:

NOTE: Tourism District Special Request Applications must be received by the city sixty (60) days prior to the event. Events with Alcohol must submit ninety (90) days prior to the event.

I hereby request waiver of the following ordinances: **(only available in the Tourism District)**

- ☒ Open Container Ordinance (Section 6-27)
- ☒ Noise Ordinance (LDR Section III-5.16)
- ☐ Animal Control Ordinance (Section 4-37(b))
- ☐ And/ or other Ordinance _____

I hereby request the following regarding the Blackwater River:

- ☐ Activate Boating Restricted Areas
- ☐ Activate 24-hour docking at the Riverwalk

I hereby request the use of Fireworks in the City of Milton:

- ☐ By selecting this box, you must complete the City of Milton Fireworks Display Permit Application

**note – Fireworks are subject to approval by the City Fire Chief and must be done by a licensed and insured pyrotechnics professional. Additional information will be provided.*

Time Period from when these requests will take place:

From: _____ Date: _____ To: _____ Date: _____

I hereby request that vendors be allowed to sell their wares at the event. All vendors know they must abide by all federal, state, county, and local laws regarding resell, sell of their ware. All vendors have their applicable license's available if requested. City will not be held liable. ☒ YES ☐ NO

Will this event require Road Closures? ----- ☐ YES ☒ NO

Stewart Street requires a separate FDOT application. A scheduled meeting with the Planning Department is required for a State Road Closure. Ensure you have your date/ time confirmed prior to submitting your information. The City will assist.

If so, please list street names:

- 1) _____ 2) _____
- 3) _____ 4) _____

Is this an annual Event? ☒ YES ☐ NO

If YES, list the date(s) requested for next year. Please note that requesting the date(s) on this application does not guarantee a hold or act as a confirmation of the requested date(s).

Requested event date(s): APRIL 15, 2023 Alternative Date(s): _____

Additional Documents Required with Application

All events require an Event Site Map and copy of Insurance Certificate's 10 days prior. Below are additional documents that may be required to be submitted with the application. Application will be considered incomplete without these documents.

For additional information on what is required please contact the Office of Economic Development.

- ☒ Event Site Map ☐ Event Race Route Map ☐ Parade Route & Alternate

Event organizers must provide a site map with vendor locations, portable restrooms, run/ walk route, etc. at the time this application is submitted. A detailed listing of all services is required for public awareness & safety.

- ☐ Insurance Certificate(s) ☐ Fireworks Application ☐ Other (any other agency)
- ☐ Tax Exempt Certificate and 501(c)3 Documentation *(if the entity is claiming tax exempt and/ or non-profit status)*

Rules & Regulations

Application Dates:

- The permit application process should begin at least 60 days prior to the event date. 90 days if alcohol is to be sold or given away. Parade application process should allow 6 months.
- Once all documents have been submitted, City Staff will schedule a meeting to review all information and ensure event organizers have met all requirements. Staff will at this time develop an Agenda Analysis for Councils review. Council will be informed during the Committee of the Whole meeting. This meeting takes place the third Thursday of every month.
- Each event will require Councils approval and organizers should attend *(if requesting support)*.

Cancellation Policy:

- Event application fees are non-refundable if the event is cancelled by the applicant.
- Although event application fees are non-refundable, if an event is cancelled due to inclement weather, the fee may be credited towards an alternate date. Event Organizers must inform the Office of Economic Development when cancelling any event. An alternate date must take place within one year of the original event date.

ADA Accessibility Guidelines:

- Event Organizers must make the event accessible to people with disabilities to the greater extent possible in compliance with the requirements of the American with Disabilities Act (ADA).
- Accessible parking must also be provided for persons with Disabilities. Information regarding accessible parking locations should be included as part of the event site map.

Clean-Up:

- It is understood that clean-up will be performed immediately following the event. Event site must be returned to its pre-event state. Failure to adequately clean-up event site may result in a fee. Adequacy of clean-up will be assessed by City of Milton Code Enforcement.

Hold Harmless Agreement

For and in consideration of having been granted permission by the City of Milton to hold a Special Event within the City of Milton limits, the undersigned hereby agrees on behalf of the organization, to indemnify and hold harmless the City of Milton, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, liability and expenses in conjunction with loss of life, bodily injury or personal injury or property damage, including loss of use thereof, directly or indirectly caused by, resulting from, arising out of or occurring in connection with this permitted activity.

The undersigned also agrees to protect and hold harmless the City of Milton, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, liability and expenses, present, past or future which may be asserted by this organization, or any member of this organization, or any participant of third party arising out of or occurring in connection with this permitted event.

By the signature to this document the undersigned acknowledges that it understands the contents of this document and is voluntarily agreeing to its terms.

In witness whereof I have here unto set my hand and seal this _____ day of _____ in 20____

Name of Special Event KREWE OF AIRSHIP PIRATES CRAWFISH BOIL

Date(s) of Special Event APRIL 16TH, 2022

Name of Organization KREWE OF AIRSHIP PIRATES

Event Organizers Name PATRICK FITZGERALD

Address of Organization 2026 EVENTIDE ROAD, MILTON FLORIDA 32583

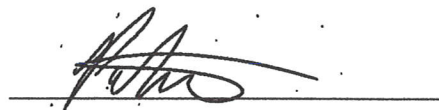
Phone Number 850-748-9696

Email airshippirates@yahoo.com

Printed Name

Signature

Patrick Fitzgerald



Internal Signatures Required for Approval:

Office of Economic Development: _____ Planning: _____

Public Works: _____ Police: _____ Fire: _____



Outside Agency Funding Application

Outside Applicant funding by the City of Milton is intended to provide resources from the City to assist neighborhood, community, social and not-for-profit organizations in carrying out community activities. Resources are allocated to specific events/activities/projects/programs only. General operational funds and/or administrative costs not associated with the project/program are not eligible. All funded activities must take place within the city limits of the City of Milton and be must free and open to the public to attend. Explanation for events outside the city limits and/or not free and open to the public must be provided and may be approved on a case-by-case basis.

Resources provided by the City may include, but are not limited to the following: direct financial support, use of City property, use of City equipment, use of City staff or any combination thereof. The specific resources requested must be identified in this application. The Applicant is advised that the approval or disapproval of each application is at the sole discretion of the City of Milton and the information requested is used as a basis to evaluate the Applicant's project. Submission of an application does not create entitlement to funding or any other City resource. Funding in one year does not create an entitlement to funding in future years. The application shall be reviewed by the City for completeness and eligibility prior to any approvals. The City's discretion is absolute, and the City may, for example, waive any technical irregularity, award in-mass, partial fund, split fund, or reject any and all submittals. Additional post-award requirements above and beyond what is required in this application may be added by City Council at its sole discretion. For the purposes of this application, "funding", "resources", "support" or "award" means cash, goods and services or both and may be used interchangeably.

*****THIS APPLICATION DOES NOT TAKE THE PLACE OF A SPECIAL EVENT PERMIT APPLICATION*****

Name of Organization: **Krewe of Airship Pirates**

Address: **2026 Eventide Road, Milton FL 32583**

Name of Representative: **Patrick Fitzgerald**

Telephone: **850-748-9696** Cell Phone: _____

Email: **airshippirates@yahoo.com**

Name of Event/Activity/Project/Program: **Krewe of Airship Pirates Crawfish Boil**

Has the City of Milton ever provided support of any kind for the organization/event in the past? **YES** NO

Are you incorporated? YES **NO**

Are you a Florida Not for Profit Corporation? **YES** NO N/A

Do you have a 501c3 designation? YES **NO** (If yes, please attach a copy) N/A

Are you registered with the Florida Department of Agriculture and Consumer Services? YES **NO** N/A

Have you filed a 990 with the IRS for the previous year? YES **NO** (If yes, please attach a copy) N/A

OUTSIDE APPLICANT REQUEST

<u>REQUESTED ITEM</u>	<u>TOTAL</u>
☐ Cash funding for a project/event (please specify exact amount requested)	\$ _____
☐ Use of City Property (please specify location and duration) (cost varies)	\$ _____
☒ City Bathroom at Jernigan's Landing (\$250) <i>(Non-Profit Only)</i>	\$ \$250.00
☐ City Bathroom at Alternate Location (\$350) <i>(Non-Profit Only)</i>	\$ _____
☒ City Stage (\$350) <i>(Non-Profit Only)</i>	\$ \$350.00
☐ City Movie Projection Equipment & Inflatable Screen (\$250) <i>(Non-Profit Only)</i>	\$ _____
☐ Utilization of City Insurance (must be approved by City Council in advance)	\$ _____
☐ Street Barricades/Cones (\$100/\$10)	\$ _____
☐ Electronic Street Informational Sign (\$250 per unit)	\$ _____
☐ City Tent (\$500) <i>(Non-Profit Only)</i>	\$ _____
☐ Live Music Licensing (\$200) */** <i>(Non-Profit Only)</i>	\$ _____
☐ Movie Licensing (at Cost) */** <i>(Non-Profit Only)</i>	\$ _____
☐ Parade Package (\$1000) <i>(Non-Profit Only)</i>	\$ _____
☐ Tables/Chairs (\$5/table and \$10/10 chairs, rented in counts of 10 only)	\$ _____
☐ Tables & Chairs Delivery & Set Up & Retrieval (\$25)	\$ _____
☐ Small Generator (\$100)	\$ _____
☐ Large Generator (\$250)	\$ _____
☐ Generator Power Distribution Panel (\$100)	\$ _____
☐ Hose Bib (water distribution system) (\$100)	\$ _____
☐ Connection to City Fire Hydrant (\$50 + Metered Rate for Water)	\$ _____
☒ Electrical Activation (\$75 + Hourly Rate for Electricity/Connection)	\$ \$75.00
☐ Fire/EMS (\$30/hour, min. 2 hours)	\$ _____
☐ Police (\$30/hour, min. 4 hours)	\$ _____
☐ Public Works Crew (\$25/hour, min. 2 hours)	\$ _____
☐ Other City Staff (\$30/hour, min. 2 hours)	\$ _____

TOTAL AMOUNT OF FUNDING REQUESTED

\$ **\$675.00**

*Published music, movies, and other electronic art forms are protected by US Copyright and Trademark laws. Unauthorized use of copyrighted work is illegal.

**Must be a free event, open to the public and located within the City Limits to access the City's ASCAP, BMI and SESAC License.

Explanation of Organization
(Who are you? What is your mission?)

Krewe of Airship Pirates is a social organization with the sole purpose of supporting various charities, providing public service, and promoting a positive, robust, and mutually sustaining relationship among family and friends through the celebration and enjoyment of social and recreational gatherings year-round. Our primary charity is Ronald McDonald House of Northwest Florida, however we proudly support local charities including Santa Rosa Kid's House, Manna Food Pantry, and various other charities as the needs arise.

Explanation of Event/Activity/Project/Program
(How does this event/program benefit the Citizens of the City of Milton? Include information of previous versions of this event. Number of participants previously and expected this year, etc.)

This event is a Crawfish Boil with the sole intention to fundraise for Ronald McDonald House. The event is open to local vendors that could make a profit off of the event. The city could benefit from free entertainment which could draw people to the downtown area and increase business for downtown area businesses. This event was previously conducted on private property but was open to the public; approximately \$1200 for charity was raised and was attended by an estimated count of 150 - 200 persons. It is expected with the addition of a stage with live music and an open venue, that attendance should increase to an estimated 250 - 300 persons

Explanation of Funding Request
(What will the City pay for/provide and why?)

City of Milton is being requested to provide the City Stage, Trailer Bathroom, and festival grounds.

Explanation of How Event/Activity/Project/Program Benefits
the City of Milton and its Citizens

The city could benefit from free entertainment which could draw people to the downtown area and increase business for downtown area businesses.

BUDGET

Has your organization received City funding for this specific event/project in the past? YES NO N/A

If "YES", please indicate the amounts below (both in cash and in-kind):

FY17-18	FY18-19	FY19-20	FY20-21	FY21-22

The City's Fiscal Year is October 1 – September 30.

Has your organization received City funding for any other events/projects in the past 5 years? YES NO N/A

If "YES", please list each event/project that received funding and the amounts for each.

Are you utilizing City funds as match for a grant? YES NO

If "YES", what is the required total match amount? \$ _____

How much money will be received from the grant? \$ _____

Please provide a copy of the grant application we will be matching.

Please detail all funding sources (cash and in-kind) for this event/project (including City request). For example, other governmental funding, donations, sponsorships, fundraisers, etc. Individual donors/sponsors do not have to be identified. The totals at the bottom should reflect the entire budget for this event/project. If this is a first-time event, please provide a projected revenue budget.

<u>REVENUE</u>	<u>PRIOR YEAR</u>	<u>CURRENT YEAR</u>	<u>UPCOMING YEAR</u>
1. City of Milton	N/A	\$675.00	
2. SALES OF CRAWFISH		~\$3000.00	
3. PROCEEDS FROM RAFFLE		\$500.00	
4. SODA/WATER SALES		\$150.00	
5.			
6.			
7.			
8.			
9.			
10.			
TOTAL REVENUE		\$4325.00	

Please detail all expenditures for this event/program. For example, printing, band fee, advertising, supplies, etc.

The totals at the bottom should reflect the entire budget for this event/project and should equal the Revenues identified above. If a good/service is donated, it should be reflected as a donation in the Revenue Section and an expenditure in the Expenditure Section to balance the budget. Individual donors do not have to be identified. If this is a first-time event, please provide a projected expense budget.

<u>EXPENSES</u>	<u>PRIOR YEAR</u>	<u>CURRENT YEAR</u>	<u>UPCOMING YEAR</u>
1. City of Milton		\$675.00	
2. BAND		\$400.00	
3. CRAWFISH		\$1000.00	
4.			
5.			
6.			
7.			
8.			
9.			
10.			
TOTAL EXPENSES		\$2075.00	

What percentage of the total budget will the City be providing if this application is approved? **32.53%** %

PARTICIPANTS

	<u>PRIOR YEAR</u>	<u>CURRENT YEAR</u>	<u>UPCOMING YEAR</u>
1. Number served by this event/program	150-200	250-300	
2. Cost per participant	FREE ADMISSION	FREE ADMISSION	
	\$20 PER PLATE OF CRAWFISH		

If funding is approved, how will the number of participants be increased, or the event/program expanded?

ADDITION OF LIVE MUSIC AND OPEN/FREE VENUE

INSTRUCTIONS

1. Submit this completed application and all required, applicable documentation to:

Mail to:

The City of Milton
c/o Office of Economic Development
Post Office Box 909
Milton, Florida 32572

Hand Deliver to:

The City of Milton
c/o Office of Economic Development
6738 Dixon Street
Milton, Florida 32570

Email to: espears@miltonfl.org

2. Funding requests will be reviewed for completeness and technical aspects by City Staff. The request will then be forwarded to City Council for consideration. Staff will review the following aspects:
- A. Organizational Capacity
 - B. Proposed Program/Funding Use
 - C. Efficiency & Collaboration
 - D. Financials
 - E. Meeting Community needs and priorities
3. Applications that are approved by City Council will receive a notification regarding the level of funding and a Funding Agreement from the City. The City is not responsible for any expense incurred prior to award of funding or outside of the scope of funding approval.

CONDITIONS OF FUNDING

By submitting this application, Applicant consents to the following conditions contained in this section. Failure to comply with any one of the below conditions is a default:

- ☐ Funded projects must provide a direct benefit to the businesses or citizens of the City.
- ☐ Services offered by the Applicant must not be restrictive with regard to race, sex, age, religion, disability, or any characteristics that would be prohibited by law.
- ☐ Funds may not be used for any purpose prohibited by law.
- ☐ Applicants requesting funding for the following services or activities will not be considered:
 - Endowments or debt reduction
 - Administrative services support
 - Annual fundraising or capital campaign
 - Political activities
 - Religious activities
 - Public agencies for mandated services
 - Scholarships or individual grants or awards
 - Private Foundations
- ☐ All awards are based on availability of funds. Awards may be provided until all funds are exhausted. If funds remain after the initial cycle, additional cycles later in the year may occur at the City's discretion. Based on available funds, some applications may be approved, while others may be only partially funded or receive no funding.

- ❑ The Applicant hereby agrees to allow the City of Milton to capture, own and use at their sole discretion, images, videos, recordings, and the like of the event/activity/program/project. The City shall use the Applicant's Logo, or other identifier approved by the Applicant in coordination with any City advertising for the event/project.
- ❑ The Applicant hereby agrees to use the City's, or any approved City Department's Logo in any/all advertising, marketing and promotion for the event/program to the same extent as the largest single sponsor, unless otherwise agreed upon in advance. If no sponsors are utilized, the City shall be recognized as the event/program sponsor. The Applicant shall consult with City Staff on any/all advertising, marketing and promotion prior to public release.
- ❑ The City is not responsible for any event/project organization or management. The organization submitting this application is totally responsible for any/all means and methods in carrying out the event/project.
- ❑ The Applicant shall, at all times while on City of Milton Property, conduct themselves in a professional, responsible manner and observe all rules and regulations set forth by the City of Milton. Funded events/programs shall be wholesome and adhere to the standards of good taste, as assessed by the City Council in reviewing all representations of the applicant about the conduct of the event. Material departure from the standards represented to and approved by Council may result in default.
- ❑ All vendors'/merchandise sold at an event must be of good taste, consistent with the values of Milton, Florida, as assessed by the City Council in reviewing all representations of the applicant about the conduct, services or merchandise to be sold. Material departure from the standards represented to and approved by Council may result in default.
- ❑ Funded events/programs shall not directly compete with City Brick and Mortar Businesses through use of outdoor, mobile vendors that provide the same goods/services as the primary good/service of the Brick and Mortar Business. An outdoor, mobile vendor must be a minimum distance of 250 feet or one city-block from a Brick and Mortar Business if providing the same primary good/service. An exception can be provided if a waiver is signed by the Brick and Mortar Business and provided to the City in advance of the event/program.
- ❑ Applicants must indemnify, save and hold harmless the City from and against any and all claims, demands, actions, debts, liabilities, and attorney's fees arising out of, claimed on account of, or in any manner predicated on loss of or damage to the property of, and injuries to or death of any and all persons whatsoever, in any manner alleged to be caused or contributed to by the Applicant, its agents, servants, volunteers or employees while carrying out the event/activity/program/project. From and on account of damages of any kind which they, or any of them, may suffer as a result of acts of the Applicant or any of the Applicant's agents, servants, volunteers or employees and from any workmen's compensation benefits which they, or any of them, become obligated to pay the Applicant, its agents, servants, volunteers or employees, and from any and all claims, demands, actions, debts, liabilities, and related costs which result from the event/activity/program/project carried out by the Applicant.
- ❑ Applicants must provide a Certificate of Insurance (COI), showing the City of Milton, FL as an additional insured, 10 days prior to the event/program date. Applicants may request to utilize the City's insurance for the event. However, such request must be approved by City Council.

- ❑ Applicants shall be and act as independent contractors, and under no circumstances shall any funding be construed as one of agency, legal partnership, or joint venture, or employment between the City and the Applicant. None of the personnel under contract to, employed by, or volunteering for the Applicant shall be deemed in any way to have any contractual relationship with the City whatsoever. The Applicant shall be solely responsible for the conduct of its employees, personnel, volunteers and agents in connection with their obligation hereunder.
- ❑ The City of Milton is not responsible for the safety, security or working condition of any equipment not owned by the City. Use, care and security of any and all City-owned equipment made available for use by the City, provided to and operated by the Applicant, shall be the sole responsibility of the Applicant. Please inspect all items carefully. Any City Equipment provided to the Applicant lost, damaged or destroyed shall be replaced/repaid at the sole expense of the Applicant, unless such damage is sustained due to acts beyond the control of the Applicant as described below.
- ❑ Once the event/project has been completed, Applicant must submit a final report, including event attendance and a final financial expenditure report. If the event/project is ongoing, quarterly reports are required. Additional reporting requirements may be included by City Council at their sole discretion. Failure to submit required reports shall disqualify an organization from future requests.
- ❑ Applicants must demonstrate the financial capacity and ability to complete the event/project as described in this Application, including provision of a current balance reflecting sufficient available funds for completion of all portions of the project not funded by the City. The historical, organizational and financial information requested in this application demonstrate such capacity.
- ❑ This application contains the entire request from the Applicant. This application supersedes any and all prior agreements, arrangements, communications, or representations, whether oral or written. This application and associated event/activity may not be amended, altered, modified or changed except when approved in writing by the City.
- ❑ Applicants are encouraged, but not required, to meet with City Staff before submitting this application for a courtesy review. If funded, Applicants are required to meet with City Staff at Staff's request to review the event/program.
- ❑ If the event/project is postponed due to inclement weather, as acts of God, government restrictions, military operations and exercises, security alerts or unforeseen commercial delays or other similar conditions beyond the Applicant's control, it may be rescheduled for another time or cancelled altogether at the discretion of the City.

REQUIRED DOCUMENTATION
(If Applicable)

Applicants requesting funding must complete this application and provide all other required documentation listed below (if applicable). Please note – if any item requested in this application is not applicable to an Applicant or the Applicant does not have any item, it does not automatically disqualify the Applicant from receiving funding. The items requested below are not intended to create any new demands for an Applicant. The information requested should reflect information that would be normally provided to a Board of Directors on a regular basis.

1. IRS letter with tax exemption ruling. Applicants should be qualified to receive tax-deductible contributions as defined by the IRS - generally a 501(c)(3) public charity tax status.
2. Current Board of Directors/Officers. If your organization is a local office, chapter, etc. of a larger entity (i.e. umbrella organization, governmental Applicant, etc.), please attach a list of Board of Directors/Officers of the next higher-level entity.
3. Copy of most recent independent audit, review and management letter, if applicable.
4. Articles of Incorporation and Bylaws.
5. Organization fiscal year budget and year to date financial statements for the current year, including a Statement of financial position (assets, liabilities and equity) and a Statement of activities (income and expenses), if available. Important note: If your Applicant is a local office, chapter, project, etc. of a larger entity (i.e. umbrella organization, governmental Applicant, etc.), please also include financials and budget of the next higher-level entity.
6. Budget for the project including the portion of the budget which will be funded by the City of Milton, if approved.
7. Organization Strategic Plan, if available.
8. W-9 and City Taxpayer Identification Form.
9. Any information that may assist in better understanding your organization and/or funding request.

DEFAULT

In addition to noncompliance with the above described conditions, default shall occur if one or more of the following takes place:

- The event/activity/project/program is cancelled without prior City approval.
- The event/activity/project/program is substantially changed from what is detailed in this application (budget, date, time, place, etc.) without prior City approval.
- The event/activity/project/program is transferred to another entity/organization not identified in this application.
- Failure to timely submit required reports.
- Any criminal conduct, indecency or obscenity, drunkenness, damage to Government property, being under the influence of narcotics or hallucinatory drugs on the part of the event organizers, their staff, vendors or volunteers. This clause does not apply to the general public and/or participants of the event, unless directly associated with the organizers.
- Failure to comply with the Terms and Conditions of this Application and the Funding Agreement.

If any of the above-referred activities occur prior to the event/project, the City may, in its sole and absolute discretion, choose not to release funds and render the Funding Agreement null and void. Should the above-referenced activities occur after the funds are released, the City may, in its sole and absolute discretion, require immediate repayment of funds to the City. Organizations that default are ineligible for future funding for a period of 5 years.



Agenda Item # 2022-225

Special Event Permit Application - Family Celebration on Blackwater

MEETING DATE

April 4, 2022

PREPARED BY

Stephen Prestesater, Director
of Public Relations

BACKGROUND

Living Water Gospel Ministries came to city staff with the intention of reviving The Scratch Ankle Festival, which was once a major event held in Milton. As this is a first-year event, the initial intentions were good. However, a scaled-back program with a different name was ultimately decided upon by the event organizer and City Staff. The goal is to have the Living Water Gospel Ministries receive community support and buy-in to ultimately have a successful event. If the event organizers are capable of doing this, the intent will be to look at a Scratch Ankle Revival in the future.

SUMMARY

The Living Water Gospel Ministries, Inc, a non-profit organization, has proposed to revive the Scratch Ankle Festival, now called, It's a Family Celebration on Blackwater. The desired date is Saturday, June 4, 2022. The organizers' proposal is to celebrate the town's heritage, bring revenue to the local businesses, provide entertainment sponsored by local businesses, offer food, fun, and over 40 vendors.

The fiscal impact of the event will be In-Kind Support of \$1,050 - Use of property, equipment, and staffing hours.

Staff requests that the Living Water Gospel Ministries work with local churches and organizations to receive a show of support.

Bands on the Blackwater will be held the day before this event, which means the City staff will prepare and clean the grounds to ensure the event space is ready the following day. The equipment used at Bands on the Blackwater will be the same equipment used for the Family Celebration. Staff will not be required to bring any additional equipment, which will cut down on overtime needs, on Friday night. In addition, the Living Water Gospel Ministries is aware that they will need to provide staff and volunteers to work this event and provide full cleanup following it. This will also help cut down on staffing hours and minimize the fiscal impact on the city.

The City Stage, City Portable Restroom, barricades, cones, road closure signs, trash cans, dumpsters will all be provided.

RECOMMENDATION

The Committee of the Whole recommended this event be moved to the Executive Committee for further review.

ATTACHMENTS

1. Outside Agency Funding Application - Living Water Gospel Ministries - Scratch Ankle 2022
2. Special Event Permit Application - Living Water Gospel - Scratch Ankle 2022
3. Celebration of Blackwater flyer
4. Consumer Certificate
5. IRS
6. Sunbiz



Outside Agency Funding Application

Outside Applicant funding by the City of Milton is intended to provide resources from the City to assist neighborhood, community, social and not-for-profit organizations in carrying out community activities. Resources are allocated to specific events/activities/projects/programs only. General operational funds and/or administrative costs not associated with the project/program are not eligible. All funded activities must take place within the city limits of the City of Milton and be must free and open to the public to attend. Explanation for events outside the city limits and/or not free and open to the public must be provided and may be approved on a case-by-case basis.

Resources provided by the City may include, but are not limited to the following: direct financial support, use of City property, use of City equipment, use of City staff or any combination thereof. The specific resources requested must be identified in this application. The Applicant is advised that the approval or disapproval of each application is at the sole discretion of the City of Milton and the information requested is used as a basis to evaluate the Applicant's project. Submission of an application does not create entitlement to funding or any other City resource. Funding in one year does not create an entitlement to funding in future years. The application shall be reviewed by the City for completeness and eligibility prior to any approvals. The City's discretion is absolute, and the City may, for example, waive any technical irregularity, award in-mass, partial fund, split fund, or reject any and all submittals. Additional post-award requirements above and beyond what is required in this application may be added by City Council at its sole discretion. For the purposes of this application, "funding", "resources" "support" or "award" means cash, goods and services or both and may be used interchangeably.

***THIS APPLICATION DOES NOT TAKE THE PLACE OF A
SPECIAL EVENT PERMIT APPLICATION***

Name of Organization: Living Water Gospel Ministries, Inc.
Address: P.O. Box 3495 Pensacola, Florida 32516
Name of Representative: Apostle Deborah L. Dean
Telephone: 850-346-6922 Cell Phone: 850-760-4397
Email: Apostledean@gmail.com
Name of Event/Activity/Project/Program: Scratch Ankle Festival
Has the City of Milton ever provided support of any kind for the organization/event in the past? YES ☒ NO
Are you incorporated? ☒ YES NO
Are you a Florida Not for Profit Corporation? ☒ YES NO N/A
Do you have a 501c3 designation? ☒ YES NO (If yes, please attach a copy) N/A
Are you registered with the Florida Department of Agriculture and Consumer Services? YES ☒ NO N/A
Have you filed a 990 with the IRS for the previous year? YES ☒ NO (If yes, please attach a copy) N/A

OUTSIDE APPLICANT REQUEST

<u>REQUESTED ITEM</u>	<u>TOTAL</u>
☐ Cash funding for a project/event (please specify exact amount requested)	\$ _____
☐ Use of City Property (please specify location and duration) (cost varies)	\$ <u>150</u>
☒ City Bathroom at Jernigan's Landing (\$250)	\$ <u>250</u>
☒ City Bathroom at Alternate Location (\$350)	\$ <u>350</u>
☒ City Stage (\$350)	\$ <u>350</u>
☒ City Movie Projection Equipment & Inflatable Screen (\$250)	\$ <u>250</u>
☒ Light and Sound Production for Concert (\$1,600, from 3 rd party vendor)	\$ <u>1600</u>
☒ Music Licensing *** (\$200/day)	\$ <u>200</u>
☐ Movie Licensing *** (at cost)	\$ <u>200</u>
☐ Event Insurance (at cost)	\$ _____
☐ Utilization of City Insurance (must be approved by City Council in advance)	\$ _____
☒ Street Barricades/Cones (\$100/\$10)	\$ <u>200</u>
☐ Electronic Street Informational Sign (\$250 per unit)	\$ _____
☒ City Garbage Cans (includes delivery and retrieval and dumping) (\$10/can)	\$ <u>150</u>
☒ Tables/Chairs (\$5/table and \$10/10 chairs, rented in counts of 10 only)	\$ <u>250</u>
☒ Tables & Chairs Delivery & Set Up & Retrieval (\$25)	\$ <u>25</u>
☒ Small Generator (\$100)	\$ <u>100</u>
☒ Large Generator (\$250)	\$ <u>250</u>
☒ Generator Power Distribution Panel (\$100)	\$ <u>100</u>
☒ Hose Bib (water distribution system) (\$100)	\$ <u>100</u>
☐ Connection to City Fire Hydrant (\$50 + Metered Rate for Water)	\$ _____
☒ Fire/EMS (\$30/hour, min. 2 hours)	\$ <u>270</u>
☒ Police (\$25/hour, min. 4 hours)	\$ <u>225</u>
☒ Public Works Crew (\$20/hour, min. 2 hours)	\$ <u>180</u>
☒ Other City Staff (\$25/hour, min. 2 hours)	\$ <u>225</u>
☒ Street Sweeping (pre and/or post-event) (\$250 per sweep)	\$ <u>500</u>
☒ Parade Package (Police, Public Works and all required street closures) (\$500)	\$ <u>500</u>
☒ Electrical Activation (\$75 + Hourly Rate for Electricity/Connection)	\$ <u>200</u>
☐ Post Event Clean-up (if completed by the City) (\$100/hour)	\$ _____
<u>TOTAL AMOUNT OF FUNDING REQUESTED</u>	\$ <u>1050</u>

*Published music, movies, and other electronic art forms are protected by US Copyright and Trademark laws. Unauthorized use of copyrighted work is illegal.

**Must be a free event, open to the public and located within the City Limits to access the City's ASCAP, BMI and SESAC License.

Explanation of Organization
(Who are you? What is your mission?)

Living Water Gospel ministries, INC. is a non-profit organization that assists with the following: (1) Individuals with high school diplomas, (2) General Educational Development (GED), (3) Resume building, (4) Basic job skills, (5) Proper interview techniques, (6) Childcare and parenting skills, and (7) Assist those who have been incarcerated to reconstruct lives with families and community.

Explanation of Event/Activity/Project/Program

(How does this event/program benefit the Citizens of the City of Milton? Include information of previous versions of this event. Number of participants previously and expected this year, etc.)

The Scratch Ankle Festival is an annual event in Milton to celebrate the town's heritage along the banks of the Blackwater River. The Scratch Ankle Festival will bring additional revenue to the City of Milton while celebrating the town's heritage with over 40 vendors.

Explanation of Funding Request
(What will the City pay for/provide and why?)

The funding provided by the City will assist our non-profit in necessary fees, licensing, insurance, supplies, clean-up, signage, power supply, public sitting, public bathrooms, and necessary EMS/Fire/Police associated with Scratch Ankle Festival which promotes culture, heritage, and builds Milton Community.

Explanation of How Event/Activity/Project/Program Benefits the City of Milton and its Citizens

The Scratch Festival benefits the City of Milton in the following: (1) celebrate town's heritage, (2) bring in additional revenue, (3) provide entertainment sponsored by local businesses, (4) offer food, and (5) fun for families

BUDGET

Has your organization received City funding for this specific event/project in the past? YES ☒ NO ☐ N/A
If "YES", please indicate the amounts below (both in cash and in-kind):

FY16-17	FY17-18	FY18-19	FY19-20	FY20-21

The City's Fiscal Year is October 1 – September 30.

Has your organization received City funding for any other events/projects in the past 5 years? YES ☒ NO ☐ N/A
If "YES", please list each event/project that received funding and the amounts for each.

Are you utilizing City funds as match for a grant? YES ☒ NO ☐

If "YES", what is the required total match amount? \$ _____

How much money will be received from the grant? \$ _____

Please provide a copy of the grant application we will be matching.

Please detail all funding sources (cash and in-kind) for this event/project (including City request). For example, other governmental funding, donations, sponsorships, fundraisers, etc. Individual donors/sponsors do not have to be identified. The totals at the bottom should reflect the entire budget for this event/project. If this is a first-time event, please provide a projected revenue budget.

<u>REVENUE</u>	<u>PRIOR YEAR</u>	<u>CURRENT YEAR</u>	<u>UPCOMING YEAR</u>
1. City of Milton			
2. <i>Please</i>			
3. <i>see</i>			
4. <i>Attachment</i>			
5.			
6.			
7.			
8.			
9.			
10.			
TOTAL REVENUE			

Please detail all expenditures for this event/program. For example, printing, band fee, advertising, supplies, etc.

The totals at the bottom should reflect the entire budget for this event/project and should equal the Revenues identified above. If a good/service is donated, it should be reflected as a donation in the Revenue Section and an expenditure in the Expenditure Section to balance the budget. Individual donors do not have to be identified. If this is a first-time event, please provide a projected expense budget.

<u>EXPENSES</u>	<u>PRIOR YEAR</u>	<u>CURRENT YEAR</u>	<u>UPCOMING YEAR</u>
1. City of Milton			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
TOTAL EXPENSES			

Please
see
Attachment

What percentage of the total budget will the City be providing if this application is approved? 100 %

PARTICIPANTS

	<u>PRIOR YEAR</u>	<u>CURRENT YEAR</u>	<u>UPCOMING YEAR</u>
1. Number served by this event/program			
2. Cost per participant			

If funding is approved, how will the number of participants be increased, or the event/program expanded?

INSTRUCTIONS

1. Submit this completed application and all required, applicable documentation to:

Mail to:

The City of Milton
c/o Office of Economic Development
Post Office Box 909
Milton, Florida 32572

Hand Deliver to:

The City of Milton
c/o Office of Economic Development
6738 Dixon Street
Milton, Florida 32570

Email to: espears@miltonfl.org

2. Funding requests will be reviewed for completeness and technical aspects by City Staff. The request will then be forwarded to City Council for consideration. Staff will review the following aspects:
 - A. Organizational Capacity
 - B. Proposed Program/Funding Use
 - C. Efficiency & Collaboration
 - D. Financials
 - E. Meeting Community needs and priorities
3. Applications that are approved by City Council will receive a notification regarding the level of funding and a Funding Agreement from the City. The City is not responsible for any expense incurred prior to award of funding or outside of the scope of funding approval.

CONDITIONS OF FUNDING

By submitting this application, Applicant consents to the following conditions contained in this section. Failure to comply with any one of the below conditions is a default:

- ☐ Funded projects must provide a direct benefit to the businesses or citizens of the City.
- ☐ Services offered by the Applicant must not be restrictive with regard to race, sex, age, religion, disability, or any characteristics that would be prohibited by law.
- ☐ Funds may not be used for any purpose prohibited by law.
- ☐ Applicants requesting funding for the following services or activities will not be considered:
 - Endowments or debt reduction
 - Administrative services support
 - Annual fundraising or capital campaign
 - Political activities
 - Religious activities
 - Public agencies for mandated services
 - Scholarships or individual grants or awards
 - Private Foundations
- ☐ All awards are based on availability of funds. Awards may be provided until all funds are exhausted. If funds remain after the initial cycle, additional cycles later in the year may occur at the City's discretion. Based on available funds, some applications may be approved, while others may be only partially funded or receive no funding.

- ❑ The Applicant hereby agrees to allow the City of Milton to capture, own and use at their sole discretion, images, videos, recordings, and the like of the event/activity/program/project. The City shall use the Applicant's Logo, or other identifier approved by the Applicant in coordination with any City advertising for the event/project.
- ❑ The Applicant hereby agrees to use the City's, or any approved City Department's Logo in any/all advertising, marketing and promotion for the event/program to the same extent as the largest single sponsor, unless otherwise agreed upon in advance. If no sponsors are utilized, the City shall be recognized as the event/program sponsor. The Applicant shall consult with City Staff on any/all advertising, marketing and promotion prior to public release.
- ❑ The City is not responsible for any event/project organization or management. The organization submitting this application is totally responsible for any/all means and methods in carrying out the event/project.
- ❑ The Applicant shall, at all times while on City of Milton Property, conduct themselves in a professional, responsible manner and observe all rules and regulations set forth by the City of Milton. Funded events/programs shall be wholesome and adhere to the standards of good taste, as assessed by the City Council in reviewing all representations of the applicant about the conduct of the event. Material departure from the standards represented to and approved by Council may result in default.
- ❑ All vendors'/merchandise sold at an event must be of good taste, consistent with the values of Milton, Florida, as assessed by the City Council in reviewing all representations of the applicant about the conduct, services or merchandise to be sold. Material departure from the standards represented to and approved by Council may result in default.
- ❑ Funded events/programs shall not directly compete with City Brick and Mortar Businesses through use of outdoor, mobile vendors that provide the same goods/services as the primary good/service of the Brick and Mortar Business. An outdoor, mobile vendor must be a minimum distance of 250 feet or one city-block from a Brick and Mortar Business if providing the same primary good/service. An exception can be provided if a waiver is signed by the Brick and Mortar Business and provided to the City in advance of the event/program.
- ❑ Applicants must indemnify, save and hold harmless the City from and against any and all claims, demands, actions, debts, liabilities, and attorney's fees arising out of, claimed on account of, or in any manner predicated on loss of or damage to the property of, and injuries to or death of any and all persons whatsoever, in any manner alleged to be caused or contributed to by the Applicant, its agents, servants, volunteers or employees while carrying out the event/activity/program/project. From and on account of damages of any kind which they, or any of them, may suffer as a result of acts of the Applicant or any of the Applicant's agents, servants, volunteers or employees and from any workmen's compensation benefits which they, or any of them, become obligated to pay the Applicant, its agents, servants, volunteers or employees, and from any and all claims, demands, actions, debts, liabilities, and related costs which result from the event/activity/program/project carried out by the Applicant.
- ❑ Applicants must provide a Certificate of Insurance (COI), showing the City of Milton, FL as an additional insured, 10 days prior to the event/program date. Applicants may request to utilize the City's insurance for the event. However, such request must be approved by City Council.

- ❑ Applicants shall be and act as independent contractors, and under no circumstances shall any funding be construed as one of agency, legal partnership, or joint venture, or employment between the City and the Applicant. None of the personnel under contract to, employed by, or volunteering for the Applicant shall be deemed in any way to have any contractual relationship with the City whatsoever. The Applicant shall be solely responsible for the conduct of its employees, personnel, volunteers and agents in connection with their obligation hereunder.
- ❑ The City of Milton is not responsible for the safety, security or working condition of any equipment not owned by the City. Use, care and security of any and all City-owned equipment made available for use by the City, provided to and operated by the Applicant, shall be the sole responsibility of the Applicant. Please inspect all items carefully. Any City Equipment provided to the Applicant lost, damaged or destroyed shall be replaced/repared at the sole expense of the Applicant, unless such damage is sustained due to acts beyond the control of the Applicant as described below.
- ❑ Once the event/project has been completed, Applicant must submit a final report, including event attendance and a final financial expenditure report. If the event/project is ongoing, quarterly reports are required. Additional reporting requirements may be included by City Council at their sole discretion. Failure to submit required reports shall disqualify an organization from future requests.
- ❑ Applicants must demonstrate the financial capacity and ability to complete the event/project as described in this Application, including provision of a current balance reflecting sufficient available funds for completion of all portions of the project not funded by the City. The historical, organizational and financial information requested in this application demonstrate such capacity.
- ❑ This application contains the entire request from the Applicant. This application supersedes any and all prior agreements, arrangements, communications, or representations, whether oral or written. This application and associated event/activity may not be amended, altered, modified or changed except when approved in writing by the City.
- ❑ Applicants are encouraged, but not required, to meet with City Staff before submitting this application for a courtesy review. If funded, Applicants are required to meet with City Staff at Staff's request to review the event/program.
- ❑ If the event/project is postponed due to inclement weather, as acts of God, government restrictions, military operations and exercises, security alerts or unforeseen commercial delays or other similar conditions beyond the Applicant's control, it may be rescheduled for another time or cancelled altogether at the discretion of the City.

REQUIRED DOCUMENTATION
(If Applicable)

Applicants requesting funding must complete this application and provide all other required documentation listed below (if applicable). Please note – if any item requested in this application is not applicable to an Applicant or the Applicant does not have any item, it does not automatically disqualify the Applicant from receiving funding. The items requested below are not intended to create any new demands for an Applicant. The information requested should reflect information that would be normally provided to a Board of Directors on a regular basis.

1. IRS letter with tax exemption ruling. Applicants should be qualified to receive tax-deductible contributions as defined by the IRS - generally a 501(c)(3) public charity tax status.

2. Current Board of Directors/Officers. If your organization is a local office, chapter, etc. of a larger entity (i.e. umbrella organization, governmental Applicant, etc.), please attach a list of Board of Directors/Officers of the next higher-level entity.

3. Copy of most recent independent audit, review and management letter, if applicable.

4. Articles of Incorporation and Bylaws.

5. Organization fiscal year budget and year to date financial statements for the current year, including a Statement of financial position (assets, liabilities and equity) and a Statement of activities (income and expenses), if available. Important note: If your Applicant is a local office, chapter, project, etc. of a larger entity (i.e. umbrella organization, governmental Applicant, etc.), please also include financials and budget of the next higher-level entity.

6. Budget for the project including the portion of the budget which will be funded by the City of Milton, if approved.

7. Organization Strategic Plan, if available.

8. W-9 and City Taxpayer Identification Form.

9. Any information that may assist in better understanding your organization and/or funding request.

DEFAULT

In addition to noncompliance with the above described conditions, default shall occur if one or more of the following takes place:

- The event/activity/project/program is cancelled without prior City approval.
- The event/activity/project/program is substantially changed from what is detailed in this application (budget, date, time, place, etc.) without prior City approval.
- The event/activity/project/program is transferred to another entity/organization not identified in this application.
- Failure to timely submit required reports.
- Any criminal conduct, indecency or obscenity, drunkenness, damage to Government property, being under the influence of narcotics or hallucinatory drugs on the part of the event organizers, their staff, vendors or volunteers. This clause does not apply to the general public and/or participants of the event, unless directly associated with the organizers.
- Failure to comply with the Terms and Conditions of this Application and the Funding Agreement.

If any of the above-referred activities occur prior to the event/project, the City may, in its sole and absolute discretion, choose not to release funds and render the Funding Agreement null and void. Should the above-referenced activities occur after the funds are released, the City may, in its sole and absolute discretion, require immediate repayment of funds to the City. Organizations that default are ineligible for future funding for a period of 5 years.

Scratch Ankle Festival
Proposal Budget Media

EVENT ITEMS	ESTIMATE (HIGH END)	ACTUAL (LOW END)
RADIO ADVERTISEMENT: Cat Country Radio, 106.1	2,500.00\$	2,000.00\$
FLYERS	3,000.00\$	2,200.00\$
WEAR TV3 (5 WEEKS) DATE: TBA	\$ 4,500.00	\$ 2,000.00
PUBLIC RELATIONS (NEWS RELEASE, MEDIA ASSISTS, INTERVIEW SETUPS	3,000.00\$	3,000.00\$
COLLATERAL MATERIALS (POSTERS, BANNERS, MEDIA CARDS)	1,750.00\$	1200.00\$
FACEBOOK/INSTAGRAM (4 MONTHS)	500.00\$	500.00\$
HUB TSHIRTS & WATER BOTTLES	2,500.00\$	1,500.00\$
ENTERTAINMENT	1200.00\$	1000.00\$
SECURITY	850.00\$	800.00\$
SOUND ENGINEERING & LIGHTS	5,000.00\$	2,000.00\$
INSURANCE	417.03\$	417.03
TOTAL	22,517.00\$	11,258.50\$

BUDGET OVERVIEW & INCOME

NO INCOME EXPECT JOB MONTHLY INCOME

*** GRANTS (City of Milton-ADVERSTISEMENT)**



Special Event Permit Application

City of Milton

6738 Dixon Street, Milton FL, 32570

850-983-5400 econdev@miltonfl.org

Instructions:

To process this application all applicable pages must be filled out completely and submitted to the City. Pages 1-6 are mandatory with every application. If you are requesting support and/ or sponsorship for your event, the City of Milton Outside Agency Funding Application is required in addition to this application. For questions about requirements, fees or the application process contact the Office of Economic Development.

Applicant & Event Organizer Information

☐ Individual

☒ Not-for Profit

☐ For Profit

☐ Charity

☐ Other: _____

Name of Organization: Living Water Gospel Ministries, Inc.

Address: P.O. Box 3495

City: PENSACOLA

Phone: 850-346-6922

Email: Apostledean@gmail.com

Event POC: Apostle Deborah L. Dean

Phone: 850 346 -6922

Email: _____

Event Information

☐ Concert

☐ Park Festival

☐ Street Festival

☐ Parade/ Procession

☐ Run/ Walk

☐ Sporting Event

☐ Sale/ Market

☐ Private Event/ Wedding

☐ Other: _____

Event Name: Scratch Ankle Festival

Event website/ Event Page: _____

Event Location: Jernigan's Landing

Event Date(s) June 4 to June 5

Time of Event: Day 1 0800 to 19:00 (Day 2 - Optional) _____ to _____

Setup Date & Time: June 4, 2023 at 0800 a.m.

Teardown Date & Time: June 5 at 0800

Estimated Attendance: 2000.00

Is the Event Free to attend? ☒ YES

☐ NO

Special Event Questionnaire

Below are questions about the event. Please answer all questions and attach additional documents, if necessary, to the application.

Will a City park be utilized?	(page 3)	☐ YES	☐ NO
Will equipment from the City of Milton be needed?	(page 3)	☐ YES	☐ NO
Will you need the City's Stage?	(page 3)	☒ YES	☐ NO
Will there be amplified sound?	(page 4)	☐ YES	☐ NO
Will you need the City's portable restroom?	(page 3)	☒ YES	☐ NO
Will tents larger than 10'x10' be erected?	(page 4)	☐ YES	☐ NO
Will inflatable bounce houses be erected?	(page 4)	☐ YES	☐ NO
Will you be using water slides?	(page 4)	☐ YES	☐ NO
Will you need City Dumpsters/ Trashcans?	(page 3)	☒ YES	☐ NO
Will there be fireworks?	(page 4)	☐ YES	☐ NO
Will vendors be selling merchandise, food, or wares?	(page 4)	☐ YES	☐ NO
Will food be cooked at the event?	(page 4)	☐ YES	☐ NO
Will alcohol be sold or given away at this event?	(page 4)	☐ YES	☐ NO
Will animals/ pets be allowed at the event?	(page 4)	☐ YES	☐ NO
Will you be using State or County Roads?	(page 4)	☐ YES	☐ NO
Will temporary No Parking Signs be utilized?	(page 4)	☐ YES	☐ NO
Will EMT be on site?	(page 3)	☒ YES	☐ NO
Will you need security?	(page 3)	☒ YES	☐ NO
Will you require power on-site?	(page 3)	☒ YES	☐ NO
Will you require water on-site?	(page 3)	☒ YES	☐ NO

If you have answered YES to any of these questions, please see page 3-4 and select the items you request to use.

Do you have a Marketing Plan and if so, how will you notify surrounding businesses/ residents of your event? _____

Have you prepared a to scale event map/ layout that meets all ADA parking and access requirements?

☐ YES ☐ NO

City Fee Sheet

(City Fees are the fixed cost for the use of its facilities, licenses, insurance, parks, equipment, etc.)

Location(s)/ Facility used at event:

- | | | |
|---|-------|---|
| ☐ North Riverwalk | \$150 | ☐ North Willing Street |
| ☐ South Riverwalk | \$150 | ☐ South Willing Street |
| ☐ Entire Riverwalk | \$250 | ☐ North Elmira Street |
| ☐ N Riverwalk Gazebo | \$50 | ☐ South Elmira Street |
| ☐ S Riverwalk Pavilion | \$50 | ☐ Imogene Parking Lot |

Jernigan's Landing (Downtown event location for the City of Milton. Select all applicable)

- | | | | |
|---------------------------------------|-------|---|-------|
| ☐ Riverside | \$100 | ☒ Festival Area | \$150 |
| ☐ Other: _____ | | | |

Requested Items:

QTY

QTY

- | | | | |
|---|-------------------|---|------------------|
| ☒ Portable Restroom
(at Jernigan's landing) | \$250 | ☐ Portable Restroom
(at alternate location) | \$350 |
| ☒ City Stage 14'x28' | \$350 | ☒ City Movie System | \$250 |
| ☒ Live Music Licensing *** | \$200 | ☐ Movie Licensing *** | \$(at cost) |
| ☒ Event Insurance | \$(at cost) | ☒ Barricades/ Cones | \$100/\$10 |
| ☒ Street Info Sign | \$250 per _____ | ☐ City Garbage Cans | \$10 per _____ |
| ☐ Tables 6ft | \$5 per _____ | ☒ Chairs – 10 at a time | \$10 |
| ☒ Tables & Chairs D/S/R | \$25 | ☐ Tables & Chairs cleaning | \$100 |
| ☒ Small Generator's | \$100 | ☒ Large Generator | \$250 |
| ☐ Generator power distro | \$100 | ☐ Hose-bid water distro | \$100 |
| ☐ City Hydrant tap fee | \$50 + meter rate | ☒ Fire/EMS (if available) | \$30hr / 2hr min |
| ☒ Police (if available) | \$25hr / 4hr min | ☒ Public Works Crew | \$20hr/ 2hr min |
| ☒ Other City Staff | \$25hr/ 2hr min | ☐ Street Sweeping | \$250 per sweep |
| ☒ Electrical Activation | \$75 + meter rate | ☐ Event Clean-up | \$100hr |
| ☐ Parade Package (including Police, Public Works, Planning and required street closures) | | | \$1,000 |
| ☐ Concert Package (including light & sound production from our 3 rd party vendor) | | | \$1,600 |

*Published music, movies, and other electronic art forms are protected by US Copyright and Trademark laws. Unauthorized use of copyrighted work is illegal.

**Must be free event, open to the public and located within the City Limits to access the City's ASCAP, BMI and SESAC License.

Ordinances & Special Requests

Tourism District and Downtown Milton Special Requests:

NOTE: Tourism District Special Request Applications must be received by the city sixty (60) days prior to the event. Events with Alcohol must submit ninety (90) days prior to the event.

I hereby request waiver of the following ordinances: **(only available in the Tourism District)**

☐ Open Container Ordinance (Section 6-27)

☐ Noise Ordinance (LDR Section III-5.16)

☐ Animal Control Ordinance (Section 4-37(b))

☐ And/ or other Ordinance _____

I hereby request the following regarding the Blackwater River:

☐ Activate Boating Restricted Areas

☐ Activate 24-hour docking at the Riverwalk

I hereby request the use of Fireworks in the City of Milton:

☐ By selecting this box, you must complete the City of Milton Fireworks Display Permit Application

**note – Fireworks are subject to approval by the City Fire Chief and must be done by a licensed and insured pyrotechnics professional. Additional information will be provided.*

Time Period from when these requests will take place:

From: _____ Date: _____ To: _____ Date: _____

I hereby request that vendors be allowed to sell their wares at the event. All vendors know they must abide by all federal, state, county, and local laws regarding resell, sell of their ware. All vendors have their applicable license's available if requested. City will not be held liable. ☒ YES ☐ NO

Will this event require Road Closures? ----- ☒ YES ☐ NO

Stewart Street requires a separate FDOT application. A scheduled meeting with the Planning Department is required for a State Road Closure. Ensure you have your date/ time confirmed prior to submitting your information. The City will assist.

If so, please list street names:

1) Willis St 2) _____
3) Pine St 4) _____

Is this an annual Event? ☐ YES ☐ NO

If YES, list the date(s) requested for next year. Please note that requesting the date(s) on this application does not guarantee a hold or act as a confirmation of the requested date(s).

Requested event date(s): June 3, 2023 Alternative Date(s): _____

June 3, 2023
4

Additional Documents Required with Application

All events require an Event Site Map and copy of Insurance Certificate's 10 days prior. Below are additional documents that may be required to be submitted with the application. Application will be considered incomplete without these documents.

For additional information on what is required please contact the Office of Economic Development.

- ☐ Event Site Map ☐ Event Race Route Map ☐ Parade Route & Alternate

Event organizers must provide a site map with vendor locations, portable restrooms, run/walk route, etc. at the time this application is submitted. A detailed listing of all services is required for public awareness & safety.

- ☐ Insurance Certificate(s) ☐ Fireworks Application ☐ Other (any other agency)

- ☐ Tax Exempt Certificate and 501(c)3 Documentation *(if the entity is claiming tax exempt and/or non-profit status)*

Rules & Regulations

Application Dates:

- The permit application process should begin at least 60 days prior to the event date. 90 days if alcohol is to be sold or given away. Parade application process should allow 6 months.
- Once all documents have been submitted, City Staff will schedule a meeting to review all information and ensure event organizers have met all requirements. Staff will at this time develop an Agenda Analysis for Councils review. Council will be informed during the Committee of the Whole meeting. This meeting takes place the third Thursday of every month.
- Each event will require Councils approval and organizers should attend *(if requesting support)*.

Cancellation Policy:

- Event application fees are non-refundable if the event is cancelled by the applicant.
- Although event application fees are non-refundable, if an event is cancelled due to inclement weather, the fee may be credited towards an alternate date. Event Organizers must inform the Office of Economic Development when cancelling any event. An alternate date must take place within one year of the original event date.

ADA Accessibility Guidelines:

- Event Organizers must make the event accessible to people with disabilities to the greater extent possible in compliance with the requirements of the American with Disabilities Act (ADA).
- Accessible parking must also be provided for persons with Disabilities. Information regarding accessible parking locations should be included as part of the event site map.

Clean-Up:

- It is understood that clean-up will be performed immediately following the event. Event site must be returned to its pre-event state. Failure to adequately clean-up event site may result in a fee. Adequacy of clean-up will be assessed by City of Milton Code Enforcement.

Hold Harmless Agreement

For and in consideration of having been granted permission by the City of Milton to hold a Special Event within the City of Milton limits, the undersigned hereby agrees on behalf of the organization, to indemnify and hold harmless the City of Milton, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, liability and expenses in conjunction with loss of life, bodily injury or personal injury or property damage, including loss of use thereof, directly or indirectly caused by, resulting from, arising out of or occurring in connection with this permitted activity.

The undersigned also agrees to protect and hold harmless the City of Milton, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, liability and expenses, present, past or future which may be asserted by this organization, or any member of this organization, or any participant of third party arising out of or occurring in connection with this permitted event.

By the signature to this document the undersigned acknowledges that it understands the contents of this document and is voluntarily agreeing to its terms.

In witness whereof I have here unto set my hand and seal this _____ day of _____ in 20____

Name of Special Event Scratch ANKle Festival
Date(s) of Special Event June 4, 2022
Name of Organization Living Water Gospel Ministries, Inc.
Event Organizers Name Olivia Williams / Deborah Dean
Address of Organization P.O. Box 3495 Pensacola, FL 32516
Phone Number 850-346-6922
Email apostledean@gmail.com

Printed Name Deborah L. DEAN

Signature Deborah L. Dean

Internal Signatures Required for Approval:

Office of Economic Development: _____ Planning: _____

Public Works: _____ Police: _____ Fire: _____



Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 01/18

85-8012572367C-2	07/06/2020	07/31/2025	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

LIVING WATER GOSPEL MINISTRIES INC
702 GULF BEACH HWY
PENSACOLA FL 32507-3240

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 01/18

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

ALL
DAY
EVENT



It's a Family
CELEBRATION
on Blackwater

June 4, 2022

DOWNTOWN MILTON
(BEHIND COURTHOUSE)



**ALL
VENDORS
ARE
WELCOME**



FOR MORE INFORMATION:

OLIVIA WILLIAMS
850.292.9658

OLIVIAWILLIAMS210@GMAIL.COM



Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 01/18

85-8012572367C-2	07/06/2020	07/31/2025	501(C)(3) ORGANIZATION
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702 GULF BEACH HWY
PENSACOLA FL 32507-3240

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[Back to Search Results](#)

Living Water Gospel Ministries Inc.

EIN: 59-3425931 | Pensacola, FL, United States

Publication 78 Data ⓘ

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC

Page Last Reviewed or Updated: 20-November-2020

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DIVISION of
CORPORATIONS
an official State of Florida website

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Detail by Entity Name

Florida Not For Profit Corporation

LIVING WATER GOSPEL MINISTRIES, INC.

Filing Information

Document Number	N96000006457
FEI/EIN Number	59-3425931
Date Filed	12/16/1996
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	03/06/2014

Principal Address

1213 W Blount St
PENSACOLA, FL 32501

Changed: 03/09/2022

Mailing Address

P.O. BOX 3495
PENSACOLA, FL 32516

Changed: 03/06/2014

Registered Agent Name & Address

DEAN, A. DEBORAH L
6505 NORTH BLUE ANGEL PARKWAY
PENSACOLA, FL 32526

Name Changed: 02/08/2005



Agenda Item # 2022-209

2021 CRA Annual Report

MEETING DATE

April 4, 2022

PREPARED BY

Ed Spears, Director of
Economic Development

BACKGROUND

State statute requires communities with established Community Redevelopment Areas (CRA's) to submit an annual report to the governmental entity which established the CRA and to the community. The 2021 CRA Annual Report is attached.

SUMMARY

The 2021 CRA Annual Report details the activities and expenditures of the City's 3 CRA Districts for Fiscal Year 2021. The CRA Budget is approved by the City Council annually.

RECOMMENDATION

Receive the report

ATTACHMENTS

1. 2021 CRA Annual Report



CITY OF MILTON CRA ANNUAL REPORT FISCAL YEAR 2021

Milton is a city rich in history and cultural heritage. The Panhandle of Florida offers an enhanced quality of life and Milton, as part of the region, offers an authentic hometown experience. With its charming neighborhoods, inviting storefronts, and cozy restaurants Milton is a unique destination located on the western bank of the Blackwater River. Milton was founded in 1844 making it one of the oldest cities in the state. Evidence indicates it was in fact at one time a “mill town”, hence the name. Our Veterans Memorial Park, the Riverwalk, and historic district complement the community.

Today, Milton remains an engaging family-oriented place with its highly rated school system and proximity to major Florida employers and tourist destinations; yet it maintains its cozy small-town feeling. Milton is the ideal place to live, work, and play!

Established in 1982, the Downtown Community Redevelopment Area is guided by the Downtown Community Redevelopment Plan and overseen by the Community Redevelopment Agency. The CRA Board is made up of the eight members of the City Council. The CRA Board sets the goals, determines the strategy for the Agency, and approves its budget and spending activities. All CRA Board meetings are open to the public and are held every month in the Council Chambers prior to regular City Council meetings on the second Tuesday of each month at 5:30 p.m. The public is encouraged to attend.

Since its inception, major projects that have been completed under the purview of the CRA include portions of the Riverwalk, a Veteran’s Memorial Plaza, multiple parking additions and upgrades, sidewalks and streetscapes, and accessory street furniture (benches, trashcans, etc.).

CRA OVERALL GOAL: Reverse the continuing deterioration of the Downtown Community Redevelopment Area and initiate positive growth within the area.

Within this overall goal, there are objectives within the plan addressing the appearance and attractiveness of the DCRA; economic redevelopment and revitalization; residential redevelopment and revitalization. All objectives strive to improve the CRA district’s conditions in both physical and social quality while preserving the area's historical significance.

The Milton Community Development Agency was established in 1982 with an anticipated 30-year life as a redevelopment district. In 2012 the District’s life was extended for an additional 30 years. In addition to assisting with several major projects the CRA also funds programs which aid in the re-development and revitalization of the downtown district by stimulating economic activity. The CRA continues to be instrumental in the improvement of the downtown economy and aesthetics within the CRA area. The downtown area has many valuable assets that still need to be revitalized, and a great deal of structures and open space that could be better utilized. Additionally, private property values have illustrated the importance of extending the CRA.

In 2017, the City of Milton created CRA’s II North and III South. TIF revenue is being generated. However, not enough revenue has been collected to commence any projects at this time. All revenue from CRA II & III is in reserves for future use. Substantial revenue for these areas is not anticipated until additional investment in the area occurs. However, the growth in CRA II was substantial over the previous year (44.55%) from the

previous year alone and the area is primed for growth. Projects completed over the previous year in CRA II include the City's Splash Pad and other improvements to Carpenter's Park, and several infill houses. The sale of a nursing home in CRA II increased the property value significantly. CRA II is primed for substantial growth as a quiet, yet urban neighborhood and riverfront community with historic homes and opportunities for new construction.

ACTIVITY SUMMARY

During the reporting period, October 1, 2020 – September 30, 2021, the City of Milton Community Redevelopment Agency continued to place an emphasis on promotional events in the Downtown area. Events took place as scheduled throughout the fall and winter months. The CRA continued to experience growth in the attendance of these, now-expected community events. The end of 2020 saw an end to the COVID restrictions of the previous year. The as the worldwide pandemic eased, the CRA saw a return to normal programming in 2021.

The CRA Board funded a number of promotional events and activities that increased traffic, materially engaged, and promoted the CRA district. In total there were 26 weekends programmed for the year. The CRA activities for the reporting period included:

- October 2, 2020 – Bands on the Blackwater (CANCELLED due to COVID)
- October 9, 2020 – Bands on the Blackwater (CANCELLED due to COVID)
- October 16, 2020 – Bands on the Blackwater (CANCELLED due to COVID)
- October 23, 2020 – Bands on the Blackwater (CANCELLED due to COVID)
- October 24, 2020 – Pumpkinfest (CANCELLED due to COVID)
- October 30, 2020 – Bands on the Blackwater (CANCELLED due to COVID)
- December 4, 2020 – Light Up Milton (Fireworks)
- December 4, 2020 – Big Screen on the Blackwater (CANCELLED due to COVID)
- December 5, 2020 – Christmas Parade
- December 11, 2020 – Big Screen on the Blackwater (CANCELLED due to COVID)
- December 20, 2020 – Big Screen on the Blackwater (CANCELLED due to COVID)
- January 30, 2021 - Milton Mardi Gras Parade and After Party
- April 2, 2021 – Bands on the Blackwater: Nu Blue
- April 9, 2021 - Bands on the Blackwater: 12Eleven (CANCELLED due to WEATHER)
- April 16, 2021 - Bands on the Blackwater: Bay Bridge Band
- April 23, 2021 - Bands on the Blackwater: Pearl Clarkin
- April 30, 2021 - Bands on the Blackwater: Boukou Groove
- May 7, 2021 - Bands on the Blackwater: Karli Ryan
- May 14, 2021 - Bands on the Blackwater: Modern Eldorado's
- May 21, 2021 - Bands on the Blackwater: Mikey Clams Band
- May 28, 2021 - Bands on the Blackwater: Shazam
- June 4, 2021 - Bands on the Blackwater: Joey Collins
- June 11, 2021 - Bands on the Blackwater: Christina Christian
- July 4, 2021 – Riverfest
- August 14, 2021 - Waterfest
- September 3, 2021 - Bands on the Blackwater: Bruce Smelley

- September 10, 2021 - Bands on the Blackwater: Will Thompson Band
- September 17, 2021 - Bands on the Blackwater: 12Eleven (CANCELLED due to WEATHER)
- September 24, 2021 - Bands on the Blackwater: The Flavors

Priority was given to bands that were cancelled in 2020 due to the pandemic. The emergency business assistance funds were reimbursed to the City by the federal government. The City of Milton and subsequently the CRA, experienced very little loss of businesses due to the COVID outbreak. Reports indicate area businesses were able to tap into emergency assistance programs at the local, state and federal level to preserve jobs. This aided in the recovery of the Milton community.

The CRA is slowly seeing an increase in the amount of sponsorship and event revenue generated through our events. Most of the sponsorships have been in in-kind goods and services, as well as cash sponsorships. The City and CRA offers substantial exposure for sponsors. Primarily attributable to the community's desire to return to normalcy after the pandemic and to come together to celebrate our City, holidays and other occasions, CRA sponsored events have grown substantially in 2020. Exceptional weather during the concert series, coupled with the highest quality regional and national touring acts, and a growing appreciation in the community for the variety and quality of food produced by area food trucks added to the increase in attendance.

The CRA Plan will undergo a review and update in 2021. The City will engage the community to review the program, goals and objectives. The new plan will direct future investment and improvements in the CRA Area. The Downtown CRA still faces threats from the proposed widening of US Highway 90 through the Downtown. The current Milton City Council which serves as the CRA Board, has taken an unwavering stand against the widening of the road. Right-Of-Way acquisition will remove several buildings and properties from the tax rolls and potentially decrease TIF revenues. Santa Rosa County is scheduled to open the new Courthouse outside of the CRA in 2022. The future of the current, historic Court House is still unknown. The City is working with Santa Rosa County to establish a working group to assess the condition and feasibility of reuse/renovation of the historic structure. Much more will be known about this building and the future possibilities over the next year.

In 2021, Downtown CRA TIF assessed values increased by 10.6%. This outpaced the growth of the City as a whole (7.1%). The Downtown CRA TIP generated \$78,074 in 2021. CRA II assessed values soared 44.6% generating \$1,202. CRA III values increased 5.3% generating \$2,096. It is expected that these growth rates will continue at these levels or higher during the coming years as the impact of increased home sale values, new housing stock, community investments by the City and CRA and other projects come online.

The downtown CRA district is the historic heart of our city and as such reflects our history and culture, but also represents our future. Maintaining a clean, safe, walkable, and active downtown is and will remain the focus of the CRA going forward. The CRA Board and staff are developing the necessary partnerships with property owners, business owners, developers, and community stakeholders alike. The CRA and the City are moving to more proactively identify issues that are barriers to economic growth and work with our partners to address those needs. Identifying solutions to those issues, within the downtown CRA, is a common goal that is in alignment with our citizen's vision for the district.

City of Milton CRA's Revenue and Expense Reports

CRA I

	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual
REVENUE				
Fund Balance Forward	\$91,968.00	\$51,728.00	\$20,144.00	\$46,477.00
Funds Returned by Vendor	\$ -	\$ -	\$15,415.00	\$ -
TIF Revenue – City	\$20,861.00	\$22,931.00	\$25,182.00	\$26,231.00
TIF Revenue – Other	\$39,278.00	\$43,174.00	\$47,414.00	\$51,843.00
Sponsorship/Event Revenue	\$30,880.00	\$33,623.00	\$14,250.00	\$5,950.00
Interest Income	\$51.00	\$104.00	\$ -	\$ -
General Fund Transfer	\$ -	\$ -	\$ -	\$ -
Interfund Transfer	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$183,038.00	\$151,560.00	\$122,405.00	\$130,501.00
EXPENSES				
Other Contractual Services	\$5,172.00	\$5,479.00	\$2,380.00	\$3,790.00
Utility Services	\$3,706.00	\$4,452.00	\$12,238.00	\$13,146.00
R&M	\$1,900.00	\$ -	\$ -	\$ -
Advertising/Promotional	\$ -	\$4,946.00	\$9,471.00	\$5,238.00
5K Run	\$ -	\$2,471.00	\$ -	\$ -
Bands on the Blackwater	\$29,017.00	\$39,457.00	\$26,012.00	\$50,258.00
Movie Nights	\$1,835.00	\$4,190.00	\$1,280.00	\$338.00
Scratch Ankle	\$ -	\$ -	\$ -	\$ -
Other Events	\$1,386.00	\$ -	\$437.00	\$4,780.00
Milton in May	\$115.00	\$7,413.00	\$ -	\$ -
Waterfest	\$2,500.00	\$4,566.00	\$ -	\$4,993.00
Food & Wine Fest	\$1,500.00	\$ -	\$ -	\$ -
Rhythm & Ribs	\$ -	\$33,097.00	\$ -	\$ -
Misc.	\$1,496.00	\$1,316.00	\$2,558.00	\$ -
Property Tax/Fire Fee	\$685.00	\$684.00	\$648.00	\$577.00
Operating Supplies	\$175.00	\$2,850.00	\$904.00	\$2,294.00
Dues/Subscriptions/Training	\$370.00	\$495.00	\$ -	\$495.00
Capital – Downtown Projects	\$50,748.00	\$ -	\$ -	\$ -
Grants – Misc.	\$8,014.00	\$ -	\$20,000.00	\$6,800.00
Transfers to other Funds	\$20,000.00	\$20,000.00	\$ -	\$ -
TOTAL EXPENSES	\$128,619.00	\$131,416.00	\$75,928.00	\$92,709.00
BALANCE	\$54,419.00	\$20,144.00	\$46,477.00	\$37,792.00

CRA I, original assessed real property values within the community redevelopment agency's area of authority as of the day the agency was created was \$6,470,039 (1981). The total assessed real property values of the property within the boundaries of the community redevelopment agency as of January 1, 2022, is \$17,055,200 (10.58% increase from 2021. 263.6% increase since inception).

CRA II

	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual
REVENUE				
Fund Balance Forward	\$45,672.00	\$1,080.00	\$1,212.00	\$1,911.00
TIF Revenue – City	\$627.00	\$45.00	\$243.00	\$404.00
TIF Revenue – Other	\$333.00	\$83.00	\$456.00	\$798.00
Interest Income	\$ -	\$4.00	\$ -	\$ -
General Fund Transfer	\$26,000.00	\$ -	\$ -	\$ -
TOTAL REVENUE	\$72,632.00	\$ 1,212.00	\$1,911.00	\$3,113.00
EXPENSES				
Carpenter’s Park Improvements	\$71,552.00	\$ -	\$ -	\$ -
TOTAL EXPENSES	\$71,552.00	\$ -	\$ -	\$ -
BALANCE	\$ 1,080.00	\$1,212.00	\$1,911.00	\$3,113.00

For CRA II, the original assessed real property values within the community redevelopment agency’s area of authority as of the day the agency was created was \$2,099,842 (2016). The total assessed real property values of the property within the boundaries of the community redevelopment agency as of January 1, 2022, is \$3,234,615 (44.55% increase since 2021, 54.04% increase since inception).

CRA III

	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual
REVENUE				
Fund Balance Forward	\$ -	\$ -	\$332.00	\$2,013.00
TIF Revenue – City	\$ -	\$115.00	\$538.00	\$704.00
TIF Revenue – Other	\$ -	\$216.00	\$1,098.00	\$1,392.00
Interest Income	\$ -	\$1.00	\$ -	\$ -
TOTAL REVENUE	\$ -	\$332.00	\$2,013.00	\$4,109.00
TOTAL EXPENSES	\$ -	\$ -	\$ -	\$ -
BALANCE	\$ -	\$332.00	\$2,013.00	\$4,109.00

For CRA III, the original assessed real property values within the community redevelopment agency’s area of authority as of the day the agency was created was \$767,275 (2016). The total assessed real property values of the property within the boundaries of the community redevelopment agency as of January 1, 2022, is \$1,061,270 (5.32% increase since 2021, 138.32% increase since inception).

The most recent audit of the City of Milton’s CRA’s has not been completed as of the date of this report. It will be posted upon receipt. This report is provided as required by Florida Statute 163.371.



Agenda Item # 2022-230

2022 Business Improvement Program Cycle 2

MEETING DATE

April 4, 2022

PREPARED BY

Ed Spears, Director of
Economic Development

BACKGROUND

The Commercial Façade Program was created in 2018. Since that time, \$120,147.89 has been awarded to 243 businesses for 30 improvement projects. On March 8, 2022, Council awarded 22,500 to three projects. There will be \$17,500 available for additional applications in FY 2022.

At the Committee of the Whole meeting on January 20th, Council discussed various enhancements they desired to see in the program. Those items have been included in this cycle and include: making the purchase of business equipment eligible, making parking lots, unattached signage and new construction eligible. Eligibility has been expanded to City-wide. Also included is an open-ended application cycle that allows businesses the flexibility to apply when they are ready, versus a set deadline. The Committee of the Whole added language regarding landscaping limitations and increased that maximum facade grant to \$10,000 for buildings on corner lots. The item was approved unanimously at the Executive Committee and forwarded to City Council at the March 8, 2022 meeting on the Consent Agenda. At the Council meeting, the item was pulled from Consent and referred back to the Committee of the Whole for further discussion.

Following discussion at the Committee of the Whole meeting on March 24, 2022, Council directed several changes be made to the draft application. Changes include: addition of roof, shutters and structural walls to the list of examples of eligible projects, removal of the new construction grant category, removal of discussion of modern treatments from historic structures section and an increase in the number of days before default to 45. Those items have been updated and are included in the latest draft application.

SUMMARY

At the request of Council, a discussion was held at the January, 2022 Committee of the Whole to look at opportunities to expand the Commercial Façade Program. Council's ideas were incorporated in a new draft presented at the COW in February. Minor adjustments were made. At the Executive Committee in February, the program was approved unanimously and placed on the Consent Agenda for the City Council meeting. At the March 8, 2022 meeting, the item was pulled from Consent and referred back to the Committee of the Whole for further discussion. Following the discussion at the March 24th Committee of the Whole, the requested changes were incorporated into the program application.

RECOMMENDATION

Staff recommends approval of the revised program and application and authorization to release to the public.

ATTACHMENTS

1. Business Improvement Program Application 2022- CYCLE 2 - DRAFT 4-4-22



City of Milton
Office of Economic Development
6738 Dixon Street
Milton, FL 32572
www.miltonfl.org

**APPLICATIONS ARE
RECEIVED ON A
CONTINUOUS BASIS AS
LONG AS FUNDS ARE
AVAILABLE**

2022 Business Improvement Program

This program provides commercial and not-for-profit property owners and business owners façade, sign, infrastructure, and business equipment grants. A 100% match may be required depending on the grant requested.

Program Intent

The Business Improvement Program (BIP) is intended to provide funding to upgrade the visual and aesthetic appearance of structures and property, increase property value, and stimulate economic activity within the City of Milton. Grants may be used for façade improvements, signage, landscaping, infrastructure, and business equipment expenses. The BIP is available to commercial and not-for-profit property owners and/or business tenants only.

Eligibility

- ❑ Property must be located within the corporate limits of the City of Milton.
- ❑ Applicants must have all necessary business licenses/permits/inspections. Any outstanding legal issues that could encumber the property or prohibit immediate use as a commercial or not-for-profit venture must be resolved or explained. Any proposed business/tenant must document zoning and land-use eligibility at the proposed location as part of this application. All projects must comply with the City's Comprehensive Plan, Unified Development Code, Life Safety Code and Florida Building Code.
- ❑ Unoccupied properties are eligible to receive the grant, but must be actively, continually, and publicly marketed on a verifiable source (CMLS, Zillow, FSBO, etc.) from the date of application until leased **or sold**.
- ❑ Vacant property with an approved building permit or development agreement are eligible to apply.
- ❑ Applicants must sign the program application and other related documents. Tenants may apply only with property owner's consent. Owners may apply only with tenant's consent.
- ❑ Applications are accepted continuously, on a first come, first serve basis, as long as fund is available.
- ❑ Preference will be given based on the following criteria: first-time applicants; applicants with projects on Caroline Street Historic District, Willing and Stewart Streets; projects in historically significant structures; and/or projects creating a minimum of 5 full-time positions within the first year.
- ❑ Applicants may be eligible in multiple categories, depending upon need, priority status, and level of demand. However, applicants must clearly specify which category they are applying in and identify a preferred category. One application per fiscal year, please.
- ❑ The BIP is based on availability of funds. Grants are awarded until all funds are exhausted each fiscal year.

- ❑ Exterior improvements must be approved by staff for appropriateness. The applicant must meet with applicable City/County departments to determine required permits, if any.
- ❑ Once the project has been completed, the property must be eligible to obtain, or already have a certificate of occupancy, and have received the final inspection from the appropriate agency.

Eligible Improvements

Examples of **eligible** items include:

- | | |
|--|--|
| <ul style="list-style-type: none"> ➤ ADA Handicapped Access to a building ➤ New/replacement windows and doors ➤ Restoration/preservation of windows/doors ➤ Visible portions of roofing ➤ New or replacement shutters/awnings ➤ Electrical rewiring ➤ Exterior lighting ➤ Exterior painting ➤ Restoration of architectural features ➤ Exterior structural walls | <ul style="list-style-type: none"> ➤ Tuckpointing ➤ Equipment necessary for business expansion ➤ Parking improvements ➤ Screening/fencing ➤ Sprinkler systems ➤ Signage ➤ Business equipment ➤ Soft costs (licenses, permits, impact fees, architect/engineer cost, etc.)* ➤ Landscaping** |
|--|--|

***Soft costs are limited to 20%.**

****Minor landscaping in conjunction with other improvements is eligible. The maximum amount of grant that may be spent on landscaping is 25%. Landscaping must be native to Northwest Florida, perennials and/or evergreens or other hardy species. The proposed landscaping cannot be a State of Florida invasive species or noxious weed. All landscaping aspects must be reviewed and approved by the City.**

Ineligible Improvements

Examples of **ineligible** items include:

- Rent
- Interior modifications and/or rehabilitation not required for a change in occupancy or expansion*
- Removal or covering of historical or significant architectural detailing
- Regular/routine maintenance and repair
- Refinancing existing debt
- Owner performed labor (unless the owner is a duly licensed contractor)

***Matching funds may be used for interior project costs**

Business Improvement Program Grant Categories

1. Sign Grant – Up to \$1,000 to be used exclusively for new or replacement business exterior signage. No match is required. This grant is paid directly to the vendor providing the signage or paid as a reimbursement to the owner upon completion of the project and receipt of proper documentation. The Sign Grant must be approved prior to the commissioning of signage and all signage must be properly permitted in conformance with the City of Milton Sign Ordinance. Any cost above and beyond \$1,000 will be the responsibility of the applicant. A scale drawing of the sign is required. A sign permit must be obtained with 60 days of award of the grant.
2. Commercial Façade Grant – Up to \$5,000 to be used exclusively for improvements to the exterior façade of a building. A 100% match is required. For corner lots, applicants may apply for up to \$10,000 with a 100% required match. Matching funds may be used anywhere in the proposed renovation project, including interior renovations. New signage may be included as a component of a Commercial Façade Grant Application, but may not be the entire project. The grant may be paid directly to a vendor, or paid as draws. The Commercial Façade Grant must be approved prior to commencement of any work proposed to be completed with grant proceeds. All necessary project approvals and

permits, if required, must be obtained within 90 days of award of the grant. A scale drawing of the project is required, along with material and color samples.

3. Business Expansion Grant – Up to \$5,000 to be used to acquire equipment necessary to allow expansion of a businesses. A 100% match is required. Grants may be used for, but not limited to; required equipment/infrastructure for a change-in-use, equipment for business expansion, safety equipment, and other furniture, fixtures and equipment as approved by the City.

Additional Information

1. Buildings with multiple units under one roof may combine grant funds provided that units have separate entrances, and have been previously subdivided or partitioned such that:

- a. There are separate primary entrances for each business
- b. Each of the businesses has separate and distinct business tax receipts and sales tax licenses
- c. Permanent interior walls must have been in place to be considered as multiple facades, under one roof

2. Grantees must provide the required match. For example, for a commercial façade grant of the maximum \$5,000, an owner match of \$5,000 is required, resulting in a total project of at least \$10,000.

3. Any applicant not meeting the eligibility criteria may request consideration for an exception from the City Council, depending on the intent of the renovation.

4. The grant application must be completed and submitted to the City with the following items:

- a. A detailed written explanation of the project, what funds are requested, where the match will be obtained and the total expenditure for the project.
- b. Photographs of the existing building and the proposed project area.
- c. Schematic drawings illustrating all proposed work, or pictures with project description outlined.
- d. A description of materials and methods to be used
- e. Material samples or color swatches should be provided for approval.
- f. Cost estimates for each aspect of the project.

5. The applicant is advised that this grant is given at the sole discretion of the City Council of the City of Milton and the criteria are used as a basis to evaluate the Applicant's project, and does not create entitlement to funding. The application shall be reviewed by the City for completeness and eligibility prior to any approvals. The City reserves the right to waive any technical irregularity, award in-mass, partial fund, split fund, or reject all submittals. Additional, post-award requirements may be added by City Council at their sole discretion.

6. All projects must be completed within 180 days (6 months) or by the contracted date after receiving approval from the City of Milton staff and any required building permits, unless otherwise approved by the City. All work must be completed by the completion date assigned according to the contract. Incomplete projects may require reimbursement to the City, according to contract requirements.

7. If a grant is awarded, the City of Milton will determine, in coordination with the Grantee, the most appropriate method for payment. The maximum payout prior to project completion and final inspection is 75% regardless of payment type. Verification of payments, release of lien, etc. from a vendor or contractor must be presented, (canceled

checks, paid invoice from vendors) prior to issuing final grant payment.

8. Applicants maybe requested to make a presentation of their project to staff and/or City Council.

9. ANY COST FOR WORK PREVIOUSLY COMPLETED PRIOR TO AN APPROVED APPLICATION CANNOT BE REIMBURSED UNDER ANY CIRCUMSTANCE. DO NOT START ANY PHYSICAL RENOVATIONS UNTIL **AFTER** FINAL APPROVAL BY THE CITY, COMPLETION OF THE CONTRACT WITH THE CITY & NOTICE TO PROCEED HAS BEEN ISSUED.

Historic Structures

Buildings will be evaluated based on historical/architectural significance, with priority given to buildings with inappropriately applied facades that cover original details (architectural features/details, windows, doors) or are unsightly, and/or out-of-scale. For historic structures, the goal of the City is to either partially or fully restore the original appearance of the building; or create an appearance that is consistent with its historic character. Proposed changes to the building's façade to be funded by this program will not remove, alter, damage, or cover up significant architectural or historical feature(s) of the building that either are original, or reflect a major alteration that has historic architectural value.

Default

Default of the Grant shall occur if one or more of the following takes place:

- Funded Improvements are altered, modified, removed, or demolished following project completion.
- Property which was occupied at the time of the grant award by an operating tenant is sold, transferred, or converted to 100% non-commercial use within the specified period.
- The commercial business applicant has ceased operations for a period of forty-five (45) consecutive days or longer.
- The commercial business applicant abandons the project site.

If any of the above-referred activities occur within one (1) year of the project completion date without receiving prior City approval, grant funds shall be repaid to the City.

Business Improvement Program Process

1. Applicant must submit a complete application packet, including the following:
 - Complete application form
 - Detailed project narrative
 - Legal description of property
 - Proof of property ownership or notarized letter from owner consenting to the project
 - Proof of property insurance
 - Certification of sign ordinance, zoning, and future land use compliance
 - Scaled drawing of improvements involving building changes
 - Accurate color mock-ups and/or paint chips
 - Original color photographs of existing property conditions
 - Three cost estimates from qualified contractors (labor and materials for entire project). If the owner of the property is a licensed contractor and is qualified to do the work, then two additional cost estimates from qualified contractors will be required.
 - Final cost estimate including name of licensed contractor chosen to perform work
 - Copy of the chosen contractor's license (if licensure is required for the work)

- Copy of City of Milton Business License
- 2. If requested, meeting with staff to review the project. Applicants may be requested to provide additional information.
- 3. Applications are forward to City Council for review and approval.
- 4. Project presentation (if necessary)
- 5. If approved, staff will prepare a grant agreement for the applicant's signature.
- 6. After approval and execution of all documents, the applicant is provided with a notice to proceed.
- 7. Copy of all permits (if necessary)
- 8. Upon project completion, signed off permit from City/County Building Inspections (if necessary), receipt of the final invoice(s) from contractor(s), proof of payment, inspection by City Staff, and sign off by the property owner; the final invoice will be submitted for payment.
- 9. City will issue a reimbursement check to the applicant or directly pay to the vendor.

FOR MORE INFORMATION,
PLEASE CONTACT THE CITY OF MILTON
OFFICE OF ECONOMIC DEVELOPMENT
AT 850-983-5400
OR EMAIL ECONDEV@MILTONFL.ORG.



City of Milton
Office of Economic
Development

Business Improvement Program

DATE OF APPLICATION: _____

NAME OF BUSINESS (Legal and DBA, if Different): _____

BUSINESS OWNER(S): _____

PROPERTY OWNER(S) (IF DIFFERENT): _____

GRANT CATEGORY: _____

TOTAL AMOUNT REQUESTED (MAXIMUM \$5,000): \$ _____

TOTAL AMOUNT OF MATCH (MINIMUM 100%): \$ _____

TOTAL AMOUNT OF PROJECT (ALL ASPECTS): \$ _____

ADDRESS OF PROJECT: _____

PROJECT NAME: _____

ATTACH REQUIRED ADDITIONAL INFORMATION:

- Complete application form
- Detailed project narrative
- Legal description of property
- Proof of property ownership or letter from owner consenting to the project
- Proof of property insurance
- Certification of sign ordinance, zoning, and future land use compliance
- Scaled drawing of improvements involving building changes
- Accurate color mock-ups and/or paint chips
- Original color photographs of existing property conditions
- Three cost estimates from qualified contractors (labor and materials for entire project).
- Final cost estimate including name of licensed contractor chosen to perform work
- Copy of the chosen contractor's license (if licensure is required for the work)
- Copy of City of Milton Business License.

NAME & MAILING ADDRESS OF OWNER/APPLICANT (PLEASE PRINT):

SIGNATURE(S) OF BUSINESS AND PROPERTY OWNER(S) (IF DIFFERENT)

TELEPHONE # (850) _____ CELL # _____ EMAIL _____

For official use only:

DATE & TIME APPLICATION RECEIVED: _____ RECEIVED BY: _____



City of Milton
Office of Economic Development

Page 2 of 2

2022 Business Improvement Program

Memorandum of Understanding

I, the grantee, understand that work cannot commence on any portion of the Business Improvement Project prior to receiving approval of the grant funds by the City of Milton. A written notification to proceed will be provided. I, the grantee, have read, understand, and accept the terms and conditions of the grant. I have read and understand the actions which will trigger a default. In the event of a default, I, the grantee, do hereby guarantee the repayment of the principal amount of the grant in accordance with the terms of the Commercial Façade Program application and guidelines. If the grantee is not the property owner, as shown in the Santa Rosa County Property Appraiser's Database, the property owner must also execute this Memorandum of Understanding.

Grantee Name (Please Print)

Grantee Signature

Date

Property Owner Name (Please Print)

Property Owner Signature

Date

City of Milton (Please Print)

City Manager Signature

Date

Request for Taxpayer Identification Number and Certification

Social
security
number — —

**Give form to the
requester. Do not
send to the IRS.**

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)	
Business name, if different from above	
Individual/ ☐ ☐ ☐ ☐	☐ Exempt from backup withholding
Check appropriate box: Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ☐	
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

or Employer identification number									

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here	Signature of U.S. person	Date
------------------	-----------------------------	------

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

VENDOR/PAYEE
TAXPAYER'S IDENTIFICATION NUMBER/ENTITY TYPE

The Internal Revenue Service (IRS) codes require us to have the Taxpayer's Identification Number on file for vendors/payees receiving payments after January 1, 1984. There are substantial IRS penalties if we do not comply. Furthermore, under Federal Income Tax Law, you are subject to certain penalties if you do not provide us with your correct Social Security Number (SSN) or Employer Identification Number (EIN). For assistance in determining proper name and number to report, refer to the IRS for W-9.

IMPORTANT: THIS COMPLETED FORM MUST BE RETURNED WITH THE APPLICATION:

City of Milton
Office of Economic Development
6738 Dixon Street
Milton, FL 32572

1. IF YOU ARE AN INDIVIDUAL OR NON-CORPORATE COMPANY, PLEASE PRINT THE FOLLOWING INFORMATION:

Company/Individual's

Name _____

Address (for mailing payments)

Street/P.O. Box _____

City/State/Zip _____

Telephone _____ **Fax** _____

EIN/SSN _____

Authorized Signature/Title _____

Date _____

2. IF YOUR COMPANY IS INCORPORATED, PLEASE PRINT THE FOLLOWING INFORMATION:

_____ **does operate in corporate form. (Corporate Name)**

Address (for mailing payments)

Street/P.O. Box _____

City/State/Zip _____

Telephone _____ **Fax** _____

EIN/SSN _____

Authorized Signature/Title _____

Date _____



Agenda Item # 2022-194

City of Milton Board Vacancies

MEETING DATE

April 4, 2022

PREPARED BY

Melissa Short, Admin
Assistant/Permit Clerk

BACKGROUND

This is an item update that is to be provided monthly to the Council as long as city boards have membership vacancies. Currently, the Board of Adjustment, Police Pension Board, Civil Service Board and Firefighters Pension Board have one vacancy. The General Employees' Pension Board has two vacancies. It is important to fill these positions so a meeting can be held with a simple majority of the board present.

SUMMARY

At this time, staff has one application on file for the Firefighters Pension Board. Attached is the application as well as the current boards with vacancies.

RECOMMENDATION

Staff recommends review of the Firefighters Pension Board application. The C.O.W. voted unanimously to forward this request to the Executive Committee.

ATTACHMENTS

1. Steve Warren Fire Pension Board Application
2. Board Vacancies Updated

**CITY OF MILTON
BOARD APPOINTMENT SURVEY/INFORMATION**

Date: 3.10.21

Name Steve Warren Phone (hm) 850 287 6248

E-mail address warren.sdw@gmail.com Phone (wk/cell) 850 287 6248

Address 5245 Concul St Milton, FL 32570 City Ward 1

Education 1983 graduate of Troy State University, 1986 graduate of Candler School of Theology, Emory University

Work Experience: 40 years serving as a United Methodist Clergy
Pastor of First UMC of Milton 3 yrs, 9 months, & county

Community Service President Milton Rotary, Food Raising Friends, Volunteer
for parades, Prayer for Milton City Council, County

Awards 2018 Rotarian of the year, First UMC of Milton 2020 Man of
the Year, 2020-2021 President Milton Rotary

Hobbies, Travel, etc Cycling, Boating, Fishing, Enjoyment of the Gulf,
Blackwater, Cold Creek, Reading,

Other comments that would be helpful in determining appropriate appointment _____

Please attach a brief resume.

Please check the Boards that you are interested in.

☐ Milton Housing Authority

☐ Milton Planning Board

☐ Historic Preservation Board

☐ Riverfront Redevelopment Team

☐ Civil Service Board

☐ Milton Benevolent Cemetery Board

☐ Board of Adjustments

☐ General Employees Pension Board

☐ Police Pension Board

☒ Firefighters Pension Board

City of Milton Board Vacancies

Board of Adjustment

The Board of Adjustment is a seven-member board that is charged with the review of variances, special exceptions, and administrative appeals. There is currently one vacancy on this board. This position, when filled, is an at-large position that is appointed by the Council and would be for the remainder of the term.

At this time, staff has no applications on file from individuals interested in serving on this board. It is important to fill these positions so a meeting can be held with a simple majority of the board present. This becomes more difficult for applicants to achieve if board members are absent, or if vacancies exist.

General Employees' Pension Board

The General Employees' Pension Board is a five-member board that do not have to live inside the city limits. The General Employees' Pension Board oversees the allocations of funds for the general employee pension fund. Process retirements/payments, reviews the recommendations of the investment company, consultant, attorney, and actuary, and meets necessary reporting requirements. There are currently two vacancies on this board. These positions, when filled, are Council Representatives. These positions, when filled, will serve four-year terms.

At this time, staff has no applications on file from individuals interested in serving on this board.

Police Pension Board

The Police Pension Board is a five-member board that oversees the allocations of funds for the police officer's pension. Reviews the recommendations of the investment company, attorney, and actuary. There is currently one vacancy on this board. This position, when filled, is a City Resident appointed by City Council and will serve a four-year term.

At this time, staff has no applications on file from individuals interested in serving on this board.

"Due to the size of the city and narrow jurisdictional boundaries, we have had a hard time filling the vacant position on the Milton Police Pension Fund Board. To alleviate this, an agenda item will be added to all public meetings in an attempt to fill this position. When this position is filled, the Division of Retirement will be notified immediately with the information needed to close the vacant position."

Fire Pension Board

The Fire Pension Board is a five-member board that is charged with overseeing the allocations of funds for the firefighter's pension. Reviews the recommendations of the investment company, attorney, and actuary. There is currently one vacancy on this board. This position, when filled, is a City Resident appointed by the City Council and serve a two-year term.

At this time, staff has an application on file from Steve Warren, who is interested in serving on this board.

Civil Service Board

The Civil Service Board is a five-member board that encourages and promotes a proper personnel system for employees of the City of Milton. The board has authority to write and adopt rules that shall cover subject areas such as disciplinary hearings, code and/or standards of conduct for members of classified service, probationary periods, employment eligibility criteria and applicant register procedures. All rules shall be approved by the City Council. There is currently one vacancy on this board, Council Appointed. This position, when filled, will serve a two-year term.

Appointment and Structure:

1. All members shall reside within the city limits of the City of Milton.
2. The City Council shall not appoint a current or former city employee to the Board.
3. The City Council shall not appoint a current member of the City Council to the Board. Former City Council members may be appointed provided they have not held elective position in the City for a period of at least one year.
4. No person may serve as a board member if they have a relative in the Civil Service System. Relative means an individual who is related to the Board member as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.
5. The Council shall strive to select members who have previous experience in personnel Administration, management, small business, self-employment, and/or with other outside public employers. In all cases, the City Council shall seek to appoint members with the best expertise and a wide variety of backgrounds to serve the citizens of Milton with regard to the Civil Service System.

At this time, staff has no applications on file from individuals interested in serving on this board.



Agenda Item # 2022-233

Mobile Vendors Status Update

MEETING DATE

April 4, 2022

PREPARED BY

Tim Milstead, Planning Director

BACKGROUND

This item is a follow-up to provide information regarding a 6 month trial program to allow mobile vendors on private property in the City of Milton based upon Council action in late 2021.

SUMMARY

In 2021, the City Council held discussions about the existing regulations regarding mobile vendors. After discussion, the Council voted to end the program that allows for mobile vendors to sign a one year lease for 7 different city-owned properties as shown in the attached section from the City's Code of Ordinances. At the same time, the Council voted to begin a 6 month trial period of allowing mobile vendors to establish locations on commercially-zoned properties within the City, provided they obtained a city business license, and provided they provided written documentation of the property owner's consent to use the property. The 6 month trial period recently ended, and below are the results of those vendors that staff has logged as being active during the 6 month trial period. This item was requested to be brought back to the City Council after the conclusion of the 6 month trial period for further discussion.

1. Golden's Soul Food 5722 Stewart St.
2. Dadgum Good BBQ Elmira and Caroline St. (existing license on City parking lot)
3. Jasline Franklin Blackwater Treats Munson Hwy (existing license at Carpenters Park)
4. Greeks Catering Open Rose
5. Snow Cone Truck at 5400 Dogwood Dr.
6. Gulf Coast Garage 6820 Caroline St many vendors

RECOMMENDATION

The Committee of the Whole approved a 90 day extension for the suspension of mobile vendors on city-owned properties, and also for allowing mobile vendors on commercial-zoned properties in the city. The Committee forwarded the item to the Community Improvement Board for review of the current ordinance for any future permanent changes. The Community Improvement Board will review the current ordinance at their regular meeting on April 7th.

ATTACHMENTS

1. Mobile Vendor Regulations

ARTICLE III. MOBILE VENDOR LICENSE

Sec. 36-120. Penalty.

The penalty for violating any provision of this article shall be a fine not exceeding the amount set forth in section 1-13 for each offense, together with the revocation or suspension of the vendor's license. The code enforcement officer has the authority to issue fines in accordance with F.S. ch. 162.

(Ord. No. 1085, § 12, 3-12-2002; Ord. No. 1316-09, § 11, 7-14-2009)

Sec. 36-121. Required.

No person shall conduct any business sale or sell any merchandise, or offer to conduct any business sale, offer or sell any merchandise, including food, beverages, goods and services, from any public road, other public thoroughfare, sidewalk, parking lot, or any public property whatsoever, except persons in permitted areas holding a valid mobile vendor license and fully conforming to the terms of this article. No person shall operate or conduct a mobile vending business on privately owned commercial property within the city unless said operation conforms fully to the terms of this article.

(Ord. No. 1085, § 1, 3-12-2002; Ord. No. 1123-03, § 1, 6-10-2003; Ord. No. 1316-09, § 1, 7-14-2009; Ord. No. 1394-13, § 1, 9-10-2013)

Sec. 36-122. Application.

- (a) The application for a vending license shall contain all information relevant and necessary to determine whether a particular license may be issued, including, but not limited to, the following:
 - (1) The applicant's full name, current address, telephone number, social security number and proof of identity, together with one full-face photograph of the applicant, no less than two inches square, nor more than three inches square;
 - (2) A brief description of the nature, character and quality of goods, wares or merchandise to be offered for sale;
 - (3) The specific locations in which the vendor intends to conduct business;
 - (4) If the applicant is employed by another, the name and address of the person; the federal tax number and the state sales tax number;
 - (5) A complete listing of any other licenses issued to the applicant by the city within the five years immediately preceding the date of application.
- (b) The applicant shall provide a brief description of the nature and character of the food, beverages, goods or services to be sold, and the application shall be accompanied by a photograph of the vendor's stand or boat.
- (c) The application must include a provision indemnifying and holding harmless the city from any and all claims arising out of the vendor's operation.
- (d) The applicant must provide the city with a copy of a certificate of liability insurance with a minimum coverage of \$1,000,000.00. The policy must name the city as an additional insured.

(Ord. No. 1085, § 2, 3-12-2002; Ord. No. 1123-03, § 2, 6-10-2003; Ord. No. 1316-09, § 2, 7-14-2009)

Sec. 36-123. Health inspection certificate required where vending license involves sale of food or beverages.

Any application for a vending license to engage in the sale of food or beverages shall also be referred to the health department for approval and issuance of a certificate of health inspection (health permit), in addition to the regular vending license. The applicant's equipment shall be subject to inspections by the health department.

(Ord. No. 1085, § 3, 3-12-2002; Ord. No. 1316-09, § 3, 7-14-2009)

Sec. 36-124. Fee.

Any vendor granted a vending license under this article shall pay a nonrefundable annual fee as currently established or as hereafter adopted by resolution of the city council from time to time and also must purchase an occupational license for the current fee. Issuance and pro ration of licenses will be in accordance with article IV of chapter 44.

(Ord. No. 1085, § 4, 3-12-2002; Ord. No. 1257-07, § I, 9-27-2007; Ord. No. 1316-09, § 4, 7-14-2009)

Sec. 36-125. Permitted locations and conditions of use.

- (a) Seven publicly owned parcels set forth below are hereby designated as permissible public vendor sites:
 - (1) One location at the northwest corner of Willing and Caroline Streets;
 - (2) One location at the northwest corner of Elmira and Caroline Streets;
 - (3) One location at the North Riverwalk, not on the wooden boardwalk or gazebo; and
 - (4) Two locations at the South Riverwalk, which shall be limited to vending carts so as to be located in limited space;
 - (5) One location at Carpenter's Park not on the designated parking areas;
 - (6) One location at Russell Harbor not on the designated parking areas.
- (b) Mobile vendors will be allowed within the SSC-RC zoning district upon permission from the applicable property owner.
- (c) Mobile vendors may operate temporarily upon commercially zoned property for the purpose of determining the viability of the property to support a permitted restaurant or food service establishment. Said temporary mobile vending permit shall be valid for a period of 90 days and may be issued once every two years from the date of issuance for any particular property, concern or permit holder.
- (d) At each permitted location, no vendor shall be permitted:
 - (1) Within 15 feet of any street intersection or pedestrian crosswalk;
 - (2) Within ten feet of any driveway, loading zone or bus stop;
 - (3) Within a minimum of four feet of unobstructed pedestrian space;
 - (4) In any area within ten feet of a building entrance or exit or, in the case of a hotel or motel, within 15 feet of building entrances or exits;

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(Supp. No. 14)

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- (5) Against display windows of fixed location businesses;
 - (6) Within five feet of any fire hydrant or fire escape; and
 - (7) Within five feet of any parking space or access ramp designated for persons with disabilities.

(Ord. No. 1085, § 5, 3-12-2002; Ord. No. 1123-03, § 2, 6-10-2003; Ord. No. 1316-09, § 5, 7-14-2009; Ord. No. 1394-13, § I, 9-10-2013; Ord. No. 1484-18, § 1, 11-13-2018)

Sec. 36-126. Annual license; random distribution; restriction relating to festivals/events.

- (a) Licenses for operation on public property shall be issued on an annual basis coinciding with the city's occupational license requirements. All other locations will be permitted on a temporary basis.
- (b) Any license not renewed within 30 days of its expiration shall be void and of no further use or effect whatsoever. At any time that the number of outstanding licenses falls below five licenses for sidewalk sites and two park sites, the city manager shall within 30 days of availability distribute, on a random basis among any applicants, a sufficient number of licenses to ensure that the total number of outstanding licenses equals seven. Temporary mobile vending permits on commercial properties shall be valid for a period of 90 days, upon the expiration of which the operation shall cease and desist and the land shall be re-established in the same fashion as it existed prior to the issuance of the permit.
- (c) Issuance of a mobile vendor's license does not allow usage of the permitted location during authorized festivals or events.

(Ord. No. 1085, § 6, 3-12-2002; Ord. No. 1316-09, § 6, 7-14-2009; Ord. No. 1389-13, § I, 7-9-2013; Ord. No. 1394-13, § I, 9-10-2013)

Sec. 36-127. Regulation of stand design and maintenance.

Licensed sidewalk vendors may only use stands that have been inspected and approved by and are in conformance with design regulations promulgated by the health department and/or planning department. Such regulations shall address the design aspects of the stands, with the purpose of protecting public safety and ensuring that stands are maintained in a neat, clean and orderly fashion, and ensure all stands:

- (1) Have storage areas not visible to the public.
- (2) Have appropriate trash receptacles.
- (3) Be made of materials that are durable and easy to clean.
- (4) Have advertising and other signage limited to the name of the stand or items sold and a listing of items sold and the price. Such signs shall not exceed two feet by two feet.

(Ord. No. 1085, § 7, 3-12-2002; Ord. No. 1123-03, § 3, 6-10-2003; Ord. No. 1316-09, § 7, 7-14-2009)

Sec. 36-128. Hours of operation.

Vendors shall be allowed to engage in the business of vending only between the hours of 8:00 a.m. and 10:00 p.m. No vending station, conveyance or other item related to the operation of vending business shall be located on any authorized location during non-vending hours. Vendors shall remove all conveyances within 30 minutes of ceasing business operations each day.

(Ord. No. 1085, § 9, 3-12-2002; Ord. No. 1123-03, § 4, 6-10-2003; Ord. No. 1316-09, § 8, 7-14-2009)

Sec. 36-129. Litter and trash to removal.

- (a) Vendors shall keep the sidewalks, roadways and other spaces adjacent to their vending sites or locations clean and free of paper, peelings and refuse of any kind generated from the operation of their businesses. All trash or debris accumulating within 20 feet of any vending stand shall be collected by the vendor and deposited in a trash container.
- (b) A person engaged in food vending shall affix to his vending station a receptacle for litter marked as being for litter, which shall be maintained and emptied regularly.
- (c) Licensees must take with them at the end of each day all trash, litter, garbage, refuse and waste, including, but not limited to, the greasy cooking water, generated by their vending operations.

(Ord. No. 1085, § 10, 3-12-2002; Ord. No. 1316-09, § 9, 7-14-2009)

Sec. 36-130. Prohibited conduct.

No person authorized to engage in the business of vending under this article shall do any of the following:

- (1) Unduly obstruct pedestrian or motor vehicle traffic flow, except for up to 15 minutes to load and unload vending stations and/or vending merchandise.
- (2) Obstruct traffic signals or regulatory signs.
- (3) Stop, stand or park any conveyance upon any street for the purpose of selling during the hours when parking, stopping and standing have been prohibited by signs or curb markings.
- (4) Leave any conveyance unattended at any time or store, park, or leave such conveyance in a designated area overnight.
- (5) Use a handcart or pushcart whose dimensions exceed eight feet in width, 12 feet in length, and eight feet in height.
- (6) Use any conveyance that, when fully loaded with merchandise, cannot be easily moved and maintained under control by the licensee, his employee, or an attendant.
- (7) Sell any goods, wares or merchandise from any location other than the designated location.
- (8) Sound any device that produces a loud and raucous noise or operate any generator, loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention or as to constitute a nuisance.
- (9) Conduct his business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, create a nuisance, increase traffic congestion or delay, constitute a hazard to traffic, life or property, or obstruct adequate access to emergency and sanitation vehicles.
- (10) Utilize city electrical fixtures or electrical extension cords.

(Ord. No. 1085, § 11, 3-12-2002; Ord. No. 1316-09, § 10, 7-14-2009)

Sec. 36-131. License notice and display.

- (a) The applicant shall be notified within 30 days after the applicant has filed a completed application of the decision to issue or deny the vending license. Any applicant for a license to sell food and beverages whose application receives the approval of the health department shall be issued both a vending license and a certificate of health inspection (or health permit).

-
- (b) Each license shall show the name and address of the licensee, the type of license issued, the kind of goods to be sold, the amount of the license fee, the date of issuance, and the license number. Each license shall also show the expiration date of the license. Each license shall be visibly displayed at the stand.
 - (c) All licenses issued under this section shall be both nonassignable and nontransferable unless approved by the city.

(Ord. No. 1085, § 13, 3-12-2002; Ord. No. 1316-09, § 12, 7-14-2009)

Sec. 36-132. Notice of name or address change required.

All vendors shall assure that a current and correct name, residence address and mailing address are on file with the city. Whenever either the name or the address provided by a licensed vendor on his application for a vending license changes, the licensee shall notify the city in writing within 30 days of such change and provide the same with the name change or address change.

(Ord. No. 1085, § 14, 3-12-2002; Ord. No. 1316-09, § 13, 7-14-2009)

Sec. 36-133. Suspension or revocation; grounds; notice; hearing.

- (a) In addition to the penalty contained in section 36-120, any license issued under this article may be suspended or revoked for any of the following reasons:
 - (1) Fraud, misrepresentation or knowingly false statement contained in the application for the license;
 - (2) Fraud, misrepresentation or knowingly false statement in the course of carrying on the business of vending;
 - (3) Conducting the business of vending in any manner contrary to the conditions of the license;
 - (4) Conducting the business of vending in such a manner as to:
 - a. Create a public nuisance;
 - b. Cause a breach of the peace;
 - c. Constitute a danger to the public health, safety, welfare or morals; or
 - d. Interfere with the rights of abutting property owners; or
 - (5) Cancellation of health department authorization for a food or beverage vending unit.
- (b) The city clerk shall provide written notice of the suspension or revocation in a brief statement setting forth the complaint, the grounds for suspension or revocation, and notifying the licensee or permit holder of his right to appeal. Such notice shall be mailed to the address shown on the license holder's application by certified mail, return receipt requested.
- (c) If the city revokes a vending license or permit, the fee already paid for the license or permit shall be forfeited. A person whose license or permit has been revoked under this section may not apply for a new license for a period of one year from the date of revocation.
- (d) Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of a hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last know address at least five days prior to the date set for the hearing.

(Ord. No. 1085, § 15, 3-12-2002; Ord. No. 1316-09, § 14, 7-14-2009)

Secs. 36-134—36-165. Reserved.



Agenda Item # 2022-234

Dogwood Drive Development Agreement

MEETING DATE

April 4, 2022

PREPARED BY

Tim Milstead, Planning Director

BACKGROUND

The City Council voted unanimously to approve the proposed rezoning of 3.78 acres of land along Dogwood Drive immediately across from the new Publix Development at their March meeting, subject to the execution of a development agreement.

SUMMARY

After approval of the proposed rezoning for the Dogwood Drive development on March 8th, staff has scheduled two required public hearings regarding the attached development agreement. The first took place before the Milton Planning Board on March 22nd, and the second will take place before the City Council on April 10th. Additionally, the Board of Adjustment will review a variance request for the reduction of the front landscape buffer down to 10 feet on April 4th. The only change to the development agreement language since its provision to the Committee of the Whole on March 24th are the very minor recommended wording changes from the Planning Board's review. These changes are found in the third "Whereas" statement, and in Section One of the Development Plan entitled "Description of Development." Additionally, the applicant has expressed their willingness to modify the landscape plan to provide for the inclusion of magnolia and holly trees as part of the canopy trees shown in Exhibit C. That change is currently being made to Exhibit C. If approved, the development agreement would allow the development of the property according to the plan found in Exhibit C, and would provide five years for the applicant to obtain all permits for this proposed development prior to the city rezoning the property back to its original zoning district. If approved, this document would be signed and recorded on the official property deed on record at the Santa Rosa County Clerk of Court.

RECOMMENDATION

Staff recommends review and discussion of the proposed development agreement by the Executive Committee. The Milton Planning Board also recommends approval with very minor wording changes.

ATTACHMENTS

1. Dogwood Development Agreement Draft 033122

PROJECT DEVELOPMENT AGREEMENT

Dogwood Drive Commercial Development

THIS PROJECT DEVELOPMENT AGREEMENT, hereinafter called the "Agreement", is made and entered into this ____ day of _____, 2022, by and between the CITY OF MILTON, a Florida municipal corporation hereinafter referred to as the "CITY", and the _____, hereinafter referred to as the "Developer".

WITNESSETH:

WHEREAS, the _____, are the owners of 3.78 acres of land, hereinafter called the "Properties", lying within the municipal boundaries of the City of Milton located on parcel numbers 28-2N-28-0000-03200-0000, 28-2N-28-0000-03245-0000 and 28-2N-28-0000-03246-0000

WHEREAS, the developer desire to develop the existing vacant 3.78 acres of land on the Properties for commercial purposes in accordance with Exhibit "A" development plan attached to this Project Development Agreement; and

WHEREAS, as a condition precedent to permit development of this property in accordance with the terms of the rezoning request, the City is required by its Unified Development Code Article 7.3 to rezone the property from R-1AA (Single-Family Residential Zoning District) to C-1 (Neighborhood Commercial Zoning District); and

WHEREAS, all required State, County, and Local Development Approvals to complete the project described in Exhibit "A" and shown in Exhibit "C" shall be acquired within five years of the execution of this agreement, or if ownership of the property is transferred prior to all Development Approvals being issued for the project, the zoning classification of the property shall be reverted to R-1AA by the City; and

WHEREAS, streetscape and landscape buffer yards are required for new developments by the City's Unified Development Code to provide noise and lighting attenuation from adjacent properties; and

WHEREAS, as a condition precedent to permit redevelopment of this property, the City is required by its Unified Development Code Article 1.7 and F.S. Chapter 163 to find this redevelopment consistent with the City's Comprehensive Plan to amend the Future Land Use Map designation of the Property from Single-Family Residential to Commercial; and

WHEREAS, as a condition precedent to permit redevelopment of this property, the City is required by its Unified Development Code Article 6.2.1 to grant a variance from the minimum 20 foot front streetscape buffer required for all new development; and

WHEREAS, the Rezoning with Small Scale Future Land Use Map Amendment Application was duly and properly filed on the ____ day of _____, 2022 as required by City code, and all fees and costs which are by law or regulation or ordinance required are to be borne and paid by the Developer, have been paid; and

WHEREAS, the variance Application was duly and properly filed on the ____ day of _____ 2022 as required by City code, and all fees and costs which are by law or regulation or ordinance required are to be borne and paid by the Developer, have been paid; and

WHEREAS, the Milton Planning Board held a public hearing on the 22nd day of March, 2022, as required by F.S. 163.3225, and has reviewed and recommended that the City Council approve the Development Agreement, and the Development Plan herein attached as Exhibit "A"; and

WHEREAS, the Milton City Council held a public hearing on the 12th day of April, 2022, as required by F.S. 163.3225, and has reviewed and approved the Development Agreement, and the Development Plan herein attached as Exhibit "A" and Exhibit "C".

NOW, in consideration of these recitals and conditions contained herein and other good and valuable consideration the receipt and sufficiency of which is acknowledged by the parties, the parties hereby agree as follows:

SECTION I. RECITALS

The above recitals are true and correct and form a material part of this Agreement.

SECTION II. LEGAL DESCRIPTION OF PROPERTY

The legal description of the lands subject to this Agreement and referenced as the "Properties", is set forth in the Exhibit "B" attached hereto and by this reference made a part hereof.

SECTION III. LEGAL AND EQUITABLE OWNERSHIP

The Property consists of three (3) tracts, more particularly described in the attached Exhibit "B". _____ are the sole present owner of the 3.78 acre overall tract.

Exhibit A

Development Plan

Section I. DESCRIPTION OF DEVELOPMENT

According to the proposed development plan in Exhibit "C", there are four separate buildings with five separate businesses proposed on the properties. The development plan includes an 8' stucco buffer wall along the western boundary line of all three properties. The developer has also proposed to increase the rear buffer yard to a minimum of 20 feet and to reduce the front buffer yard to 10 feet, and will be required to request a variance for this change. Additionally, the developer has proposed to include various plantings as shown in the plan in Exhibit "C". All the required State, County, and Local Development Approvals to complete the project shall be acquired within five years of the execution of this agreement, or if ownership of the property is transferred prior to all Development Approvals being issued for the project, the zoning classification of the property shall be reverted to R-1AA by the City.

SECTION II. APPLICABLE LOCAL LAW

The City of Milton's ordinances, resolutions, and policies shall govern the development of this Property unless otherwise specifically provided in this Agreement.

SECTION III. AGREEMENT TO BE BINDING

This Development Agreement, including any and all supplementary orders and resolutions, together with the approved development plan and all final site plans shall be binding upon the Developer and their successors and assigns in title or interest. The provisions of the Development Agreement and all approved plans shall run with the land and shall be administered in a manner consistent with Florida Statutes and local law.

SECTION IV. APPLICABLE LAW

This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida.

SECTION V. RECORDING

This Development Agreement shall be recorded, at Owner's expense, among the Public Records of Santa Rosa County in accordance with the requirements of the Zoning Ordinance. Notwithstanding the foregoing, the same shall not constitute any lien or encumbrance on title

to the Property and shall instead constitute record notice of governmental regulations which may regulate the use and enjoyment of the Property.

SECTION VI. EFFECTIVE DATE

This Agreement shall be deemed effective as of the date the last required signature is affixed to this Agreement.

EXHIBIT B

Exhibit B

Legal Description of Property

PARCEL # 28-2N-28-0000-03200-0000 LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 28 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE PROCEED NORTH 89 DEGREES 34 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 28 A DISTANCE OF 2584.19 FEET; THENCE DEPARTING SAID SOUTH SECTION LINE PROCEED NORTH 00 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 665.19 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE AND THE OLD WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 89; THENCE NORTH 89 DEGREES 36 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE A DISTANCE OF 43.17 FEET TO THE NEW WESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 89 FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 36 MINUTES 23 SECONDS WEST ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE A DISTANCE OF 236.87 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE GO NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST A DISTANCE OF 204.79 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 23 SECONDS EAST A DISTANCE OF 266.30 FEET TO THE NEW WESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 89; THENCE GO SOUTH 00 DEGREES 53 MINUTES 20 SECONDS EAST ALONG SAID NEW WESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO.

89 A DISTANCE OF 172.11 FEET; THENCE GO SOUTH 45 DEGREES 57 MINUTES 24 SECONDS WEST CONTINUING ALONG SAID NEW WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 89 A DISTANCE OF 46.74 FEET TO THE POINT OF BEGINNING. CONTAINING 1.25 ACRES MORE OR LESS.

LESS AND EXCEPT THAT PORTION LYING IN ROAD RIGHT A WAY AS DESCRIBED IN OFFICAL

RECORD BOOK 1912 PAGE 1445, PUBUC RECORDS OF SANTA ROSA COUNTY, STATE OF FLORIDA.

PARCEL # 28-2N-28-0000-03245-0000 LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 28 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE PROCEED NORTH 89 DEGREES 34 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 28 A DISTANCE OF 2584.19 FEET; THENCE DEPARTING SAID SOUTH SECTION LINE PROCEED NORTH 00 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 665.19 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE AND THE OLD WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 89; THENCE NORTH 89 DEGREES 36 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE A DISTANCE OF 280.04 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE GO NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST A DISTANCE OF 204.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST A DISTANCE OF 218.73 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 23 SECONDS EAST A DISTANCE OF 261.30 FEET TO THE NEW WESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 89; THENCE SOUTH 00 DEGREES 53 MINUTES 20 SECONDS EAST ALONG SAID NEWWESTERLY RIGHT OF WAY LINE A DISTANCE OF 218.79 FEET; THENCE DEPARTING SAID NEW WESTERLY RIGHT OF

WAY LINE GO NORTH 89 DEGREES 36 MINUTES 23 SECONDS WEST A DISTANCE OF 266.30 FEET TO THE POINT OF BEGINNING. CONTAINING 1.32: ACRES, MORE OR LESS. LESS AND EXCEPT THAT PORTION LYING IN ROAD RIGHT A WAY AS DESCRIBED IN OFFICAL RECORD BOOK 1912 PAGE 1445, PUBLIC RECORDS OF SANTA ROSA COUNTY, STATE OF FLORIDA.

PARCEL # 28-2N-28-0000-03246-0000 LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 28 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE PROCEED NORTH 89 DEGREES 34 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 28 A DISTANCE OF 2584.19 FEET; THENCE DEPARTING SAID SOUTH SECTION LINE PROCEED NORTH 00 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 665.19 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE AND THE OLD WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 89; THENCE NORTH 89 DEGREES 36 MINUTES 23 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF CHERRY LAUREL DRIVE A DISTANCE OF 280.04 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE GO NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST A DISTANCE OF 423.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST A DISTANCE OF 206.08 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF WISTERIA DRIVE; THENCE SOUTH 89 DEGREES 36 MINUTES 23 SECONDS EAST ALONG SAID RIGHT OF WAY A DISTANCE OF: 225.26 FEET TO INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY AND THE NEW WESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 89; THENCE SOUTH 42 DEGREES 51 MINUTES 28 SECONDS EAST ALONG SAID NEW WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 89 A DISTANCE OF 46.85 FEET; THENCE SOUTH 00 DEGREES 53 MINUTES 20 SECONDS EAST ALONG SAID NEW WESTERLY RIGHT OF WAY LINE A DISTANCE OF 172.00 FEET; THENCE DEPARTING SAID NEW WESTERLY RIGHT OF WAY LINE GO NORTH 89 DEGREES 36 MINUTES 23 SECONDS WEST A DISTANCE OF 261.30 FEET TO THE POINT OF BEGINNING. CONTAINING 1.21 ACRES, MORE OR LESS.LESS AND EXCEPT THAT PORTION LYING IN ROAD RIGHT A WAY AS DESCRIBED IN OFFICAL RECORD BOOK 1912 PAGE 1445, PUBLIC RECORDS OF SANTA ROSA COUNTY, STATE OF FLORIDA.

CITY OF MILTON, FLORIDA

By _____

Its _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or
☐ online notarization, this _____ day of _____, 2022, by _____
as _____ for City of Milton, and who produced _____
as identification.

NOTARY PUBLIC
My Commission Expires: _____

Developer

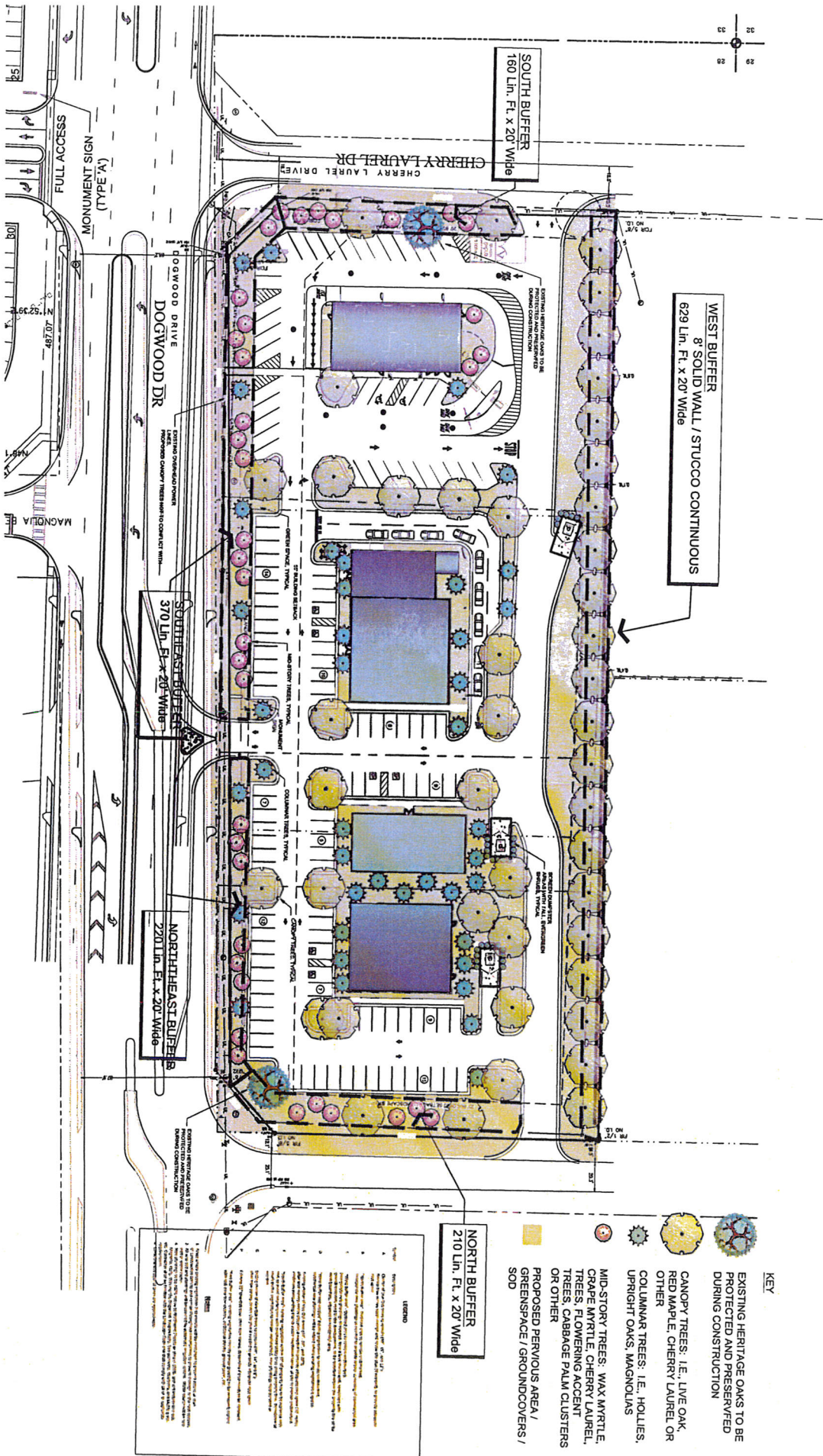
By _____

Its _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or
☐ online notarization, this _____ day of _____, 2022, by _____
as _____ for _____, and who produced
_____ as identification.

NOTARY PUBLIC
My Commission Expires: _____

EXHIBIT C





Agenda Item # 2022-227

Roeville Area Water Well and Elevated Tank, Engineer Scope of Services. (Task Order)

MEETING DATE

April 4, 2022

PREPARED BY

Christie Haarmann, Public
Works Admin

BACKGROUND

Design and permit services for the proposed Roeville Water Well and a 300,000 gallon elevated storage tank on Sowell Road west of Marty Martin Rd. The total cost will be \$313,330.00

SUMMARY

The City is experiencing low pressure within the service area. Additionally, the Industrial Park has been added to the area and this plans future growth.

RECOMMENDATION

The Committee of the Whole Recommends to approve the Engineer Scope of Services with Baskerville Donovan, Inc.

ATTACHMENTS

1. Roeville Area Water Well

March 10, 2022

Mr. Randy Jorgenson
City Manager
City of Milton
6738 Dixon Street
Milton, Florida 32572

**RE: Roeville Area Water Well and Elevated Tank
Engineer Scope of Services**

Dear Mr. Jorgenson:

Baskerville-Donovan, Inc. (BDI) is pleased to provide the City of Milton with a fee proposal to provide the design and permitting services for the proposed Roeville Water Well and a 300,000 gallon elevated storage tank located on Sowell Road west of Marty Martin Road (CR87A).

BACKGROUND:

In September 2005, BDI completed a hydraulic modeling analysis of the SR 87/Munson Hwy. corridor within the City of Milton's water service area. The Roeville Water System is located in the northeastern area of the City's service area. A booster pump station located near the Rails to Trails on Munson Highway pumps water from the Byrom Street Elevated Tank pressure supply zone near the Farris Hill neighborhood to the existing elevated storage tank on Sowell Road. The City was experiencing low pressures within this service area.

Three recommendations for infrastructure improvements were developed from that study, including:

- 1) Interconnect the infrastructure within the corridor to the Whiting Field potable water system.
- 2) Install large diameter piping and a temporary booster pump station and hydro-pneumatic tank to achieve acceptable pressures within the area until growth warranted the construction of a water well and tank.
- 3) Construct a new water well and elevated storage tank that will provide adequate service to the area.

To date, none of these recommendations have been implemented. The identified low pressure problems were temporarily resolved through an interconnect with Point Baker Water System on Whiting Field Circle.

In that same report, the proposed development of an aviation commerce park in the Roeville area was identified. The proposed commerce park, now referred to as the Whiting Field Aviation Park, has their first tenant now in construction. This new development supports the earlier study recommendations to move forward with the construction of a new potable water well and elevated storage tank to fulfill planned water demands.

SCOPE OF WORK:

The scope of work is defined as follows:

Task 1 Site Search

BDI will assist the City in locating a suitable site for the new well and elevated storage tank. The criteria to be considered in this search are as follows:

1. Pressure needs can be achieved in the northern portion of Whiting Field Circle.
2. The elevated tank will not be within FAA flight paths extending outward and upward from the NAS Whiting Field runways. BDI will develop a map identifying those restrictions as an aid in selecting potential sites.
3. The well is potentially located outside of the impacts of the contamination plume moving through the groundwater off of NAS Whiting Field. BDI will utilize migration information from NAS Whiting Field reports. It is possible that a selected site may need additional treatment in the form of granular activated carbon filters.

Task 2 Site Topographic/Survey

BDI will perform a topographic survey of the selected site. This information shall be used for site development, site controls and structural elevations. The survey will also include a tree survey that is necessary for site development through Santa Rosa County. This scope of work does not include the development of a boundary survey of the selected site. The fee proposed below is an allowance not to exceed without written authorization from the City.

Task 3 Geotechnical Exploration

BDI will engage the services of a Geotechnical Engineering firm to investigate the selected site to identify subsurface conditions and develop soil bearing strength and permeability assessments. This study will define the foundation requirements for the elevated tank and building foundations. The fee proposed below is an allowance not to exceed without further written approval of the City. The allowance does not include site environmental assessments, soil sampling or water sampling, if required.

Task 4 Design

BDI will perform civil, mechanical, electrical, and structural engineering design for a complete well and water plant including, pumping equipment, disinfection equipment, electrical equipment and controls, associated piping and site work for the proposed new water well, treatment facility and 300,000 gallon elevated storage tank. If water quality sampling determines the need for additional treatment, including pH adjustment and/or removal of inorganic or organic compounds, it will be provided as needed. The City currently owns a parcel of land on Sowell Road where it is believed that there is ample acreage to develop a new potable water well and an elevated storage tank. The City is also contemplating the acquisition of five acres of a parcel of land across Sowell Road from the existing elevated tank in order to achieve wellhead protection. However, these properties are in the path of a contamination plume moving southerly and south east from NAS Whiting Field. The City could evaluate a joint effort with NAS Whiting Field for a new well and tank that would service both utilities. BDI will work with the City to identify a suitable location. The site selection must be decided before the design phase can commence.

4.1 Preliminary Design

Upon completion of the survey and geotechnical services described above, BDI will develop a preliminary site layout for the well, treatment facility and elevated tank. Three copies of the preliminary design will be provided to the City for review and comments. Upon inclusion of any comments or edits identified during the City review, BDI shall develop a final preliminary design. This shall become the basis of design to move the project to the 60% phase. Any changes in the basic design directed by the City shall result in additional engineer fees for the effort involved to facilitate those changes.

Deliverable: BDI shall deliver three (3) sets of the preliminary plans in 11" x 17" pdf drawings.

4.2 60% Design

This scope of services includes preparation of project documents at 60 percent completion submittal. This design shall be in accordance with the Florida Department of Environmental Protection, Northwest Florida Water Management District, Ten States Standards and the City of Milton Standards for the production and treatment of a public water supply well, treatment facility and elevated storage tank. Submittal materials for the 60 percent completion level shall include large mechanical components, overall structural dimensions, site grading and piping plan, electrical single line drawings and updated opinion of probable cost. BDI will develop specifications using MASTERSPEC format and manufacturer's recommendations. This submittal will include a list of those specifications proposed to be incorporated into the design documents. Upon client review, BDI will incorporate all comments and proposed edits presented from the review. Any changes associated with a change in the design shall involve adjustments to the design

fee. Approval of the 60% submittal shall constitute notice to proceed to the 90% design level.

Deliverables: BDI shall deliver three sets of the drawings in 11" x 17" pdf format and pdf copies of all other documents identified.

4.3 90% Design

This scope of service includes preparation of project documents at 90 percent completion submittal. Submittal materials for the 90 percent completion level shall include large mechanical components, structural dimensions, site grading and piping plan, electrical single drawings and updated opinion of probable cost. BDI will develop specifications using MASTERSPEC format and manufacturer's recommendations. Using the MASTERSPEC format, this submittal will include the complete specifications as identified in the 60% list or as modified during this design phase. Upon client review, BDI will incorporate all comments and proposed edits presented from the review. Any changes associated with a change in the design shall involve adjustments to the design fee. Approval of the 60% submittal shall constitute notice to proceed to the Final design level.

Deliverables: BDI shall deliver three sets of the drawings in 11" x 17" pdf format and pdf copies of specifications and procurement documents.

4.4 Final Design

BDI will submit final drawings using CADD standards; and specifications using MASTERSPEC format, City standards and manufacturer's recommendations.

- **100% Complete Contract Documents** shall consist of:
 - A) Review comments by the City and QC reviews on all Plan, Section, and Detail Sheets from the 30%, 60%, 90% and 100% phases.
 - B) Submitting permits
 - C) Preparing a final project schedule and opinion of probable construction cost.
 - D) Providing three sets of 11" x 17" pdf drawings to the City, one set signed and sealed.
 - E) Provide three sets of final technical specifications and front-end (procurement) documents to the City, one set signed and sealed.

Task 5: Permitting

- 1) BDI shall assist the City in acquiring permits from regulatory agencies necessary for the construction of this project. Anticipated permit requirements include the following:
 - a) FDEP Form 62-555.900(1) Application for a Specific Permit to Construct PWS
 - b) FDEP Form 62-330.060(1) Application for Individual and Conceptual Approval Environmental Resource Permit and Authorization to Use State-Owned Submerged Lands

- c) Santa Rosa County Site Development Order – Site Plan Application
- d) Federal Aviation Administration Notifications for potential airspace encroachment
- 2) BDI shall arrange for, and attend, a pre-application meeting with FDEP prior to moving forward with the application processes.
- 3) BDI shall prepare the necessary permit application forms, appropriately certified, and supporting documents for approval of the project and submit application to local, state, and federal regulators for the permits noted. Additional permitting assistance beyond that specifically highlighted within this document may be provided by supplemental authorization of the City.
- 4) Application fees shall be provided by the City.
- 5) BDI shall prepare a response to one request for additional information from FDEP and Santa Rosa County for the permits noted. Additional assistance including meetings and preparation of responses to subsequent requests for additional information beyond completeness items may be provided by supplemental authorization from the City.
- 6) BDI shall prepare the final certifications required to substantiate construction completion and any deviations from the permitted activities as required by the permits indicated.

Permit Deliverables: Three (3) copies each of the necessary permit application forms and supporting documentation for the permits noted. It is anticipated that one (1) set of these documents will be forwarded to the applicable jurisdictional agencies for review. Three (3) copies each of response for additional information shall be provide to the City.

SCHEDULE:

Following is the proposed schedule of services:

Task	From Calendar Day to Calendar Day
Task 1 – Site Search	Unknown
Task 2 – Survey Services (once site is secured)	0 to 30
Task 3 – Geotechnical Exploration	15 to 45
Task 4 – Design Phase	15 to 150
Task 5 – Permitting FDEP and Santa Rosa County	0 to Permit Issuance

EXCLUSIONS:

In addition to any exclusions stated above, the following list of services are specifically excluded from the scope of services, but could be provided by BDI as additional services if authorized in writing by the City.

1. Changes to Contract Documents when such revisions are required by changes in laws, rules, regulations, ordinances, codes or orders enacted subsequent to their preparation, or are due to any other cause's beyond BDI's control.
2. Test Well and water sampling.
3. Pipeline designs outside of the selected well site.
4. Preparation of easement plats.
5. Santa Rosa County building permit fees.
6. Easement acquisition or property appraisal services.
7. Water system hydraulic modeling.
8. Special geotechnical inspections during construction.
9. The following environmental investigations/permitting items:
 - Wetland delineation
 - Field Survey of wetland flagging
 - Environmental site assessments
 - Permit fees
 - Groundwater Modeling
10. Assistance in connection with bid protests, re-bidding or renegotiating contracts for construction, materials, equipment or services.
11. Preparing to serve or serving as a consultant or witness for City in any litigation, arbitration or other legal or administrative proceeding involving the Project.
12. Additional or extended services during construction resulting from delays, changes, or price increases occurring as a direct or indirect result of the Contractor's material, equipment, labor or energy shortages, work damaged by fire or other causes during construction, City approved project changes that result in extension of time to complete the project, a significant amount of defective or neglected work of any Contractor, acceleration of the schedule involving services beyond normal working hours, and default by any Contractor.

COMPENSATION:

The following table provides for the compensation of each of the tasks listed above.

Task	Fee
Task 1 – Site Search (Lump Sum)	\$15,000.00
Task 2 – Surveying Services (Lump Sum)	\$12,600.00
Task 3 – Geotechnical Exploration (Allowance)	\$18,000.00
Task 4 – Design Phase (Lump Sum)	\$240,230.00
Task 5 – FDEP and Santa Rosa County Permitting (Lump Sum)	\$12,500.00
Task 6 – Northwest Florida Water Management District Permitting (Allowance)	\$15,000.00
Total Engineering Services	\$313,330.00

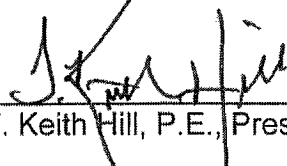
BDI shall invoice the City monthly for lump sum tasks based on percentage complete. BDI shall invoice the City monthly at our current billing rates for the allowance associated with surveying. Other allowances will be invoiced as direct cost plus 10%.

If you find this proposal acceptable, please execute below and return a copy to us. This execution shall serve as the Notice-to-Proceed. As always, we appreciate the opportunity to provide this proposal and look forward to assisting the City with the development of its potable water system. If you have any questions please do not hesitate to call.

CITY OF MILTON

BASKERVILLE-DONOVAN, INC.

Randy Jorgenson, City Manager



T. Keith Hill, P.E., President/CEO

DATE: _____

DATE: 3/10/2022



Agenda Item # 2022-242

Developer's Agreement for Ecosouth Services.

MEETING DATE

April 4, 2022

PREPARED BY

BACKGROUND

Developer's Agreement for Ecosouth Services for a facility on Jeff Ates Rd Total Impact Fees to be paid \$409,995.00 over a course of 2 Years.

SUMMARY

Developer's Agreement for Ecosouth Services for a facility on Jeff Ates Rd Total Impact Fees to be paid \$409,995.00 over a course of 2 Years.

RECOMMENDATION

Staff recommends approval of the developer's agreement.

ATTACHMENTS

1. EcoSouth Services Dev Agreement

DEVELOPER AGREEMENT

THIS AGREEMENT is made and entered into by and between THE CITY OF MILTON, a governmental body, corporate and politic, ("City") and Ecosouth Services, Inc., ("Developer"). This Agreement shall be effective as of the date on which it has been signed by both the Developer and the City or their representatives, as indicated below.

WHEREAS, the Developer owns certain lands as described in Attachment "A" attached hereto (the "Property") and intends to develop the Property as an inert waste disposal facility (the "Project"); and

WHEREAS, the Developer desires the City to provide water and wastewater service to the Project; and

WHEREAS, the City is willing to provide such service upon the terms and conditions hereinafter set forth; and

WHEREAS, the Developer will utilize and promote said utilities within the property to all users in the development.

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein the Developer and the City hereby agree as follows:

1. The Developer shall, at the sole cost and expense of the Developer construct or cause to be constructed on the project property such sewer mains, lift stations, sewer laterals, and other facilities as may be necessary for the City to provide such service to the Project. The complete sewer system will be the responsibility of the owner. The City will not own any of this system.
2. City hereby waives compliance by the Developer with Ordinance No. 1277- 08 and agrees as follows: The Developer will pay the impact fees at the rate then in effect upon the build out of the proposed project phases, as identified in Attachment "B". It is further understood that two years from the date of execution of this instrument if build out has not been achieved for any reason the Developer will pay any remaining impact fees and connection/ tap fees at the rate in effect on that date.
3. No sewer construction shall be commenced until plans and specifications therefore have been submitted to and approved in writing by the permitting authorities having jurisdiction.
4. Employees and agents of the City may at any reasonable time during or after construction enter upon the Property for the purpose of inspecting such facilities.
5. Upon completion of construction of the onsite facilities, they shall be certified by the engineer for the Developer and shall be subject to final inspection by the permitting authority and upon payment by the Developer of all applicable rates, fees and charges established by the City, the City shall provide service to the Project

6. The Developer hereby releases and agrees to hold harmless, indemnify, protect, and defend the City, its members, officers, employees, and agents from any and all claims; damages, actions or causes of action relating to the planning, design and construction of the onsite facilities.

7. This Agreement may not be amended except by a writing executed by the Developer and by the City. All documents necessary for the implementation of this Agreement, including all permits, engineering design and construction contracts, plans and specifications for the facilities as and when approved and filed with the City and or County are a part of this Agreement and incorporated herein by reference.

8. This Agreement shall be governed by the laws of the State of Florida.

9. This Agreement will run with the land and will be binding on the heirs, assigns and grantees of Developer.

Attachment "A"

Facility Description:

This entrance of this facility is located on Jeff Ates Road, 0.35 miles north of U.S. Highway 90, Milton, Santa Rosa County, Florida 32586. The facility is located at latitude 30° 39' 12" North; longitude 86° 56' 05" West. Partial number 27-2N-27-0000-00101-006B

The facility will consist of approximately 160 acres. The initial development or "Phase A" will consist of Cells A1, A2 and A3 to be developed and constructed over the next 3 years.

Attachment "B"

Payment Schedule

- The total impact fee of \$409,995.00 will be paid according to the following schedule.
 - Payment 1 \$136,651.67
 - To be paid within 5 days of the approval of the Development Agreement and
 - prior to start of sewer construction
 - Payment 2 \$136651.67 due May 1, 2023
 - Payment 3 \$136651.66 due: May1, 2024
- The payment schedule will approximately match the development and cell construction schedule of the site.
- Should the site development be delayed for any reason the payments will be made on the reflected dates

EXECUTED by the Developer or its representative this 11 day of March, ~~2021~~ ²⁰²² **798**

April C Biggs
Witness

Eco South Services, LLC

Developer
Frederick J Burkel
By

Witness

Frederick J Burkel CEO

Title

April C. Biggs
Notary Public, Alabama State At Large
My Commission Expires Feb. 25, 2026

STATE OF FLORIDA
COUNTY OF SANTA ROSA

The foregoing instrument was acknowledge before me as this 11th day of March, 2022,
by Frederick J Burkel, who is personally known to me or who
produced Alabama DL 3470821 as identification.

EXECUTED by the City of Milton or its representative this _____ day of _____.

CITY OF MILTON, FLORIDA

Witness

By

Title

STATE OF FLORIDA
COUNTY OF SANTA ROSA

The foregoing instrument was acknowledged before me this _____ day of _____, _____ by
_____, who is personally known to me or who produced
_____ as identification.

NOTARY PUBLIC