

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
JUNE 4, 2019
9:00 AM
AGENDA**

The Board of County Commissioners asks that all cell phones are turned off or placed on silent (vibrate) mode. Any handouts (information) for distribution to the Commission must be submitted to the Board Secretary (Clerk's Office) or to the County Coordinator on or before the Thursday prior to that Tuesday's meeting. Failure to do so will result in your removal from the agenda or a delay of any action relating to your request until a future meeting.

- 9:00 AM** **Call to Order**
Prayer and Pledge
Approval of Minutes
Payment of County Bills
- 9:10 AM** **Public Comments** – *(This is an opportunity for the public to comment on agenda or non-agenda items. When you are recognized to be heard by the Chairman, please sign the speaker's log and adhere to the time limit. An individual will be allowed to speak for three minutes whereas a designated representative of a group or faction will be allowed to speak for five minutes.)*
- 9:25 AM** **Sheriff A. J. Smith – Traffic Control Update**
- 9:40 AM** **Department Directors Report**
Howard Nabors – Superintendent of Public Works
Fonda Davis – Solid Waste Director
Pam Brownell – Emergency Management Director
Erik Lovestrand – Extension Office Director
- 10:00 AM** **Bid Opening – Commercial Access Road Improvement – Apalachicola Regional Airport**
- 10:15 AM** **Marcia M. Johnson – Clerk of Court – Report**
- 10:30 AM** **Alan Pierce – RESTORE Coordinator – Report**
- 10:45 AM** **Michael Morón – County Coordinator – Report**
 • Nikol Tschaepe
- 11:15 AM** **Michael Shuler – County Attorney – Report**
- 11:30 AM** **Commissioners' Comments**
- 11:45 AM** **Adjourn**

June 4, 2019
 Franklin County Road Department
 Detail of Work Performed and Material Hauled by District
 Detail from 5/9/2019 - 5/29/2019

District 1

Work Performed:

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Flagged	5/9/2019	Twin Lakes Road
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup, Cleaned ditches	5/9/2019	Jefferson Street
Cut bushes back	5/9/2019	N Bay Shore Drive
Cut bushes back	5/9/2019	Twin Lakes Road
Flagged	5/9/2019	Otterslide Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	School Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Patton Drive
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	David Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Barber Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	1st Street
Flagged	5/9/2019	N Bay Shore Drive
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	2nd Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Shuler Avenue
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Boatwright Drive
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Begonia Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Creamer Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Hatfield Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Avenue D
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	S Franklin Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/9/2019	Shuler Avenue
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/9/2019	Bull Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/9/2019	Barber St
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts, Cleaned ditches	5/9/2019	Shuler Avenue
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts, Cleaned ditches	5/9/2019	School Road
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup, Cleaned ditches	5/9/2019	Washington Street
Cut bushes back	5/9/2019	Otterslide Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	1st Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	2nd Street
Sign Maintenance	5/13/2019	W Gulf Beach Drive
Cut bushes back	5/14/2019	Carroll Street

District 1**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/14/2019	Daisy Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/14/2019	David Street
Cleaned ditches, Cleaned out culverts	5/14/2019	Daisy Drive
Cut bushes back	5/14/2019	Twin Lakes Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/14/2019	Hickory Dip
Cleaned ditches, Cleaned out culverts	5/14/2019	Hickory Dip
Weed Eat & Cut Grass around signs & Culverts	5/14/2019	1st Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/15/2019	Creamer Street
Cut bushes back	5/15/2019	Daisy Drive
Cut bushes back	5/15/2019	Carroll Street
Cleaned ditches	5/15/2019	S Franklin Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/15/2019	N Franklin Street
Cut bushes back	5/15/2019	Hickory Dip
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/16/2019	Hatfield Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/16/2019	Creamer Street
Box drag, Culvert repair	5/16/2019	Carroll Street
Cleaned ditches	5/16/2019	Old Ferry Dock Road
Cleaned ditches	5/16/2019	N Bay Shore Drive
Cut grass along shoulders of road on county right of way, Litter Pickup	5/16/2019	N Bay Shore Drive
Culvert installation	5/16/2019	Sago Drive
Cut bushes back	5/16/2019	Boatwright Drive
Cut bushes back	5/16/2019	Creamer Street
Cut bushes back	5/20/2019	Avenue A
Cut grass along shoulders of road on county right of way	5/20/2019	Creamer Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/20/2019	N Franklin Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/20/2019	Norvell Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/20/2019	Power Drive
Cut bushes back	5/20/2019	Creamer Street
Cut bushes back	5/20/2019	Patton Drive
Bike Path (Edged, cut grass off of concrete)	5/20/2019	Bike Path (St. George Island)
Cut bushes back	5/20/2019	Avenue D
Cut bushes back	5/21/2019	Old Ferry Dock Road
Cut grass along shoulders of road on county right of way	5/21/2019	Franklin Blvd
Cut grass along shoulders of road on county right of way	5/21/2019	W 1st Street
Cut grass along shoulders of road on county right of way	5/21/2019	W 2nd Street
Cut grass along shoulders of road on county right of way	5/21/2019	W 3rd Street
Cut grass along shoulders of road on county right of way	5/21/2019	W 4th Street
Cut grass along shoulders of road on county right of way	5/21/2019	W Bay Shore Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Blowed off road/parking lot/intersection	5/21/2019	Bike Path (St. George Island)
Cut grass along shoulders of road on county right of way	5/21/2019	W Pine Avenue
Cut bushes back	5/21/2019	Avenue D

District 1**Work Performed:**

<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 W 1st Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 W 2nd Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 W 4th Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 W Gorrie Drive
Cut grass along shoulders of road on county right of way	5/21/2019 E Pine Avenue
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 Land Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Blowed off road/parking lot/intersection	5/21/2019 W Bay Shore Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Blowed off road/parking lot/intersection	5/21/2019 Franklin Blvd
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 E Pine Avenue
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 E 4th Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 W 2nd Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 Franklin Blvd
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/21/2019 Bruce Street
Cut grass along shoulders of road on county right of way	5/21/2019 E 2nd Street
Cut grass along shoulders of road on county right of way	5/21/2019 E 3rd Street
Cut grass along shoulders of road on county right of way	5/21/2019 E 4th Street
Cut grass along shoulders of road on county right of way	5/21/2019 E Gorrie Drive
Cut grass along shoulders of road on county right of way	5/21/2019 N Bay Shore Drive
Cut grass along shoulders of road on county right of way	5/21/2019 Carroll Street
Cut bushes back	5/21/2019 S Franklin Street
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/21/2019 US HWY 98 (Eastpoint, Ricky Jones)
Cut grass along shoulders of road on county right of way	5/21/2019 E 1st Street
Flagged	5/22/2019 Avenue A
Loaded Trucks	5/22/2019 Avenue A
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/22/2019 US HWY 98 (Eastpoint, Ricky Jones)
Weed Eat & Cut Grass around signs & Culverts, Cleaned ditches	5/22/2019 David Street
Weed Eat & Cut Grass around signs & Culverts	5/22/2019 David Street
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/22/2019 US HWY 98 (Eastpoint, Ricky Jones)
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/22/2019 US HWY 98 (Eastpoint, Ricky Jones)
Shoulder Work, Cut dirt off shoulder of road	5/22/2019 Avenue A
Driveway repair	5/23/2019 Avenue A
Cut grass along shoulders of road on county right of way	5/28/2019 Twin Lakes Road
Pot hole Repair (Fill)	5/29/2019 W Pine Avenue
Pot hole Repair (Fill)	5/29/2019 S Franklin Street
Road Repair	5/29/2019 E Gulf Beach Drive
Pot hole Repair (Fill)	5/29/2019 W 3rd Street
Road Repair	5/29/2019 S Franklin Street

District 1**Work Performed:**

Pot hole Repair (Fill)

Date

5/29/2019

Road

W 5th Street

0**Material HAUL From:**

	Date	Road	Cubic Yards	Tons
Litter	5/9/2019	Barber St	0.200000003	0
Litter	5/9/2019	Shuler Avenue	0.200000003	0
Litter	5/9/2019	Creamer Street	0.100000001	0
Litter	5/9/2019	Boatwright Drive	0.100000001	0
Litter	5/9/2019	Patton Drive	0.100000001	0
Litter	5/9/2019	Begonia Street	0.100000001	0
Litter	5/9/2019	2nd Street	0.100000001	0
Litter	5/9/2019	Barber Street	0.100000001	0
Litter	5/9/2019	School Road	0.100000001	0
Litter	5/9/2019	S Franklin Street	0.100000001	0
Litter	5/9/2019	1st Street	0.100000001	0
Litter	5/9/2019	Shuler Avenue	0.100000001	0
Litter	5/9/2019	Jefferson Street	0.200000003	0
Litter	5/9/2019	Washington Street	0.200000003	0
Litter	5/9/2019	Bull Street	0.200000003	0
Litter	5/9/2019	David Street	0.100000001	0
Litter	5/9/2019	Avenue D	0.100000001	0
Litter	5/9/2019	Hatfield Street	0.100000001	0
Litter	5/13/2019	Barber Street	0.5	0
Litter	5/13/2019	1st Street	2	0
Litter	5/13/2019	2nd Street	2	0
Litter	5/13/2019	Segree Street	0.5	0
Litter	5/13/2019	Avenue D	0.5	0
Litter	5/14/2019	Hickory Dip	1	0
Litter	5/14/2019	Daisey Drive	1	0
Litter	5/14/2019	David Street	1	0
Litter	5/15/2019	N Franklin Street	1	0
Litter	5/15/2019	Creamer Street	1	0
Litter	5/16/2019	Avenue D	0.100000001	0
Litter	5/16/2019	Creamer Street	0.100000001	0
Litter	5/16/2019	N Bay Shore Drive	1	0
Litter	5/16/2019	Hatfield Street	0.100000001	0
Litter	5/22/2019	US HWY 98 (Eastpoint, Ricky Jones)	0.200000003	0
Litter	5/22/2019	US HWY 98 (Eastpoint, Ricky Jones)	2	0

Litter		TOTAL	16.30000004	0
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Milled Asphalt	5/29/2019	S Franklin Street	4	0
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Milled Asphalt		TOTAL	4	0
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Sand	5/29/2019	W 3rd Street	36	0
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Sand	5/29/2019	W 3rd Street	36	0
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Sand		TOTAL	72	0
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Shoulder Dirt	5/22/2019	Avenue A	72	0
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Shoulder Dirt		TOTAL	72	0
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Material HAUL To:	Date	Road	Cubic Yards	Tons
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District 1**Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Dirty 89 Lime Rock	5/16/2019	Sago Drive	36	0
Dirty 89 Lime Rock	5/23/2019	Avenue A	3	0
Dirty 89 Lime Rock	5/29/2019	W Pine Avenue	18	0
Dirty 89 Lime Rock	5/29/2019	W 3rd Street	36	0
Dirty 89 Lime Rock	5/29/2019	S Franklin Street	9	0
Dirty 89 Lime Rock	5/29/2019	E Gulf Beach Drive	3	0
Dirty 89 Lime Rock	5/29/2019	W 3rd Street	36	0

Dirty 89 Lime Rock**TOTAL****141****0**

Shoulder Dirt	5/22/2019	Avenue A	18	0
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Shoulder Dirt**TOTAL****18****0****District 2****Work Performed:**

	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way	5/9/2019	CR67
Box drag	5/9/2019	4th Street NE
Box drag	5/9/2019	Jeff Sanders Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	Putnal Street
Cut grass along shoulders of road on county right of way	5/13/2019	Jeff Sanders Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	Hinton Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	Rio Vista Drive
Cut grass along shoulders of road on county right of way	5/13/2019	CR67
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Litter Pickup	5/13/2019	CR67
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	Oak Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Litter Pickup	5/13/2019	Lake Morality Road
Cut grass along shoulders of road on county right of way	5/14/2019	Carl King Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Florida Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Titi Street
Cut grass along shoulders of road on county right of way	5/14/2019	Collins Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Parker Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Heffernan Drive
Cut grass along shoulders of road on county right of way	5/14/2019	Carlton Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Illinois Street
Cut grass along shoulders of road on county right of way	5/14/2019	Newman Drive
Cut grass along shoulders of road on county right of way	5/14/2019	Spring Drive
Cut grass along shoulders of road on county right of way	5/14/2019	Jeff Sanders Road
Cut grass along shoulders of road on county right of way	5/14/2019	Palmetto Street
Cut grass along shoulders of road on county right of way	5/14/2019	Oleader Terrace
Cut grass along shoulders of road on county right of way	5/14/2019	Oak Street
Cut grass along shoulders of road on county right of way	5/14/2019	Florida Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Idaho Street
Cut grass along shoulders of road on county right of way	5/14/2019	Warren Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	Holland Avenue
Cut grass along shoulders of road on county right of way	5/14/2019	E Pine Street
Box drag	5/14/2019	Duvall Road
Box drag	5/14/2019	McIntyre Road

District 2**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/14/2019	CR67
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/14/2019	CR67
Cut grass along shoulders of road on county right of way	5/14/2019	Indiana Street
Shoulder Work	5/15/2019	Indiana Street
Box drag	5/15/2019	Collins Avenue
Box drag	5/15/2019	Oleader Terrace
Box drag	5/15/2019	Idaho Street
Box drag	5/15/2019	Kansas Street
Box drag	5/15/2019	Arizona Street
Box drag	5/15/2019	Jeff Sanders Road
Box drag	5/15/2019	Titi Street
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/15/2019	US HWY 98 (Lanark)
Weed Eat & Cut Grass around signs & Culverts	5/15/2019	CR67
Cut grass along shoulders of road on county right of way	5/15/2019	Oak Street
Cut grass along shoulders of road on county right of way	5/15/2019	Arizona Street
Cut grass along shoulders of road on county right of way	5/15/2019	Kentucky Ave
Cut grass along shoulders of road on county right of way	5/15/2019	Maryland Avenue
Cut grass along shoulders of road on county right of way	5/15/2019	Massachusetts Avenue
Cut grass along shoulders of road on county right of way	5/15/2019	Alabama Street
Cut grass along shoulders of road on county right of way	5/15/2019	Delaware Street
Cut grass along shoulders of road on county right of way	5/16/2019	Oak Street
Cut grass along shoulders of road on county right of way	5/16/2019	Collins Avenue
Cut grass along shoulders of road on county right of way	5/16/2019	BlueWater Beach Circle
Cut grass along shoulders of road on county right of way	5/16/2019	Hinton Street
Cut grass along shoulders of road on county right of way	5/16/2019	McIntyre Road
Cut grass along shoulders of road on county right of way	5/16/2019	BlueWater Ridge Way
Cut grass along shoulders of road on county right of way	5/20/2019	Mariner Circle
Sign Maintenance	5/20/2019	Fiesta Drive
Cut grass along shoulders of road on county right of way	5/20/2019	Alligator Drive
Sign Maintenance	5/20/2019	Dunes Boulevard
Cut grass along shoulders of road on county right of way	5/20/2019	Maple Street
Cut grass along shoulders of road on county right of way	5/20/2019	Oak Street
Cut grass along shoulders of road on county right of way	5/20/2019	Magnolia Street
Litter Pickup	5/20/2019	Alligator Drive
Cut grass along shoulders of road on county right of way	5/20/2019	Pine Street
Cut grass along shoulders of road on county right of way	5/20/2019	Surf Drive
Cut grass along shoulders of road on county right of way	5/20/2019	Sun N Sands Blvd
Cut grass along shoulders of road on county right of way	5/21/2019	Fernway Road
Cut grass along shoulders of road on county right of way	5/21/2019	Bald Point Road
Cut grass along shoulders of road on county right of way	5/21/2019	Harry Morrison
Cut grass along shoulders of road on county right of way	5/21/2019	Harbor Circle
Cut grass along shoulders of road on county right of way	5/21/2019	Clemens Street
Cut grass along shoulders of road on county right of way	5/21/2019	Peninsula Street
Cut grass along shoulders of road on county right of way	5/21/2019	George Vause Road
Graded Road(s)	5/21/2019	Ken Cope
Cut grass along shoulders of road on county right of way	5/21/2019	Mullet Pond Road
Cut grass along shoulders of road on county right of way	5/21/2019	Lakeview Drive
Cut grass along shoulders of road on county right of way	5/21/2019	Alligator Drive

District 2**Work Performed:**

	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way	5/21/2019	Gulf Shore BLVD
Cut grass along shoulders of road on county right of way	5/21/2019	Angus Morrison
Cut grass along shoulders of road on county right of way	5/22/2019	Sea Shell Avenue
Cut grass along shoulders of road on county right of way	5/22/2019	Carnival Lane
Cut grass along shoulders of road on county right of way	5/22/2019	Cypress Street
Cut grass along shoulders of road on county right of way	5/22/2019	Donax Place
Cut grass along shoulders of road on county right of way	5/22/2019	Bay Front Drive
Cut grass along shoulders of road on county right of way	5/22/2019	Carousel Terrace
Cut grass along shoulders of road on county right of way	5/22/2019	FSU Marine Lab Road
Cut grass along shoulders of road on county right of way	5/22/2019	Fiesta Drive
Cut grass along shoulders of road on county right of way	5/22/2019	Mardi Gras Way
Litter Pickup	5/28/2019	CR67
Flagged	5/29/2019	CR67
Cut bushes back	5/29/2019	CR67
Sign Maintenance	5/29/2019	James R. Odom Bridge

0**Material HAUL From:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	5/13/2019	Jeff Sanders Road	1	0
Litter	5/13/2019	Putnal Street	0.5	0
Litter	5/13/2019	Lake Morality Road	1	0
Litter	5/13/2019	Oak Street	0.5	0
Litter	5/13/2019	Hinton Street	0.5	0
Litter	5/13/2019	Rio Vista Drive	0.5	0
Litter	5/13/2019	Lake Morality Road	1	0
Litter	5/13/2019	CR67	1	0
Litter	5/14/2019	County Roads, Lanark	1	0
Litter	5/28/2019	CR67	1	0

Litter**TOTAL****8****0****Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Black Dirt	5/15/2019	Indiana Street	7	0

Black Dirt**TOTAL****7****0**

Dirty 89 Lime Rock	5/14/2019	Alligator Drive	18	0
Dirty 89 Lime Rock	5/14/2019	Alligator Drive	0	18.1399993896
Dirty 89 Lime Rock	5/14/2019	Alligator Drive	0	18.4599990845
Dirty 89 Lime Rock	5/14/2019	Alligator Drive	18	0
Dirty 89 Lime Rock	5/14/2019	Alligator Drive	18	0
Dirty 89 Lime Rock	5/14/2019	Alligator Drive	18	0
Dirty 89 Lime Rock	5/16/2019	Stock Pile, CR 370 - Alligator Drive - Alligator	18	0
Dirty 89 Lime Rock	5/16/2019	Stock Pile, CR 370 - Alligator Drive - Alligator	18	0
Dirty 89 Lime Rock	5/21/2019	Ken Cope	36	0

Dirty 89 Lime Rock**TOTAL****144****36.5999984741****District 3****Work Performed:**

	<u>Date</u>	<u>Road</u>
Litter Pickup	5/15/2019	Earl King Street
Litter Pickup	5/15/2019	Avenue L
Litter Pickup	5/15/2019	Coach Wagner Blvd (14th Street)
Litter Pickup	5/15/2019	Avenue I

District 3**Work Performed:**

	<u>Date</u>	<u>Road</u>
Litter Pickup	5/15/2019	20th Avenue
Litter Pickup	5/15/2019	Weems Memorial Hospital
Litter Pickup	5/15/2019	Jacobie Lane
Litter Pickup	5/15/2019	Martin Luther King Jr. Ave.
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/16/2019	Avenue D
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/20/2019	Adams Street

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	5/15/2019	Martin Luther King Jr. Ave.	0.100000001	0
Litter	5/15/2019	Avenue L	0.100000001	0
Litter	5/15/2019	Earl King Street	0.100000001	0
Litter	5/15/2019	Coach Wagner Blvd (14th Street)	0.100000001	0
Litter	5/15/2019	Jacobie Lane	0.100000001	0
Litter	5/15/2019	Weems Memorial Hospital	1	0
Litter	5/15/2019	20th Avenue	0.100000001	0
Litter	5/15/2019	Avenue I	0.100000001	0

Litter	TOTAL	1.700000010	0
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Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
#57 rock	5/14/2019	Avenue H	3	0
#57 rock	5/14/2019	13th Street	3	0

#57 rock	TOTAL	6	0
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Black Dirt	5/14/2019	10th Street	6	0
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Black Dirt	TOTAL	6	0
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District 4**Work Performed:**

	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/13/2019	Apalachee Street
Cut grass along shoulders of road on county right of way	5/14/2019	Apalachee Street
Litter Pickup	5/15/2019	Health Department (Apalachicola)
Cleaned ditches	5/15/2019	Apalachicola Air Port
Weed Eat & Cut Grass around signs & Culverts	5/16/2019	Apalachee Street
Cleaned out culverts, Cleaned ditches, Culvert installation	5/20/2019	Bluff Road
Bike Path (Edged, cut grass off of concrete)	5/20/2019	Bike Path (Apalachicola)
Culvert installation	5/20/2019	Bluff Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/22/2019	Bluff Road
Weed Eat & Cut Grass around signs & Culverts	5/23/2019	Bluff Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Linden Road
Litter Pickup	5/23/2019	Pal Rivers Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Johnson Lane
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Bluff Road
Loaded Trucks, Driveway repair	5/23/2019	Marks Street
Culvert installation	5/23/2019	Marks Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	26th Avenue

District 4**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Brownsville Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Abercrombie Lane
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Squire Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Peachtree Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/23/2019	Hathcock Road
Cleaned ditches	5/23/2019	Bluff Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/28/2019	Magnolia Circle
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/28/2019	Hathcock Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/28/2019	Bluff Road
Litter Pickup	5/28/2019	Thomas Drive
Sign Maintenance	5/28/2019	Pal Rivers Road
Sign Maintenance	5/28/2019	Bluff Road
Weed Eat & Cut Grass around signs & Culverts	5/28/2019	Hathcock Road
Cleaned ditches	5/28/2019	Hathcock Road
Weed Eat & Cut Grass around signs & Culverts	5/28/2019	Hathcock Road
Cleaned ditches	5/29/2019	Linden Road

0

Material HAUL From:

<u>Material HAUL From:</u>	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Ditch Dirt	5/20/2019	Bluff Road	36	0
Ditch Dirt	5/23/2019	Chapman Road	18	0
Ditch Dirt		TOTAL	54	0

Litter	5/13/2019	Apalachee Street	0.5	0
Litter	5/15/2019	Health Department (Apalachicola)	1	0
Litter	5/20/2019	Bike Path (Apalachicola)	4	0
Litter	5/22/2019	Bluff Road	1	0
Litter	5/28/2019	Bluff Road	1	0
Litter	5/28/2019	Magnolia Circle	1	0

Litter		TOTAL	8.5	0
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Material HAUL To:

<u>Material HAUL To:</u>	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Black Dirt	5/20/2019	Bluff Road	18	0
Black Dirt	5/23/2019	Marks Street	72	0
Black Dirt	5/23/2019	Marks Street	18	0
Black Dirt	5/23/2019	Chapman Road	18	0
Black Dirt		TOTAL	126	0

Dirty 89 Lime Rock	5/20/2019	Bluff Road	18	0
Dirty 89 Lime Rock	5/23/2019	Marks Street	36	0

Dirty 89 Lime Rock		TOTAL	54	0
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District 5**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Box drag	5/9/2019	Sharol Court
Box drag	5/9/2019	5th Street E

District 5**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/9/2019	State Street
Box drag	5/9/2019	Quail Run Drive
Box drag	5/9/2019	9th Street E
Box drag	5/9/2019	Mill Road
Box drag	5/9/2019	Lighthouse Road
Box drag	5/9/2019	Pinnacle Street
Box drag	5/9/2019	Sybil Court
Flagged	5/9/2019	E Bay Drive
Box drag	5/9/2019	Herndon Road
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Odom Dr
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Varnes Street
Cut grass along shoulders of road on county right of way, Litter Pickup	5/9/2019	Moore Street
Box drag	5/9/2019	Avenue D NE
Cut bushes back	5/9/2019	E Bay Drive
Box drag	5/9/2019	Cape Street
Cleaned ditches	5/13/2019	Wilderness Road
Cut grass along shoulders of road on county right of way	5/13/2019	North Road
Sign Maintenance	5/13/2019	6th Street
Cut bushes back	5/13/2019	Smith Street
Cut grass along shoulders of road on county right of way	5/14/2019	Timber Lane
Cut grass along shoulders of road on county right of way	5/14/2019	Georgia Avenue
Litter Pickup	5/14/2019	Jonna Drive
Cut grass along shoulders of road on county right of way	5/14/2019	Bayou Drive
Cut grass along shoulders of road on county right of way	5/14/2019	Timber Island Road
Cut grass along shoulders of road on county right of way	5/14/2019	Mill Road
Cut grass along shoulders of road on county right of way	5/14/2019	River Road
Litter Pickup	5/14/2019	River Road
Litter Pickup	5/14/2019	Timber Island Road
Cut grass along shoulders of road on county right of way	5/14/2019	Airport Road
Weed Eat & Cut Grass around signs & Culverts	5/14/2019	Odom Road
Litter Pickup	5/14/2019	Beacon Street
Litter Pickup	5/14/2019	Lighthouse Road
Litter Pickup	5/14/2019	Airport Road
Litter Pickup	5/14/2019	Lagoon Street
Litter Pickup	5/14/2019	Messer Road
Litter Pickup	5/14/2019	Cape Street
Box drag	5/15/2019	Maine Street
Cemetery, Cut, Raked & Cleaned	5/15/2019	Eastpoint Cemetery
Cut grass along shoulders of road on county right of way	5/15/2019	Lighthouse Road
Cut grass along shoulders of road on county right of way	5/15/2019	Beacon Street
Cut grass along shoulders of road on county right of way	5/15/2019	Pinnacle Street
Cut bushes back	5/15/2019	CC Land
Cut grass along shoulders of road on county right of way	5/15/2019	Sharol Court
Cut grass along shoulders of road on county right of way	5/15/2019	Cape Street
Cut grass along shoulders of road on county right of way	5/15/2019	Frank McKamey Way
Cut grass along shoulders of road on county right of way	5/15/2019	Lagoon Street

District 5**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way	5/15/2019	Sybil Court
Weed Eat & Cut Grass around signs & Culverts	5/16/2019	Airport Road
Weed Eat & Cut Grass around signs & Culverts	5/16/2019	Lighthouse Road
Weed Eat & Cut Grass around signs & Culverts	5/16/2019	Frank McKamey Way
Weed Eat & Cut Grass around signs & Culverts	5/16/2019	Timber Island Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/16/2019	Moore Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/16/2019	Varnes Street
Cut bushes back	5/16/2019	CC Land
Cut bushes back	5/20/2019	Teresa Avenue
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	5/20/2019	Lucius Crum Road
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/21/2019	US HWY 98 (Eastpoint, William Massey)
Cut bushes back	5/21/2019	Moore Street
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/22/2019	US HWY 98 (Eastpoint, William Massey)
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/22/2019	US HWY 98 (Eastpoint, William Massey)
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/22/2019	US HWY 98 (Eastpoint, William Massey)
Cut grass along shoulders of road on county right of way	5/22/2019	Wilderness Road
Weed Eat & Cut Grass around signs & Culverts	5/22/2019	Moore Street
Cut grass along shoulders of road on county right of way	5/23/2019	Ridge Road
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	5/28/2019	65 State Road
Road Repair	5/28/2019	Ryan Drive
Culvert installation, Road Repair	5/28/2019	Ryan Drive
Flagged	5/28/2019	Ryan Drive
Shoulder Work, Road Repair	5/28/2019	Ryan Drive
Cut grass along shoulders of road on county right of way	5/28/2019	Tricia's Way
Cut grass along shoulders of road on county right of way	5/28/2019	Teresa Avenue
Cut grass along shoulders of road on county right of way	5/28/2019	Wylonda Avenue
Cut grass along shoulders of road on county right of way	5/28/2019	Smith Creek
Cut grass along shoulders of road on county right of way	5/28/2019	Michael Way
Cut grass along shoulders of road on county right of way	5/29/2019	Sheriff's Office (Jail)
Sign Maintenance	5/29/2019	10th Street
Litter Pickup	5/29/2019	CC Land
Cut grass along shoulders of road on county right of way	5/29/2019	CC Land
Cut grass in ditches	5/29/2019	Ridge Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	5/29/2019	Ridge Road

0

Material HAUL From:

<u>Material HAUL From:</u>	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Broken Asphalt	5/28/2019	Ryan Drive	6	0
Broken Asphalt		TOTAL	6	0
Litter	5/9/2019	Varnes Street	0.100000001	0
Litter	5/9/2019	State Street	0.200000003	0
Litter	5/9/2019	Odom Dr	0.100000001	0
Litter	5/9/2019	Moore Street	0.100000001	0

District 5**Material HAUL From:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	5/16/2019	Varnes Street	0.100000001	0
Litter	5/16/2019	Moore Street	0.100000001	0
Litter	5/22/2019	US HWY 98 (Eastpoint, William Massey)	0.200000003	0
Litter	5/22/2019	Wilderness Road	2	0
Litter	5/22/2019	US HWY 98 (Eastpoint, William Massey)	2	0
Litter	5/29/2019	Ridge Road	1	0

Litter		TOTAL	5.900000013	0
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Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Dirty 89 Lime Rock	5/28/2019	Ryan Drive	18	0

Dirty 89 Lime Rock		TOTAL	18	0
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Sand	5/28/2019	9th Street W	9	0
Sand	5/29/2019	Vroomin Park	18	0

Sand		TOTAL	27	0
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FRANKLIN COUNTY DEPARTMENT OF

Solid Waste & Recycling ❖ Animal Control ❖ Parks & Recreation
 210 State Road 65
 Eastpoint, Florida 32328
 Tel.: 850-670-8167
 Fax: 850-670-5716
 Email: fcswd@fairpoint.net

DIRECTOR’S REPORT

DATE June 4, 2019

TIME: 9:00 A.M.

SUBJECT(S):

Right-of-Way Debris Pickup/Recycle Material Hauled May 18th- May 30th
FOR BOARD INFORMATION:

May 18th -May 30th

RIGHT-OF-WAY DEBRIS PICKUP

Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point
42.73 TONS	8.67 TONS	30.22 TONS	88.28 TONS	27.02 TONS	3.21 TONS

RECYCLE MATERIAL HAULED

	Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point	St James
Cardboard	2.96 TONS	5.31 TONS	6.12TONS	4.05 TONS	-0- TONS	-0- TONS	0.80 TONS
Plastic,Paper, Glass, Aluminum	2.61 TONS	0.79 TONS	1.98 TONS	1.96 TONS	-0- TONS	-0- TONS	0.65 TONS

REQUESTED ACTION: Board Direction:

FOR BOARD INFORMATION:



28 Airport Road
Apalachicola, Florida 32320
(850) 653-8977, Fax (850) 653-3643
Em3frank@gtcom.net

Report to Board of County Commissioners

Date: June 4, 2019

Action Items:

Request the Board Approval to advertise an RFP for Emergency Planning, Disaster Recovery and Hazard Mitigation Grant Program Services.

Information Items:

1. Franklin County EOC Staff continue to promote our Re-Entry Tag program and encourage all residents to apply for their Re-Entry Tag.
2. EOC Staff is updating our Special Needs Database to verify current information of our Special Needs Residents.
3. Thursday 10:00AM, June 6th, Joshua Gabel, Regional Director, Capital Region, Office of US Senator Marco Rubio, will be coming by Franklin County EOC to meet with Emergency Managers in Preparation for the start of Hurricane Season to get an update on what each county is doing to prepare.
4. EOC Staff continues to submit request for reimbursements to FEMA for Hurricane Michael.
5. FEMA PDMG KJ Chafen has been deployed to another disaster. Our new PDMG will be TJ Randle and our TFL is Kimberly Settles. They are the FEMA Representatives that assist FCEM with reimbursement request from FEMA.
6. FCEM Staff attended the Governors Hurricane Conference from 05/11/19-05/17/19. Staff attended and received certification from numerous classes and workshops.
7. 05/09/19 FCEM Staff participated in the State HURREX along with hosted an exercise at the EOC testing the Crisis Track Software.
8. EOC Staff meet with CACAA, Michael Moron regarding Eastpoint Limerock Wildfire Recovery efforts.
9. EOC staff met with American Red Cross regarding upcoming Hurricane Season Preparedness. American Red Cross has sent their letter of intent to support FCEM for this year.
10. Site Inspections have been and will continue to be performed on facilities throughout the county for FEMA Reimbursement Requests.

11. 05/28/19 Met with Duke Energy regarding Critical Facilities List.

Pamela Brownell

Pamela Brownell
Director

County Extension Activities May 8 – June 4, 2019

General Extension Activities:

- Assisted local citizens with information regarding pine beetles, soil tests, sea oats sources, citrus greening disease, and herbicide use to control duckweed in Eastpoint private pond.
- Extension Director attended the annual Extension Symposium in Gainesville.
- Provided wildflower presentation for Apalachicola Senior Center.
- Provided honey bee/beekeeping presentation at the Apalachicola Senior Center.
- Two articles printed in Apalachicola Times on Extension topics.
- Provided article on prescribed fire for Panhandle Outdoors Extension e-newsletter.

Sea Grant Extension:

- Participated in interviews with stakeholders to gather public input regarding the recently funded Triumph project to FSU that will focus on Apalachicola Bay and our oyster resources.

4-H Youth Development:

- Planning for upcoming Summer Camp sessions. Office Manager is getting campers and counselors registered in 4-H Online. Will be sending 30+ youth to Camp Timpooshee.
- Participated in Jefferson/Leon 4-H Ecology day with a reptile presentation and live specimens.

Family Consumer Sciences:

- Family Nutrition Program (FNP) Assistant completing nutrition classes in the local schools prior to summer break.

Agriculture/Horticulture:

- Participated in planning meeting for 2020 Ag Adventures program at the UF Research farm.
- Conducted citrus greening workshop for local citizens with experts from UF/IFAS and FDACS and the North Florida Cold Hardy Citrus Association.

University of Florida's Institute of Food and Agricultural Sciences

Franklin County Educational Team

Erik Lovestrand, County Extension Director/Sea Grant Regional Specialized Agent

Michelle Huber, Office Manager/Program Assistant, Franklin County

Kayle Mears, Family Nutrition Program Assistant

Samantha Kennedy, Wakulla County Family and Consumer Sciences

Rachel Pienta, Ph.D., Wakulla County 4-H Youth Development

Scott Jackson, Sea Grant/Agriculture/Technology, Regional Specialized Agent Bay County

Melanie G. Taylor, Gulf County 4-H/Family and Consumer Sciences

Ray Bodrey, Gulf County CED/Agriculture/Horticulture/Sea Grant

Heather Kent, 4-H Regional Specialized Agent

Les Harrison, Wakulla County CED/Agriculture/Small Farms/Horticulture

John Wells, Northwest Extension District Information Technology Expert

Pete Vergot III, Ph.D., Northwest District Extension Director

The Foundation for The Gator Nation

An Equal Opportunity Institution

County Coordinator's Report
BOCC Regular Meeting
June 4, 2019

1. At your March 19th meeting the Sheriff appeared before the Board and presented his plan for a drug rehabilitation center in Franklin County. The Sheriff asked that you allow him to use the Bay City Workcamp for his drug rehabilitation center. Before you would agree to the Sheriff's request, the Board directed me to engage an architect that would come up with an estimated cost to renovate the dorms at the Workcamp for use as a drug rehabilitation center. Mr. Doug Shuler, the architect, has been able to get a general contractor to visit the site a couple of times, however, in order to get an accurate renovation estimate, that contractor has requested plans. Mr. Shuler estimates that it will cost between \$12,000 - \$15,000 to create "as built" plans. Is the Board in favor of paying for the "as built" plans from professional services? **Board discussion/action.**
2. Based on your conversation at the May 21st regular meeting, I explained to the Sheriff that the County was not getting the normal amount prison inmate crews to assist with the enormous grass cutting task. Sheriff Smith explained that he doesn't have enough or a consistent number of trustees to commit on a regular basis, however he is willing to take on one singular job at a time. For instance, he could have a crew to assist with sandbags at the EOC, or a particular area to assist with grass cutting. He asks that we send him a list of jobs and he will try to address each item, as quickly as he possibly can.
3. At the last meeting I was directed to contact FDOT regarding Highway 98 road repair construction project. The following is the response I received from Mr. Carter Johnson, FDOT District 3 Government Affairs Liason.
*The contractor, Anderson Columbia, has completed approximately 75% of the project work items as of 5/30/2019. Work began on 12/16/2018 and was awarded for \$8,971,271 and is scheduled for 290 days for this 22-mile section in Franklin County. The contractor operations started with temporary repairs of the existing roadway using milled asphalt material to fill roadway wash outs. The primary focus for the first few months was to stabilize the roadway front slopes which in some cases were completely washed out due to Hurricane Michael. This work consisted of placing Articulating Concrete Block (ACB) Mats, Bank and Shore Rip Rap Material and large quantities of fill material to reinforce/protect the roadway for future storm events while maintaining the existing roadway. We are near completion of the reinforcement work and will soon be completing permanent roadway reconstruction on the few remaining areas. ACB Mats and reinforcement are scheduled to be completed by 6/14/2019. The final roadway repairs in areas of reinforcement work cannot be completed until the ACB Mats are placed due to equipment used installing the mats will damage the pavement. The final surface of pavement or Friction Course will be placed on all remaining areas immediately after the reinforcement work is completed by the end of June. This will correct the uneven pavement or dips in the roadway. **Contractor is on schedule to complete project***

by 8/8/2019. Items to be completed after 6/30/2019 include guardrail installation, grassing, signs and pavement markings. These items should require very few if any lane closures or disruptions to traffic.

4. Mr. Alan Pierce, at the last meeting, requested and received Board action to authorize a \$35,000 payment to M of Tallahassee for paving of Alligator Drive. Mr. Pierce failed to include the \$1,595 cost to stripe the road, so the total cost of this project is \$36,595 which will be paid from Commissioner Boldt's share of the paving funds. M of Tallahassee also paved the 200 feet of Alligator Drive down by the Fire Station that was damaged during Hurricane Michael, which means the County got a good deal on the price. **Board action** to authorize the \$1595 payment to M of Tallahassee for striping Alligator Drive.
5. **Board action** to approve \$11,000 from professional services for Langton Consultants to assist Mr. Pierce in improving the TRIUMPH application for the fuel farm. Mr. Pierce stated that special services are required in order to document the economic impact that the \$1.04 million of TRIUMPH funds will have at our airport, and the creation of jobs. There are adequate funds in professional services.
6. A few weeks ago, Mr. Pierce and I met with Ms. Portia Sapp, Director of the Division of Aquaculture, along with others in the seafood industry to discuss Oyster Aquaculture full water column lease areas and the application process for Apalachicola Bay. There was much discussion, debate, information, and comments presented at this meeting. Based on all that was said, Ms. Sapp sent an email (attached) that contains application and procedure information for Skipper Bay in Wakulla County and Alligator Harbor in Franklin County. Attached to her email is a draft application process that she sent for your review and comments. At your earliest opportunity, send me your comments, which will be forwarded to Ms. Sapp for a final draft. **Board discussion.**
7. Below are three requests from Community Action Agency that require Board action. Each request is different in nature so separate motions may be necessary.
 - There is a Limerock Fire survivor who was renting during the time of the fire and is now living in one of the Community Action travel/camper trailers. After an extensive search for permanent housing, with the assistance of Community Action staff, this gentleman has submitted an application to Carrabelle Cove Apartments. His application has been accepted and there will be an available apartment in two weeks. Community Action would like authority to use \$489 of the Fire Relief funds to assist the survivor with moving expenses. This would relieve Community Action from any further assistance for this survivor. **Board action.**
 - Community Action received notification that one of the travel/camper trailers was unlawfully removed from the approved property. With the combined efforts of Community Action staff, the Sheriff's Department, and a witness, the travel/camper trailer was recovered. Community Action is requesting a \$700

payment from the Fire Relief funds for a replacement battery, an electrical cord, and some other minor repairs. **Board action.**

- Community Action became aware of two gentlemen that are homeless due to Hurricane Michael. One of these gentlemen is living in a tent on his property and the other is temporarily with family but also has his own property. Both are waiting for FEMA or other assistance for permanent housing. Community Action would like to offer each of these gentlemen a camper/travel trailer for at least six months to a year. The County would need to authorize temporary power that would be for this specific purpose and would expire within the same lease timeframe. **Board action** to authorize temporary power contingent on Community Action authorizing the lease for these two Hurricane Michael survivors. With this approval, you are also authorizing Community Action to pay for transport and setup fees.
8. Commissioner Massey and County staff has received multiple complaints about the condition of a lot on Oak Street in Lanark Village. Due to the type of complaints received by staff, an inspection request was sent to the Health Department. Commissioner Massey reached out to the family and found out that they suffered a series of health and other issues. Based on the Health Department's report, other information, and the potential effect the condition of this property could have on surrounding properties, I recommend we place a dumpster on the County's right of way in front of the offending property to give family members an opportunity to clean up this property. Other family members have assured Commissioner Massey that they will clean up the property. **Board action.**
 9. Mr. Howard Nabors, Superintendent of Public Works, stated that Ryan Drive in Carrabelle is in need of major repair. Mr. Nabors stated that the pipe under Ryan Drive is failing and needs to be replaced, which would require a major cut on the road. The problem is that this is an expensive project, and even though there is some claim that this is a County Road, it is within the Carrabelle City limits. This is a similar situation to what the Board recently discussed about grass cutting and road repairs within the City of Apalachicola. Is the Board of the same thinking that Ryan Drive is the City of Carrabelle's responsibility?
 10. The Board approved the concept of a new Road Department Administration Building during last year's budget process and there is approximately \$298,000 available in the Road and Bridge Fund for the project. The plans for the building have been drawn up and the next step in planning the project will be the composition of the bid documents. Dewberry Engineers, your engineers of record, could assist with the preparation and development of the bid documents (advertisement, bid tab and bid process) at the contracted hourly rate not to exceed a maximum billable amount of \$2,500. Should the construction bids come in on target, the project would then be turned over for administration/contract award to County staff, or the County Attorney, to handle the contract with the low bidder. Should the bids exceed the construction funds available

for the project, the County will need to wait for additional funding. **Board action** to approve up to \$2,500 to be paid out of the Road and Bridge Fund for the development of bid documents for the new Road Department Administration Building.

11. County staff is ready to proceed with the FDOT awarded Small County Outreach Program (SCOP) for the survey, design, permitting and preparation of construction plans and bid documents to widen and resurface CR 30A from US98 to Thirteen Mile Road. The estimated maximum cost of the project is \$343,174. **Board action** to authorize the Chairman's signature on the Resolution of Authorization and FDOT State-Funded Grant Agreement for this project.
12. Williams Communications received a complaint, from Fire Chief Hartsfield, that there were problems with the Alligator Point/St. Teresa Fire Net control point. I authorized William Communication to troubleshoot the problem and their technician determined that the lack of climate control at the site is causing the equipment to go into low power mode and the VHF radio is experiencing RF interference. Since the County's FCC License has been approved, Williams Communication will work with Mrs. Brannen at the Sheriff's Office on filing an interference complaint to stop the RF interference. I recommend that the Alligator Point/St. Teresa Fire Department install an HVAC unit in the building where equipment is located to address to low power mode issue. **Board action** to authorize payment of the \$596.50 invoice for troubleshooting the system.
13. **Board action** to ratify the Chairman's signature on two letters of support. Both letters were for grants with May 31 deadlines. Only one motion is needed for both letters.
 - a. This letter of support is for the City of Carrabelle's 2020-21 Small Matching grant application for funds for Phase VI renovation project for the Justiss Building (Old City Hall). The Board has sent similar letters of support for previous phases of this project.
 - b. This letter of support is for the Carrabelle Lighthouse Association's 2020-21 Special Category \$114,000 grant application to preserve, repair, and paint the endangered Crooked River Lighthouse and the Keeper's House Museum in Carrabelle.
14. On May 23rd I was informed that there were air conditioning issues at Weems West. If the Board recalls, that was the first week of the above 80-degree weather in the County. Based on my calls to the Clinic Manager and the Facility Manager, three of the four HVAC units at Weems West have been inoperable since Hurricane Michael. I immediately directed the Facilities Manager to get three proposals from local HVAC contractors to replace the three units. Based on the proposals received, GW Services was selected to replace the three units, which they installed and had online by Friday May 30th. **Board action** to declare the purchase of the three HVAC units an emergency, based on the rising heat index, waive the advertising requirement of the County's bid policy, ratify my action and authorize payment of the \$14,000 GW Services invoice from the Healthcare trust fund.

15. At the Thursday May 30th Weems Board of Directors meeting, a narrative (attached) from the architect for the new facility project was discussed. This narrative includes a new estimated total project cost of \$17 million. This amount includes items from two lists, the first list are items that were previously deleted but is now included in the project. The second list includes items that are new to the project. Some of the items on both lists might be mandatory as others are optional. I was directed by the Chairman at the last meeting to have Mr. Cannington here today to present the estimated total project cost so the Board could start negotiating a contract, however I am fully aware that \$17 million is not an amount the Board is willing to proceed with. Commissioners, we are at a point where I feel the Board needs an advocate, your own project manager, who has the necessary experience that could bring the project into budget, follow your directives, and provide all of the necessary information needed for you to make necessary decisions prior to and during the project. My recommendation is Ms. Nikol Tschaepe (resume attached) the current Facilities Manager at Weems Memorial. Ms. Tschaepe would remain at Weems but would be appointed as the Project Manager for the new facility and would report to this Board, at each meeting if necessary, on the status and progression of the project. Ms. Tschape is here today to address any questions or concerns you may have. **Board discussion/action.**
16. At a recent meeting, Mrs. Mel Kelly spoke during public comments and one of her requests was for the County to consider the automatic door opener at this building's entrance to assist with any requiring ADA Access. I checked with Court Administration and was told that the automatic door was not an ADA requirement. What is required for ADA access is a specific amount of pressure on the push doors, so installation of that automatic door opener would be a cost to the County not the Court. Based on prior projects, the Trial Marshal estimates that it would cost approximately \$3000 - \$5000 to install the automatic door opener. Is the Board interested in seeking quotes for this project?
17. Inform the Board that the recreational season for red snapper in Gulf state and federal waters opens on June 11th and runs through July 12th. "This season is for those fishing from private recreational vessels and those fishing from charter boats that don't have a federal reef fish permit. Charter boats without a federal reef fish permit are restricted to fishing in state waters only." For more information go to myfwc.com.
18. Remind the Board that the Florida Association of Counties 2019 Annual Conference & Educational Exposition starts on Tuesday June 11th and ends on Friday June 14th.

Portia Sapp
Florida Department of Agriculture and
Consumer Services
Division of Aquaculture
600 South Calhoun Street
Suite 217
Tallahassee, FL 32399

Transmittal of Aquaculture Lease Application Review

Transmitted to the following:

Fish and Wildlife Conservation Commission

Division of Marine Fisheries Management
Jessica McCawley, Director

Department of Environmental Protection

Florida Coastal Office
Kevin Claridge, Director

Department of State

Army Corps of Engineers

Dale Beter (Dale.E.Beter@usace.army.mil)

National Marine Fisheries Service

Nick Farmer (Nick.Farmer@noaa.gov)

Board of County Commissioners

Franklin County Board of County Commissioners

Activity: Four Mile Aquaculture Use Zone

Date: X, 2019

Rule 18-21.021, Florida Administrative Code, provides the review procedures for aquaculture lease applications. Accordingly, the Division of Aquaculture seeks comments relevant to the application review and final recommendations. Please review the attached information and provide comments and information that will enhance our review. **Please complete your review and provide comments by X, 2019.**

Establishment of Four Mile Aquaculture Use Zone (AUZ) and execution of leases for AUZ

REQUEST: Approval to (1) establish the Four Mile Aquaculture Use Zone (AUZ) in Franklin County and (2) approval to issue and execute leases within the Four Mile AUZ.

VOTING REQUIREMENT FOR APPROVAL: Three Votes

LOCATION: Apalachicola Bay Aquatic Preserve, Apalachicola National Estuarine Research Reserve, Apalachicola Bay, Franklin County, Florida.

APPLICANT: Florida Department of Agriculture and Consumer Services (FDACS)

CONSIDERATION: An annual fee of \$86.92 for each parcel, representing a base annual rental fee of \$16.73 per acre or fraction thereof; and an annual surcharge of \$10.00 per acre or fraction thereof, pursuant to Rule 18-21.022, Florida Administrative Code (F.A.C.). The annual fee and surcharge collected will be deposited in the General Inspection Trust Fund, pursuant to Sections 597.010(5)(b) and (7), F.S.

STAFF REMARKS:

The applicant is requesting authorization from the Board of Trustees of the Internal Improvement Trust Fund, pursuant to 253.68(1), F.S. to establish the Four Mile AUZ in Apalachicola Bay. The requested AUZ would be comprised of forty 1.5-acre parcels for culturing native shellfish in the water column. The proposed leases will be subject to the terms and conditions applied to other aquaculture leases issued throughout the state for the same purposes, including the provision that the transfer or sale of the lease will not be approved during the first five years of the lease term. Applicants will be required to provide FDACS with a survey of the individual parcels and the expanded AUZ.

The AUZ is located in the Apalachicola Bay Aquatic Preserve and the Apalachicola National Estuarine Research Reserve. FDACS has determined that the proposed AUZ expansion and associated aquaculture activities will not result in adverse impacts to seagrasses, existing shellfish beds or natural reefs or other sensitive habitats.

Lease assignment: FDACS will advertise availability of the newly created sites in the local newspaper publicly announcing a 15-day lease application window during which FDACS will be accepting applications. Only one application per person or business will be accepted. Once the application window has closed, FDACS will use a random number generator to assign a selection order to only those applications received during the application window. Preference will be given to Franklin County residents that have not previously held a 10-year renewable submerged land lease. FDACS will then compile the selection order based on the random numbers assigned and the preferences listed above. The forty highest ranked applicants will be notified and allowed 15 days to submit the \$200 lease application fee. If the fee is not received within the deadline, the next highest ranked applicant will be notified and allowed 15 days to furnish the application fee. Upon receipt of the application fees for all forty parcels, FDACS will conduct an open meeting where

the applicants will select lease parcels in the ranked order. Prior to execution of the leases, the applicants are required to provide FDACS with a survey of the individual parcels and the expanded AUZ.

Public Interest

The Florida Aquatic Preserve Act provides that no further sale, lease, or transfer of sovereignty submerged lands shall be approved within an aquatic preserve, unless the sale, lease, or transfer is in the public interest. The Aquatic Preserve Act specifically provides that “aquaculture is in the public interest and aquaculture leases may be authorized in aquatic preserves...” [Section 258.42(1)(b), F.S.] Accordingly, FDACS recommends that the Board of Trustees find that the lease is in the public interest, as set forth in statute.

Noticing

The proposed AUZ will be noticed pursuant to section 253.70, F.S.

Comprehensive Plan

A consideration of the status of any local government comprehensive plan was not made for this item. FDACS has determined that the proposed action is not subject to the local government planning process.

Proposed AUZs in Apalachicola Bay



From: Sapp, Portia Portia.Sapp@freshfromflorida.com 

Subject: Draft item

Date: May 21, 2019 at 2:37 PM

To: Steven Rash Stevenrash@waterstreetseafood.com, buddywardtrking@yahoo.com, shannonaber@yahoo.com

Cc: Michael Moron michael@franklincountyflorida.com, alanp@franklincountyflorida.com, Jones, Carrie Carrie.Jones@freshfromflorida.com

Please see attached draft item and below are the application processes that we have used for previous areas.

Please let me know which preferences you would like to see included in the application process and I can edit the language in the attached item and send it back to you for review.

- Alligator Harbor AUZ Expansion

Lease assignment: FDACS will advertise availability of the newly created sites in the local newspaper publicly announcing a 15-day lease application window during which FDACS will be accepting applications. Only one application per person or business will be accepted. Once the application window has closed, FDACS will use a random number generator to assign a selection order to only those applications received during the application window. Preference will be given to Franklin and Wakulla County residents that have not previously held a 10-year renewable submerged land lease. FDACS will then compile the selection order based on the random numbers assigned and the preferences listed above. The twenty-one highest ranked applicants will be notified and allowed 15 days to submit the \$200 lease application fee. If the fee is not received within the deadline, the next highest ranked applicant will be notified and allowed 15 days to furnish the application fee. Upon receipt of the application fees for all twenty-one parcels, FDACS will conduct an open meeting where the applicants will select lease parcels in the ranked order.

- Skipper Bay AUZ (Wakulla)

Additionally, FDACS is requesting authorization to execute the 16 leases for use of up to the full water column. If approved, FDACS intends to issue lease sites through a random selection process. This process was determined as the preferred method by Wakulla County and its aquaculture community at a public meeting held in Wakulla County on May 2, 2016. Based on input at the meeting, and if approved by the Board of Trustees, FDACS will advertise the sites in the local newspaper and provide a date range for accepting applications, with one application being accepted per person or business. Once the application window has closed, FDACS will use a random number generator to assign an order to applications. Preference will be given to Wakulla County residents that do not currently hold a lease in the county and possess a Saltwater Products License or provide proof of completion of a shellfish training course. FDACS will then develop and rank the list of applicants based on the random numbers assigned and the preferences listed above. The sixteen highest ranked applicants will be notified and allowed 15 days to provide the \$200 application fee. If the fee is not received within the deadline, the next highest ranked applicant will be notified and allowed 15 days to furnish the application fee. Upon receipt of the application fees for all sixteen parcels, FDACS will conduct an open meeting where the applicants will select preferred lease parcels in the aforementioned rank order.

Thanks

Portia Sapp

Director

Division of Aquaculture

Florida Department of Agriculture and Consumer Services

850-617-7600

850-617-7601 (Fax)

Portia.Sapp@FreshFromFlorida.com

600 South Calhoun Street, Suite 217

Tallahassee, Florida 32399-1300

www.FreshFromFlorida.com

Please note that Florida has a broad public records law (Chapter 119, Florida Statutes). Most written communication to or from state employees are public records obtainable by the public upon request. Emails sent to me at this email address may be considered public and will only be withheld from disclosure if deemed confidential pursuant to the laws of the State of Florida.



Four Mile AUZ
agency...ew.doc

2019 Addition & Renovations

Project Narrative and Summary of Cost

May 27, 2019

Background Summary (*then*)

For over a decade, George E. Weems Memorial Hospital (WMH) has been contemplating renovations and expansion to the existing Critical Access Hospital in Apalachicola, Florida. In 2016, WMH concluded it could support a \$10.25 million total investment in capital improvements. This capital outlay anticipated (a) a 22,000 square foot addition (including canopies) to the existing facility comprising of a new Emergency Department, Diagnostic Suite, Entry/Lobby, and 10 Private Patient Rooms with private baths, (b) renovations to the 20,000 square foot existing facility to accommodate associated support/ancillary functions, and some cosmetic room finish improvements to public areas, and (c) associated costs for medical equipment, furnishings, consultant fees, and financing. **As planned, budgeted, and reviewed by AHCA, inpatient care would not be delivered in the existing facility. Furthermore, no surgical or obstetrical delivery services would be provided at WMH.**

Project Narrative (*now*)

Today, the contemplated scope of the project at WMH is not altogether different than it was in 2016. As envisioned, it still includes (a) a 22,000 square foot addition to the existing facility with a new Emergency Department, Diagnostic Suite, Entry/Lobby, and 10 Private Patient Rooms with private baths, (b) renovations to the 20,000 square foot existing facility to accommodate associated support/ancillary functions, cosmetic room finish improvements to public areas, and some maintenance/repair work, and (c) associated costs for medical equipment, furnishings, consultant fees, and financing. However, there are some major differences *now* in the project scope. For example, the emergency generator is now sized and configured to satisfy the emergency power requirements for both the new construction and the existing facility. Furthermore, all the scope reductions made in 2016 to reduce the project cost have been added back into the project. Additional provisions have also been made to replace some of the existing rooftop HVAC units; address testing and inspection requirements; replace some deteriorated sanitary sewer lines; satisfy regulations associated with acoustics (soundproofing), project phasing, interior finishes, headwall protection, and additional life safety requirements; and include additional required consultants (acoustics, physicist, and commissioning). In response to anticipated year-end adoption of updated codes and regulations, the estimated Construction Cost of almost \$12.8 million was developed by Culpepper Construction based on an abbreviated written narrative without detailed drawings. With an additional cost allocation of almost \$4.1 million to cover equipment and furnishings, Voice/Data/Nurse Call/Security and other low voltage systems, Building Permit and Plan Review fees, consultant fees and expenses, financing costs, and contingency, the Total Project Cost is now estimated to be slightly less than \$17 million. A list of items that are included and budgeted *now* that weren't included previously are identified on the next page.

Cost Comparison *(then vs. now)*

Previously Deleted but Now Included	Additional Scope of Work Now Included	Partial List of Exclusions
<ul style="list-style-type: none"> • Required utility tap and connection fees • Heavy Duty paving at Service drive • Solid Surface counter tops • Interior finish upgrades • Mansard roof on existing hospital • Paint exterior of existing hospital • Automatic doors at new entrances • Lead lined view windows and GWB • Additional Life Safety provisions • Added allowance for window treatment • Decontamination duct vent chimney • North Lot paving & stormwater pond • Curb & Gutter • Front entrance walkway light poles • Additional general site lighting • Brick pavers at main entrance • Exterior trash receptacles & benches • Additional landscaping & irrigation • Independent structural frame for mechanical mezzanine • Signage allowance • Headwall crash protection in ER • Humidifiers 	<ul style="list-style-type: none"> • Physicist (radiation shielding calculations) • Acoustic Consultant • Provisions for Special Inspections & Testing • Allowance for additional soundproofing required by FGI and AHCA • Allowance for Enabling Projects and infection control • Structural provisions accommodating demolition of existing hospital in future • Provision for new wind speed code requirements • Commissioning per Energy Code • Seamless vinyl floor in ER Treatment Rm • Pharmacy upgrade to meet USP 797 and USP 800 requirements • Endoscopy Suite in lieu of Mammography & Nuclear Medicine • Partial replacement of existing rooftop HVAC units • Partial replacement of deteriorated sanitary line in existing hospital • Inflation since 2016 • Emergency generator to serve the existing hospital with corresponding fuel tank and switchboard requirements 	<ul style="list-style-type: none"> • Additional electrical utility service costs • Asbestos abatement and other environmental issues, if any • Full-time on-site Project Representative required by RD • Inflation beyond January 2020 • Hidden and latent conditions • Additional Project Scope • New Florida Building Code and FGI requirements scheduled to be adopted in January 2020 • Additional/Unknown Financing Costs

Preliminary Schedule

Since the project scope is still in a fluid state, it is impossible to develop a working schedule. However, the primary project tasks and durations identified below suggest that if the first task of “Agree on Project Budget and Scope” can commence the first week in June 2019, new construction can likely be completed sometime between January 2021 and May 2021. Additional renovation work would follow.

<ul style="list-style-type: none"> • Agree on Project Budget and Scope • Develop Stage II AHCA Documents • AHCA Stage II Stand-up Review • Budget Update/Confirmation • Develop Stage III AHCA/Bid Documents • Phase I Enabling Projects/Site Utilities • Bid Subcontractor Work/Confirm GMP • Building Permit/Submittals • New Construction (12-14 months) • Renovations (TBD) 	<p> XXXX (4-5 weeks) XXXXXX (6-8 weeks) X XXX (3-4 weeks) XXXXXXXXXXXXX (10-12 weeks) XXXXXXXXXXXXX XXXX (4-6 weeks) XXXXXXXX (8-10 weeks) – After AHCA Approval </p>
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Note: Please be aware that if the project does not proceed generally in accordance with the above schedule, new FGI and building code requirements anticipated for adoption the end of December 2019, will impact both the schedule and budget.

Nikol Adrienne Tschaepe

1520 East Gulf Beach Drive • Eastpoint, FL 32328 • nikol.tschaepe@icloud.com • 850 387 5393

OBJECTIVE

Utilize my experience and unique skill set serving Franklin County's medical needs while progressing my education in the medical field.

EXPERIENCED IN THE FOLLOWING AREAS

- Knowledge of medical techniques and emergency management operations
- Empathic listener with clear and concise speaking abilities
- Strong commitment to team environment with the ability to work independently
- Ability to prioritize and operate proactively
- Experience in demanding situations working with multiple interest groups
- Committed to implementing quality improvement techniques

EDUCATION

Gulf Coast State College, Panama City, FL (Expected 2020)
Bachelor of Science in Nursing

Gulf Coast State College, Panama City, FL (2018)
Associate Degree Nursing (RN)

Gulf Coast State College, Panama City, FL (2016)
Advanced Technical Diploma – Emergency Medical Technician

Boston University, Boston, MA (1995)
B.A. Biology with a Specialty in Marine Science

Middle Tennessee State University, Murfreesboro, TN
Graduate program in Biology, Chemistry, and Education program

University of Memphis, Memphis, TN
Graduate program in Geography, Mapping, and Water Resources

EXPERIENCE

George E. Weems Memorial Hospital/Franklin County
EMT-B

Current

- Responder to emergency calls
- Assess patients through physical and verbal communication
- Provide direct care and continued monitoring of patients

- Communicate with paramedics, nurses, and doctors regarding the status of patients
- Maintenance of emergencies vehicles

St. George Island Volunteer Fire Department
Volunteer Fire/Rescue

Current

- Volunteer first responder
- Volunteer firefighter maintaining a Wildland Fire Qualification card (Red Card)

Champalimaud Foundation
Director

2011 to 2014

- Liaised with and between construction project managers, vendors, researchers, government agencies and Board of Directors to complete new vivarium infrastructure in the Centre for the Unknown (37,670 square feet)
- Planned, organized and developed departmental operations, including but not limited to budgeting/finance operations (1 million USD), personnel requirements, staff training and interactive protocols for investigative staff
- Directed all departmental operations including but not limited to SOPs, training, hiring, and monitoring
- Consulted with architects, engineers and researchers on other vivarium projects
- Liaised with and between contractors, vendors, researchers, ethic committee and government agencies to ensure forward departmental progress with development of procedural areas such as diagnostic laboratory and unique procedural areas for researchers
- Evaluated and selected future equipment requirements Achieved operational licensure from Portuguese authorities in 2011
- Coordinated and directed introduction of resources into the facility
- Developed engineering management team to maintain and trouble shoot specialized equipment
- Seminar organizer for special programs and lectures
- Presenter at national and international conferences and seminars bringing an increased awareness to the Champalimaud Foundation research and vivarium

National University of Singapore
Comparative Medicine
Assistant Director

2008 to 2011

- Managed and ensured daily operations of 5 vivaria and a 55,000 square foot production facility housing rodents, rabbits, tree shrews, goats, swine, and aquatics
- Organized and developed the infrastructure for the department including but not limited to budgeting/finance, personnel, staff training, interactions with investigative staff, interactions with University administration, and disaster plans
- Oversaw a 33 million (USD) construction project of a new 79,082 square foot vivarium and the outfitting equipment budget of 22 million (USD)
- Established and managed departmental budget (3.2 million USD) as well as operations, staffing/personnel, and equipment requirements
- Directed all departmental operations including but not limited to SOPs, policies, training, hiring, and monitoring (62 direct reports)
- Achieved Primary AAALAC accreditation for the University
- IACUC member

- Liaised with IACUC, health/safety offices, veterinarians, and pathologists on health and research compliance
- Ensured departmental equipment was maintained, serviced, and replaced as necessary
- Liaised with and between contractors, vendors, university officials, researchers, government agencies and the Director to ensure forward departmental progress.
- Purchased new equipment, researched new technologies for incorporation into current workflow

Vet Med Ventures, Inc.
Henderson Companion Animal Hospital
Business Manager

2005 to 2009

- Start up business organization and implementation for a small animal veterinary hospital
- Hiring and training of staff for the clinic and establishing work schedules
- Organized and maintained Federal and State requirements per business and veterinary regulatory agencies
- Maintained and ordered supplies for the hospital – including DEA
- Veterinary technical duties as required for surgical and monitoring needs

University of Florida
Animal Care Services
Coordinator Research Programs Services: SPF, Conventional, & Infectious Diseases

2005

- Coordinated and managed Health Science Center Communicore animal husbandry operations (sub units USDA species, conventional and SPF rodents, and infectious disease, ABSL II, ABSL III)
- Ensured regulatory compliance with all federal, state and local laws pertaining to animal facilities
- Guidance on facility renovations
- Responsible for allocation of animal space to investigators
- Trained and evaluated supervisors and husbandry personnel
- Provided assistance to Assistant Director of Operations with respect to strategic and budgetary planning

Duke University Medical Center, DLAR
Veterinary Diagnostic Laboratory
Veterinary Technician II

2004 to 2005

- Review of health status and coordination of transportation for import, export, and facility transfers
- Sentinel program and animal health surveillance (laboratory tests) for USDA covered species, rodents, and transgenic facilities
- Created and maintained databases; utilizing GRANITE on a daily basis.
- Clinical veterinary care duties on weekends
- Assist in surgical procedures; engage in pre and post operative care
- Performed health checks and treatments of USDA species including non human primates
- Reviewed, updated and created Standard Operating Procedures (SOP)
- Daily communications with Principle Investigators regarding animal status within vivariums and quarantine
- Trained personnel and research technicians in AALAC requirements and technical skills

Charles River Laboratories, University of Vermont
Veterinary Technician

2002 to 2004

- Monitored animal health via daily rounds for health checks and health monitoring program
- Assisted in surgical procedures; engage in pre and post operative care
- Departmental record keeping, including preparation of reports to Federal and other organizations
- Transgenic facility consultant
- Training of personnel
- SOP creation and implementation

University of Vermont, College of Medicine
 Department of Pathology
Laboratory Technician III

2001 to 2002

- Managed a toxicology laboratory and transgenic mouse colonies
- Managed, maintained, compiled, and archived data for publications, grant proposals, and presentations
- Trained personnel with respect to laboratory regulations and requirements
- Coordinated and executed molecular biology experiments in the laboratory

Stone Environmental, Montpelier, VT
Staff Scientist

2000 to 2001

- Collected, managed, and presented data from weather stations
- Programmed databases in Paradox and Access
- Prepared and presented data using graphics programs: ArcView, ArcInfo, Environmental Visualization Systems, and Adobe Photoshop
- Performed archiving and data quality control for industry and Federal government
- Performed soil and groundwater sampling for environmental studies

State of Tennessee Division of Water Pollution Control
Environmental Specialist III

1999 to 2000

- Team leader for watershed and ambient water sampling
- Established staff schedules for sampling events
- Performed erosion control inspections, stream determinations, wetland delineations, and stream surveys
- Inspected sites for environmental compliance and issuing of State permits and performed related enforcement duties and legal action
- Maintained databases for permits and environmental information
- Regularly communicated information and technical assistance to developers and the general public

USN Naval Air Warfare Center Aircraft Division
Scientist

May 2000 to June 2000

- Scientist aboard the research vessel *Oceanus* for classified studies relating to the LWAD project

National Oceanic and Atmospheric Administration
 National Marine Fisheries Service
 Northeast Science Center; Woods Hole, MA

May 1994 to October 1995

Scientist; Variable Contract Work

- Scientist aboard the research vessels *Pelican* and *Able-J*. Assessed the status of populations of endangered species of marine mammals, seabirds, and sea turtles; evaluated data on marine mammals in the Atlantic
- Prepared reports on findings of necropsy sessions to be used to evaluate and made recommendations about the established environmental regulations concerning marine mammals
- Published a paper with J. Nicolas and A. Reed entitled, "Results of the First Necropsy Session on Harbor Porpoises from Stranded Specimens South of Cape Cod, MA" - NEFC #95-46
- Collected and prepared genetic tissue samples of *Tursiops tursiops*, maintained records of the genetic stock, and evaluated pollutants isolated in tissues samples
- Served aboard NOAA ship, *Relentless*. Obtained statistical and environmental data for the scientific assessment of the status of populations of endangered species of marine mammals, seabirds, and sea turtles

National Oceanic and Atmospheric Administration

January 1992 to February 1992

National Marine Fisheries Service

Southeast Fisheries Center, Mississippi Laboratories, Pascagoula Facility

Student Observer

- Aboard the NOAA ship *Oregon II*, during a marine mammal investigation

CERTIFICATIONS and PROFESSIONAL DEVELOPMENT

- **Registered Nurse** license RN9505987 (February 2019)
- **AHA Basic Life Support** (September 2018)
- **AHA Pediatric Advanced Life Support** (August 2018)
- **AHA Advanced Cardiovascular Life Support** (May 2018)
- **Florida Emergency Medical Technician** license 555791 (February 2017)
- **National Registry of Emergency Medical Technicians** Registry Number E3303892 (January 2017)
- **ILAM 2011** - The Institute for Laboratory Animal Management {Team Leader 2011}
- **CMAR** - American Association for Laboratory Animal Science (AALAS) Certified Manager Animal Resources May 2010
- **LATG** - American Association for Laboratory Animal Science (AALAS) Laboratory Animal Technologist September 2009
- **Federação de Sociedades Sudamericanas de Ciências em Animales de Laboratório (FESSACAL)** – Round Table discussion on vivarium management December 2012
- **AALAS National Meeting 2012** – Seminar presenter: “Aquatics: Does It Come Out in the Wash”
- **Fundacao Calouste Gulbenkian** – 1st Portuguese Meeting in Laboratory Management – Presenter June 2012
- **Sociedade Portuguesa de Ciências em Animais de Laboratório (SPCAL)** – Presenter and workshop leader: “Resource Management in Current Times” & “Technician to Manager” – May 2012
- **Brazilian Society of Laboratory Animal Science (SBCAL)** – Poster “Managing the Building Process of Champalimaud Centre for the Unknown, Lisbon, Portugal” – March 2012
- **TurnKey Conference** presenter - {Baltimore, MD} April 2011 & 2013
- **TRADELIN 20th Annual Conference** Animal Research Facilities December 2008; December 2011
- **Qatar University** - Guest Lecture “Vivarium Expectations & Preparations” – November 2011
- **Laboratory Animal Management Association Conference (LAMA)** 2010 & 2011, 2013
- **Asian Federation of Laboratory Animal Science (AFLAS)** conference November 2010
- **AALAS National Meeting 2010** - Workshop Training & Development & Workshop Management & Coaching
- **The Australian & New Zealand Laboratory Animals Association (ANZLAA)** conference September 2010
- **Center for Disease Control (CDC)** 11th International Symposium on Biosafety {Atlanta, GA USA} January 2010
 - Integrating Work Flows (Functions) Into Laboratory Design and Construction Blueprints, and Reality January 2010
 - ABSL3Ag and ABSL3 special species (ABSL3+) January 2010
- **Anesthesia & Perioperative Care in Swine: Lecture & Basic Surgical Hands-on Workshop** April 2009
- **Singapore IACUC 101 & 102** April 2008
- **AALAS National Meeting** 2007
- **AALAS 2nd Annual Quad Symposium** 2003
- **PADI Certifications: Divemaster, Nitrox, Rescue Diver, and Manatee Specialist**
- **Computer Certifications and Skills: ArcInfo, ArcView (1999), Environmental Visualization Systems, Microsoft Office [Word, Excel, Access [Level 2 (2000)], PowerPoint (2001), and Outlook] Adobe Photoshop (2001-2002), Certificate in Web Design & Publishing (2004)**
- **EPA Worker Protection Standard Training (2001); OSHA Certification 40-hour Hazardous Waste Site Personnel (1999); 8-hour OSHA Refresher (2000)**
- **Guest Scientist at the Smithsonian Institute (1996)**

The Law Office of Thomas M. Shuler, P.A.

Apalachicola, Florida 32320

Phone: 850-653-1757

Fax: 850-653-8627

Email: mshuler@shulerlawfl.com

Mailing Address:

40-4th Street

Apalachicola, FL 32320

To: Franklin County Board of County Commissioners

From: Thomas M. Shuler, County Attorney

Date: May 31, 2019

THREE ACTION ITEMS

Possible Removal of Property Left on Right of Way

At 24 Marks Street, Apalachicola, Florida several items of personal property have been left for an extended period of time. The personal property consists of two trucks, one boat on a trailer and two motor homes.

Commissioner Parrish has requested that I review this matter and take such lawful action as the facts and circumstances allow.

I have attached a copy of the aerial map of the subject property, together with a photograph I took. In the foreground are the two trucks; the boat is right-hand foreground and the two motor homes are in the background. As you see, the right of way boundary literally skirts the front of the structure and the entire front yard is in the right of way.

Board Action Requested: Authorization to investigate this matter and to remove the property from the right of way as allowed by law.

CANVASSING BOARD CONFERENCE ORLANDO, FLORIDA- OCTOBER 18, 2019

Board Action Requested: Authorization to travel to the Canvassing Board conference in Orlando, Florida; checking in on Oct. 17th and checking out Oct. 19th.

Airport Hanger Rent

On May 30, 2019, Mr. Hunter Gordon spoke with me and he also, at my request, copied me with an email he had from FDOT. The gist of the meeting and email is that Mr. Hunter contacted FDOT concerning the fact that Centric Air, your FBO operator and airport maintenance company, directly invoices and collects rental income from persons who rent T-Hangers, such as Mr. Gordon.

Mr. Gordon says FDOT told him that this arrangement violates FDOT grant rules and that we would not be receiving more grants, or words to that effect, until this is corrected.

A copy of the FDOT email to Mr Hunter is attached. I have not printed the 44 page attachment, but I have forwarded the email to the Clerk of Court as your record custodian.

I spoke with Jason Puckett, your airport manager, and he informs that FDOT has been aware of this arrangement for quite a long time.

Given the importance of the possible consequence of losing FDOT grant funding at the airport as reported by Mr. Hunter following his contact with FDOT, I wanted the board to be aware of this.

As a side note, I would inform the board that on occasion in the past FDOT has threatened cessation of grant funding for various reasons, but they never have.

One possible solution to this problem identified by Mr. Hunter is for the county to become responsible for invoicing for the rental of T-Hangers and then pay that amount to the FBO operator for the cost of grounds maintenance. Presently, the FBO operator is responsible for the cost of invoicing and collecting for T-Hanger rental. If Mr. Hunter is correct, then Franklin County would now become responsible for the cost of invoicing and collecting for T-Hanger rental.

Board Action Requested: The board should appoint someone to contact FDOT to clarify this matter. Perhaps the airport manager, Jason Puckett?

EIGHT INFORMATION ITEMS

Dog Island Hurricane Michael Debris Removal

In November 2018, Franklin County entered into an interlocal agreement with the Dog Island Conservation District so that it could piggy-back onto the debris removal and debris monitoring contracts that Franklin County had competitively selected. Franklin County then uploaded the interlocal agreement with the Dog Island Special District into the State Emergency Management web-portal so that the Florida Department of Transportation ("FDOT") would pay 100% of remaining Hurricane Michael debris. This is the same process used for assisting the cities of Apalachicola and Carrabelle: entry into an interlocal agreement, followed by uploading the agreement into the web-portal; thereafter, Franklin County had no participation in, or liability for, the clean-up of Hurricane Michael debris.

As of May 24, 2019, six months later, the FDOT and the Dog Island Conservation District have not reached agreement concerning debris removal.

On or about May 10, 2019, Senator Montford's office asked Franklin County to participate in a joint conference with his office, FDOT and the Dog Island group to discuss clean-up of Hurricane Michael debris from Dog Island. With the Chairman's authorization, myself, Pam Brownell and Tress Dameron attended the meeting via phone conference.

Another meeting occurred on May 28, 2019 via phone conference. The parties appear to accept that any contract for debris clean will need to be directly between FDOT and the Dog Island District.

If this should change for any reason, I see significant concerns with Franklin County managing debris removal from Dog Island; to wit: First, to date the board has treated the Dog Island group the same as the two cities, we entered into an interlocal and uploaded it into the state's emergency management system; nothing more. It will open a can of worms with the two cities if we now agree to manage the Dog Island project when the county refused to manage clean-up in the two cities. You know

what will happen when the next storm hits; the cities will want us to manage their clean-up also. Second, if Franklin County manages the clean-up, we become responsible for the payment of any ineligible debris that gets picked up. This was one of the main reasons why the two cities were required to manage and be responsible for their own Hurricane Michael debris clean up. Finally, the interlocal agreement with Dog Island provides that Franklin County will have no financial responsibility for the removal of Hurricane Michael debris and is dependent upon the State of Florida accepting all legal and financial responsibility for debris removal resulting from Hurricane Michael.

No final decision has been made regarding FDOT paying for clean-up of Hurricane Michael debris from Dog Island, but a helpful dialogue has commenced due to Senator Montford's leadership.

SEASIDE SERENITY RESORT PUD

On May 21, 2019, Franklin County tabled the planned urban development ("PUD") ordinance and directed myself and Mr. Curenton to commence discussions with the developer concerning affordable housing and report back within thirty days.

On May 22, 2019, I contacted Mr. Dan Garlick, the representative of the developers and requested that we schedule a meeting to discuss affordable house.

Mr. Garlick informed me that his client was mulling over its options and was not ready to meet, or words to that effect.

I informed Mr. Garlick that I had extended the invitation to meet and that the ball was in his client's court to schedule a meeting, as I would not contact him further to arrange a meeting.

My statement is not intended to be adversarial. It is meant to clarify that his client has the burden of scheduling a meeting to discuss affordable housing and if that meeting does not occur it is the responsibility of the developer, not Franklin County.

Presently, a draft is circulating of a possible contribution by the developer to affordable house. A copy is attached.

Morton Buildings Request Concerning Metal Structures as a Single-Family Dwelling

About a month or more ago, Mr. Jeff Findley with Morton Buildings contacted Mr. Curenton concerning a request for an opinion whether Mr. Findley's metal building was, or was not, subject to Franklin County Ordinance 2018-3. This is the ordinance providing restrictions and conditions on the use of metal structures and pole barns as single-family dwellings.

Mr. Findley appears to be of the opinion that his building is not subject to ordinance 2018-3 because it has a wooden wall frame, wooden rafters, as opposed to metal frame and metal rafters, and is clad with metal sheeting on the exterior walls and roof.

After careful review of the matter, I am of the opinion that Mr. Findley's building is subject to the restrictions and conditions of ordinance 2018-3 as it is either a metal structure or a pole barn, both of which are regulated by ordinance 2018-3. I informed Mr. Curenton of this on May 24, 2019.

Airport Lease Extension Negotiation with Centric Aviation

I have asked Jason Puckett to assist me in developing benchmarks for the lease extension. We are continuing to work on this. Centric is aware of this and seemed to me to be without objection to this process.

Tree Removal Behind Sheriff Department

I have contacted a forester a few times and he reported to me that he has checked and there is no one who is both in the area and interested in the removal of trees from such a small parcel of land, but he will keep trying. He is the forester used by my immediate, and some of my extended, family, so I think he will help if possible. I've reported this to the Sheriff.

Also, the Sheriff said he will try to find someone to cut the trees and, if so, he will send them to me.

2019 Annual Conference June 11-14

I will be unable to attend the annual conference this year due to the fact that I have a trial that week and I have been subpoenaed to testify in another trial that week. Typically, the annual

conference is held at the end of June, but for some reason it is being held in the middle of the month.

I am a member of the Board of Directors of the County Attorney Association and I have sent them two reports of the activities of two sub-committees that I ran for the period 2018-2019.

Attorney General Request That Weems Preserve Records

On May 28, 2019, I received an email from the Florida Attorney General instructing Weems Hospital to preserve records concerning certain drugs that the AG's Office is investigating as it relates to possible price fixing. I have forwarded that email on to Mr. Cannington with directions that he have the hospital IT staff make a duplicate electronic copy of drug purchases for the relevant period and preserve it as directed by the AG's Office.

Supervisor of Elections Building Repairs

I have intermittently contacted the Supervisor of Elections to determine if she is satisfied with the progress on the repairs to her building. I checked again on May 30, 2019. Supervisor Riley reports that she remains satisfied with the progress on the repairs; however, she is concerned that the floor tiles replaced in the room where the ballots are canvassed poorly match the existing tiles.

Litigation Update

1. **Stelzenmuller vs. Franklin County:** This litigation involves claims for damages and a taking of property resulting from the alleged failure of Franklin County to properly maintain Alligator Drive. As of May 24, 2019, the Plaintiff has twice failed to successfully serve the lawsuit and I have instructed outside counsel appointed by FACT, your insurance carrier, to file motions to quash the defective attempt at service of process. FACT has a \$5,000 deductible.
2. **Juan Carlos Gill vs. Franklin County:** This litigation concerns the alleged failure of your website to comply with the Americans with Disabilities Act. Although the lawsuit was filed in federal

court months ago, on March 21, 2019, it has not yet been served. FACT will not provide a defense to this lawsuit as it is not a covered claim.

3. HLS Properties (Mr. Kirvin Floyd) vs. Franklin County: This litigation concerns the RV development application that was not heard in July 2017. No trial date has yet been set, but the case has a notice has been filed with the court by the Plaintiff that the case is ready for trial. They expect to take up to three days for the final hearing. The court has ordered that the parties mediate the case prior to July 1, 2019, but the mediator (Carlos Alvarez) selected by the parties has no availability until after that deadline. The parties are going to request additional time for mediation from the court.
4. Mike Murphy vs. Weems Hospital, Dr. Conrad and Kenny Gilbert, the ambulance director, and H.D. Cannington: This litigation involves Mr. Murphy's allegation that he was wrongfully terminated due to his alleged political activities and whistle-blower activities relative to the operations of the ambulance. The hospital's insurance carrier is providing a defense (it is not FACT) but it has a \$35,000 deductible. The lawsuit has been served and the county's Answer is due June 21, 2019, as mutually agreed to by the attorneys. The outside counsel has had some family medical issues that have caused a delay in responding.



Overview



Legend

-  Parcels
-  Roads
-  City Labels

Date created: 5/31/2019
Last Data Uploaded: 5/31/2019 7:37:54 AM

Developed by  **Schneider**
GEOSPATIAL

Sadler

From: Thomas Shuler (mshuler@shulerlawfl.com)

To: mshuler@shulerlawfl.com

Date: Friday, May 31, 2019, 09:55 AM EDT



[Sent from Yahoo Mail on Android](#)

Compose

← Back ↩ ⏪ ⏩ →

📁 Archive

📁 Move

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🛡 Spam

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2011-16 FCBCC 172

2011-16 Gen... 107

2017 21

2018 3

2019 40

Atty. Associ. 27

CALHOUN BOG... 1

Carnival Cruis...

Chamber 25

CHASE 41

CITI CARD 3

City Side Walk

CONFERENC...

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FCBCC 09

FCBCC 10 1

FSF 22

General 09

General 10

GULF TRIUM...

Hospital

JOEY 6

Michael Forre...

Notes

Office Depot

Professionalis...

Run Info

Shuler Business 4

VEGAS 17

Verizon Account 1

Weems 2010

RE: Draft . Affordable Housing Agreement 5

Yahoo/Inbox ★



Michael Moron FYI Michael Moron County Coordinator Franklin County Board of County C May 28 at 11:47 AM ★



Thomas Shuler Mike, thank you. Mark, I recommend that you reach out to other counties w/ May 28 at 1:30 PM ★



Mark Curenton Dear Michael, I am checking with some other counties if they have a contributi May 28 at 3:04 PM ★



Thomas Shuler Sir, I prefer the word Cartel. Sent from Yahoo Mail on Android On Tue, May 2 May 28 at 3:10 PM ★



Mark Curenton <markc@franklincountyflorida.com> May 30 at 3:45 PM ★
To: 'Thomas Shuler'
Cc: 'Michael Moron'

From: Craig Dermody [mailto:CRAIG@jrco.com]
Sent: Tuesday, May 28, 2019 11:24 AM
To: dan@garlickenv.com; markc@franklincountyflorida.com; michael@franklincountyflorida.com
Subject: Draft . Affordable Housing Agreement

DRAFT:

FRANKLIN COUNTY AGREEMENT

This agreement made this ____ day of _____, 2019, between the Franklin County Board of County Commissioners and LCD Investments, LLC, a Florida Limited Liability Company. LCD Investments, LLC, agrees to donate .005 or 1/2 of 1% (\$1,500 maximum limit) of the sale price to the Franklin County Affordable Housing Trust exclusively from the initial sale on each single family property sold in the forty-four lot subdivision contained in the Serenity Seaside Resort Planned Unit Development. Funding will take place at the legal closing on each individual home sold. The Franklin County Board of County Commissioners agrees to limit use the funds donated by LCD Investments, LLC, to subsidize affordable workforce housing in Franklin County . Specifically the funds will be administered by _____ trustee and used exclusively for affordable workforce housing.

Fwd: Revenue Guide

From: Gordon Hunter (gordonhunter60@gmail.com)

To: mshuler@shulerlawfl.com

Date: Thursday, May 30, 2019, 04:50 PM EDT

Hello Michael,

I'm forwarding this FDOT Revenue Guide for you to review, as it was brought to my attention that all revenue generated from airport hangars that were funded by FDOT grant funds must be received by the receiving agency, in our case Franklin County.

I rent a hangar at our airport, but I have been billed monthly by Centric Aviation. I have understood that this is against FDOT policy.

Since you have been tasked with renewing the contract between Franklin County and Centric Aviation, I feel that this is important information for you to have in the contract renewal with Centric. We do not want to get ourselves into a problem area for further airport grants. We had a serious issue before with the FDOT over grant administration fees.

If I can be of any further assistance please let me know.

Sincerely,

Gordon Hunter

----- Forwarded message -----

From: **Williams, Quinton** <Quinton.Williams@dot.state.fl.us>

Date: Wed, May 29, 2019 at 3:53 PM

Subject: Revenue Guide

To: gordonhunter60@gmail.com <gordonhunter60@gmail.com>



Quinton Williams
D3 Aviation Program Manager
1074 Hwy 90
Chipley, FL 32428
(850) 330-1545



florida-public-airport-revenue-use-guide54ad18b0d138446a86bfef9de8d164d6.pdf
337kB

Florida Public Airports

Revenue Use Guide

RESOURCE MANUAL

Florida Department of Transportation



**District Aviation
Bartow, Florida 2008**

Florida Department of Transportation Public Airport Revenue Use Guide

Purpose

The aim of this manual is to assist airport managers, owners, and elected officials in assuring that entities are complying with the rules regarding the proper uses of airport revenues. In general, if airport funds from either the Florida Department of Transportation (FDOT) aviation program or Federal Aviation Administration (FAA) are accepted by an entity that owns an airport, the recipient of the funding agrees to keep all revenue that is generated by the airport “on the airport.” That is, agency revenue, proceeds, and income produced by or at the airport may only be spent on directly airport-related projects or activities, or for the operations and maintenance of the airport facility. While straight forward in concept, there are many circumstances that can put an airport in jeopardy of violating the grant assurances, which are agreed to when a state or federal grant is received. It is hoped that this guide will serve to refresh the knowledge of airport managers and as a resource to educate policy makers and elected officials regarding acceptable uses of airport revenue and the consequences of its misuse.

Section one of the manual is presented in plain language in the form of questions and answers. It is intended to provide easily understood explanations to the issues surrounding aviation revenue. The second section of the manual is a quick reference of more detailed information on the types of federal aviation assistance, the definition of airport revenue, descriptions of grant assurances, revenue provisions of the Airport and Airway Improvement Act, land use regulations, the consequences of non-compliance and some examples of violations of the federal rules.

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The following appendices are included in a separate publication: (A) Airport Sponsor Grant Assurances (2005); (B) Airport and Airway Improvement Act (1982); and, © The Airport Revenue Protection Act (1996).

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SECTION ONE

Airport Revenue Diversion – Frequently Asked Questions

Why should this issue concern airports and elected officials?

By accepting federal/state financial grants or property transfers, the airport agrees to abide by certain binding contractual obligations (i.e., signing a contract with federal/state government where the government provides the funding and the recipient agrees to follow certain rules). One of those rules specifies that all airport-generated revenues should be spent at the airport.

Violating any of the grant assurances (including the revenue retention provision) is like violating the terms of a contract. It can result in losing the privilege to receive grants in the future and can also lead to lawsuits and civil penalties. Congress allows the Secretary of Transportation to withhold transit and rail funds from any local government that violates the airport revenue retention restriction.

In other words, it can be too expensive for the grant recipient to violate the terms of the contract with the federal/state government. If that happens, the airport sponsor can be required to repay the grant, suffer hefty financial penalties, and lose eligibility for receiving grants in the future. In addition, the local jurisdiction can also lose federal/state general (non-aviation) transportation dollars.

Why is FDOT interested in this issue?

The intent of federal/state aviation funding is to ensure that the national network of airports is well-functioning, efficient and financially viable. Since the federal and state governments are capable of providing only a fraction of airports' development needs, airports need to spend all the revenues they generate for the operations and development of the airport to ensure adequate infrastructure investment.

The ultimate goal of any airport development grant is to make the airports as self-sustaining as possible and minimize the need for further federal/state assistance. The diversion of airport revenue for non-aviation use limits the effectiveness of grant assistance and jeopardizes the goal of achieving self-sustainability.

The main rationale for the revenue retention provision is the intent of government to ensure an effective, efficient and safe aviation system. The state and federal contributions to this goal can only be maximized when local aviation-related funds are solely used to achieve the same purpose.

What is considered Airport Revenue?

In general, any revenue received by the airport sponsor for an airport activity is considered airport revenue. This includes fees and proceeds received from the air carriers, tenants, and other parties for the right to conduct their activities at the airport and/or occupy airport property, as well as the revenues from the sale, transfer or disposition of real property. Airport revenue also includes all revenues received by the sponsor from the activities conducted by the sponsor as an airport owner and operator.

The airport retention provision, however, does not apply to all revenues generated by the facilities. The airport revenue retention provisions do not apply to revenues generated by the airport tenants or users themselves, but only to the revenues (land leases, rentals, access charges, landing fees, passenger facility charges, etc.) that the airport is paid by those tenants or users for their use of the land or airport facilities. Retention provisions apply to any and all such revenue received by the airport. For example, revenue retention would not apply to revenues generated by a convention center that, while located on the airport property, serves neither the airport nor any transportation purpose. Only the amount attributable to the use of airport property (rent that a commercial tenant would pay for land or facility rental) would be considered airport revenue.

In some cases the lease arrangement for land or facility may also include provisions that the airport sponsor receive a portion of the revenue produced by its use, such as a percent of event ticket sales, concessions, retail sales, fuel flowage, parking charges, and so on. In such cases, the airport sponsor's share of these funds is also considered airport revenue, and subject to all retention requirements.

If my airport gets FDOT funds but not federal funds, must I be concerned?

Yes. Both federal and state grants have the provision prohibiting the diversion of airport revenue for non-aviation use. FDOT grant assurances closely mirror federal assurances and are designed to maximize the effectiveness of the state aviation grant program.

When an airport sponsor accepts a grant, whether it originates from federal or state government, the sponsor enters a legally binding agreement. Both federal and state

governments expect the grant recipients to fully honor the grant agreements and have the necessary legal resources to enforce compliance.

In addition, if the airport sponsor received airport property (real estate) from the federal government, the sponsor is subject to revenue retention obligations, even if no AIP grants have ever been given to the airport. The revenue use requirements apply to every airport that receives “federal financial assistance”, which includes airport development and noise mitigation grants, transfers of federal property under the Surplus Property Act, and deeds of conveyance issued under specified federal statutes. Therefore, federal obligations regarding revenue diversion apply to all federal surplus property airports, even if no federal grants have been received by the airport sponsor.

What can be considered fund diversion?

In general, revenues are considered to be diverted when an airport fails to use revenues generated from the activities that take place on the airport property for aviation purposes. More specifically, the following uses of airport revenue constitute revenue diversion:

- direct or indirect payments that are not based on a reasonable, transparent cost allocation formula calculated consistently for all units or cost centers of government
- use of airport revenue for general economic development, marketing and promotional activities unrelated to airports
- payments in lieu of taxes or other assessments that exceed the value of services provided or are not based on a reasonable, transparent cost allocation formula calculated consistently for other units or cost centers of government
- payments to compensate non-sponsoring governmental bodies for lost tax revenues exceeding stated tax rates
- loans of airport funds to a state or local agency at less than the prevailing rate of interest
- land rental to or use of land by the sponsor for non-aeronautical purposes at less than the amount that would be charged to a commercial tenant
- impact fees assessed by a non-sponsoring governmental body that the airport sponsor is not obligated to pay or that exceed such fees assessed against commercial or other governmental entities
- charging interest on a subsidy provided to the airport
- loans to the airport from internal government funds at greater than the prevailing rate of interest charged to other units or cost center of the government, or under otherwise less favorable terms

What penalties or sanctions could be imposed if it is determined that funds have been diverted?

If it is determined that revenues have been diverted, the grantor can immediately demand the repayment of the grant. It is stated in FDOT Aviation program assurances that: “if the agency takes any action that is not consistent with these assurances, the full amount of the Agreement will immediately become due and payable to the Florida Department of Transportation.” In addition, violation of the revenue retention requirement can result in losing the privilege of receiving federal/state grants in the future. This alone can be an extremely significant deterrent for some smaller airports.

Diverting airport revenue for non-aviation uses constitutes a violation of the grant agreement and can also result in lawsuits and civil penalties. The federal/state government is entitled to the same legal options as any other party to a contract that has been breached.

Federal transportation officials can also withhold general transportation funds from any local government that diverts revenue generated by a public airport. Under 49 USC §47107, the U.S. Secretary of Transportation “may withhold any amount from funds that would otherwise be made available to the sponsor, including funds that would otherwise be made available to a State, municipality or political subdivision thereof (including any multimodal transportation agency or transit authority of which the sponsor is a member entity) as part of an apportionment or grant if the sponsor fails to reimburse the airport for unlawfully diverted revenue.” This means that the U.S. Secretary of Transportation has the authority to withhold not only aviation, but also transit and rail funds from local governments that fail to reimburse airports for illegally diverted funds.

Among other actions, the Secretary of Transportation (USDOT) may also withhold the approval of any application to impose passenger facility charge (PFC) at any airport in response to the violation of airport revenue retention restriction by the sponsor. In addition, the Airport Revenue Protection Act of 1996 gives the U.S. Secretary of Transportation the authority to obtain (in court) civil penalties from the airport sponsor in the amount of up to three times the illegally diverted airport funds.

Finally, diverting revenue from the airport can result in a decrease in an airport’s credit rating leading to a downgrade in airport bonds and an increase in the cost of borrowing.

Have there been cases where airports have been sanctioned?

Yes. There are multiple cases where sponsors of both commercial and GA airports were ordered to reimburse the airports for illegally diverted funds and also lost the privilege of receiving AIP grants in the future. The most infamous case of airport revenue diversion occurred at Los Angeles International Airport (LAX).

In 1993, the City of Los Angeles proposed to increase landing fees at LAX and to establish an airport surplus fund to help finance the City's police, fire and ambulance services. The new mayor called for using LAX revenues to fund an expansion of the City's police force. The City also held a referendum known as, "Proposition K," that eliminated the prohibition on revenue diversion contained in the City Charter. Later that year, LAX increased landing fees by 300 percent resulting in large protests and complaints from the air carriers. The City also demanded that the airport paid \$8.7 million in back "reimbursement" for the newly calculated indirect City service costs for the years 1983-1992.*

These events led to the passage of provisions in the FAA Authorization Act of 1994. The new statute articulated again the long-standing federal prohibition against revenue diversion. It specifically prohibited airport payments for city services unrelated to the operation of the airport, imposed new reporting requirements on airports, and authorized civil penalties of up to \$50,000.

This prohibition did not stop the city of Los Angeles from diverting airport revenue from LAX. In 1985 the state of California had condemned some 1.5 million square feet (34 acres) of airport land to build the Century Freeway, which connected the airport with the I-405 freeway. Back then the state paid \$43 million for the land, which the city put in the airports account. But by 1994, the city of Los Angeles, facing financial problems, requested to transfer the money to the city general account claiming that the proceeds were not subject to revenue diversion restrictions. In 1995, Los Angeles transferred \$58.5 million (condemnation proceeds plus interest) from the airport account to the city's general fund.**

Both the Aircraft Owners and Pilots Association (AOPA) and the Air Transport Association (ATA) filed a complaint against the city of Los Angeles. FAA concluded that the revenue was diverted illegally and ordered the City to return \$20.1 million plus interest to the airports account.** That amount resulted from the interpretation of the rules that existed at that time. FAA ruled that only 34 percent of the total amount the City received constituted illegally diverted airport revenue. Under the present policy, the entire

**Gwartney, T., Estimating Land Values, July 1999, online:
www.henrygeorge.org/ted.htm, accessed: Mar. 28, 2007.

proceeds would have been considered airport revenue and would have to be returned to the airport.

My airport revenue is sent “downtown” and I have little say over what is spent on the airport. What should I do?

It is the city/county airport owner’s responsibility to develop and maintain a clear accounting system of all revenue generated by the airport, all fees paid by the airport to the city/county government, and all services and payments provided by the city/county government to the airport. All direct and indirect fees assessed to the airport have to be calculated consistently for all city/county departments and have to be based on a reasonable and transparent cost allocation formula in order for the airport sponsor not to default on a contractual grant agreement with federal/state government. Airports can also maintain their own accounting system to keep track of payments to the city/county budget and receipts (either in-kind or monetary) benefiting the airport.

SECTION TWO

I. State Requirements for Airport Revenue Use

Joint Participation Agreements (JPAs) used to convey FDOT Aviation grant funds to a city/county for airport use include the following requirements in JPA Exhibit “C”:

“(The Agency hereby assures that:) **Airport Revenue:** That all revenue generated by the airport will be expended for capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property, or for environmental or noise mitigation purposes on or off the airport.

Duration: The terms, conditions, and assurances of the Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date that the Agreement is executed. **However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.** There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with state funds.

Federal Funding Eligibility: It will take appropriate actions to maintain federal funding eligibility for the airport. Further, it will avoid any action that renders the airport ineligible for federal funding.”

ENFORCEMENT:

JPAs include the following provision in JPA Exhibit “C”:

“**Obligation:** The Agency shall honor these assurances for the duration of this Agreement. If the Agency takes any action that is not consistent with these assurances, the full amount of this Agreement will immediately become due and payable to the Florida Department of Transportation.”

These sections obligate the grant recipient agency to use airport revenue for the airport only; define the duration for airport revenue requirements as perpetual; and require the agency to keep the airport eligible for federal funding. This includes compliance with all of the federal requirements and restrictions on airport revenue use, which are detailed in the remainder of this section.

It is important to note that any JPA executed by the agency which contains these requirements applies to the airport and its revenue as a whole, as they are “global,” and not specific to only the project for which the JPA is issued. This obligates the agency to comply with these requirements on all airport revenue.

Similarly, a single instance of airport revenue diversion or inappropriate airport revenue use violates the provision in every grant containing these provisions. For some airports, this could result in potential repayment demands of hundreds of thousands, or even millions of dollars to FDOT.

SUMMARY:

In summary, FDOT Aviation grants provide and require that:

- All airport revenue must be used on the airport, or for uses directly benefiting the airport.
- This requirement has no limit or expiration; it applies as long as the airport is operated by the sponsor as an airport.
- The airport must comply with all federal revenue use requirements and restrictions.
- Airport revenue diversion or inappropriate airport revenue use can result in demand for repayment of Aviation grant funds back to the FDOT, including funds from all grants that include these provisions.

II. Types of Federal Assistance

To promote aviation, Federal Aviation Administration (FAA) can provide federal development assistance to the airports. In general, this assistance can come either in the form of land or in the form of Airport Improvement Program (AIP) grants. There are three different ways the federal government can provide land to the airports.

1. Surplus property transfers

This refers to the transfer of the real property (land) that previously belonged to the federal government but is no longer needed by the government for the purposes of civil aviation. This can happen, for example, during the conversion of a former military base

into a civilian facility. Over 350 airports in the U.S. have received surplus property that came primarily from former military installations (1).

2. Non-surplus property conveyances (also known as Section 16, 23, 516, or 47125 airports)

The government can provide land free of charge to airports requiring expansion of aviation facilities. This can include building new runways and taxiways, extending the existing runway, building terminals, etc. Approximately 100 airports in the U.S. have received non-surplus property by requesting land for airport expansion projects (1).

If the land is no longer needed for the aviation purposes, it usually reverts to the federal government or can be released for non-aviation purposes. The Federal Aviation Administration, which normally is entitled to represent the interest of the government, has no authority to release non-surplus land for non-aviation purposes (an act of Congress is required).

3. AIP funds to purchase land

The government can provide grants through the AIP to assist airports with their development plans. Those grants are usually provided on a matching basis with favorable terms to the grant recipient. Grants to the airports for development purposes were authorized under the Federal Airport Aid Program from 1946 through 1970 and the Airport Development Aid Program from 1971 through 1981. Since its inception in 1982, the current AIP has provided more than \$20.5 billion (2) in grants to both commercial and general aviation (GA) airports. Approximately 2,000 GA airports have received AIP funding, totaling almost \$4.7 billion for airport development and land purchases (2). The money for AIP grants comes from the Aviation Trust Fund. For small primary, reliever, and general aviation airports, the AIP (federal) funding covers 95 percent of eligible costs, while the state and the airport sponsor cover the remaining 5 percent (14). Between FY 2004 and FY 2007, a temporary increase allowed the federal share of AIP funding to be up to 95 percent of costs while starting from FY 2008 the federal share is 90 percent (14).

III. Definition of Airport Revenue

Accepting federal grants usually puts certain restrictions on the use of airport revenue. In order to avoid confusion, the precise definition of what constitutes airport revenue has to be provided. In general, any revenue received by the sponsor for an airport

activity is “airport revenue.” More specifically, the following types of fees, charges and payments received by the airport sponsor are considered to be “airport revenue” (4):

1. Revenue from Air Carriers, Tenants, Transferees, and Other Parties

Airport revenue includes all revenue received by the sponsor for the activities of others or the transfer of rights to others relating to the airport, including revenue received:

- a) for the right to conduct an activity on the airport or to use or occupy airport property
- b) for the sale, transfer, or disposition of real airport property not acquired with federal assistance or personal airport property not acquired with federal assistance or any interest in that property, including sale through condemnation proceeding
- c) for the sale of (or sale or lease of rights in) sponsor-owned mineral, natural, or agricultural products or water to be taken from the airport
- d) for the right to conduct an activity on, or for the use or disposition of, real or personal property or any interest therein owned or controlled by the sponsor and used for an airport-related purpose but not located on the airport

2. Revenue from Sponsor Activities

Airport revenue generally includes all revenue received by the sponsor for activities conducted by the sponsor itself as an airport owner and operator, including revenue received:

- a) from any activity conducted by the sponsor on airport property acquired with federal assistance
- b) from any aeronautical activity conducted by the sponsor
- c) from any non-aeronautical activity conducted by the sponsor on airport property not acquired with federal assistance, up to an amount appropriately attributable to the use of the property (such as the amount of rent that would be charged a commercial tenant)

IV. Description of AIP Grant Assurances

In order to receive federal funding, airports must agree (in writing) to uphold a set of 39 AIP grant assurances related to the airports’ operation and maintenance. Those assurances are designed to protect public interest and the federal investment in safe

and efficient aviation system covering the issues from civil rights, economic discrimination, and revenue diversion to compatible land use requirements and exclusive rights at the airports. The initial set of assurances was updated and modified in 2005 adding two new assurances (“hangar construction” and “competitive access”) as required by Vision 100 – Century of Aviation Reauthorization Act (Public Law 108-176). The standard AIP grant assurances required for all AIP grants issued after March 29, 2005 and brief descriptions, are presented below (5):

1. General Federal Requirements

The sponsor assures that it will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance and use of federal funds.

2. Responsibility and Authority of the Sponsor

This assurance is intended to ensure that the sponsor (either public agency or private sponsor) has legal authority to apply for the grant and to finance and carry out the proposed project. The assurance also requires the sponsor to designate an official representative to act in connection with the grant application and to provide additional information if needed.

3. Sponsor Fund Availability

With this assurance the sponsor certifies that it has sufficient funds available to cover the portion of the project cost that will not be paid by the United States, and to assure the operation and maintenance of items funded under the grant agreement.

4. Good Title

The sponsor has to assure that it holds good title to the portion of property where the funded project will be implemented, or has to give the assurance that such title will be obtained in a timely manner.

5. Preserving Rights and Powers

The sponsor assures that it will not take or permit any action that would deprive it of any of the rights and powers necessary to perform the terms of the grant agreement. The sponsor has to certify that it will take steps to ensure that the airport will continue to function as a public-use airport for the duration of the assurance and will be operated and maintained in accordance with Title 49, United States Code.

6. Consistency with Local Plans

This assurance ensures that the funded project is reasonably consistent with plans of public agencies authorized to plan for the development of the area surrounding the airport.

7. Consideration of Local Interests

The sponsor assures that it has given fair consideration to the interest of the communities impacted by the project.

8. Consultation with Users

The sponsor certifies that, in making a decision to undertake the airport development project, it has undertaken reasonable consultations with affected parties.

9. Public Hearings

The sponsor assures that, in projects involving the location of an airport, an airport runway, or a major runway extension, it has provided the opportunity for public hearing for the purpose of considering the economic, social, and environmental effects of the project, as well as, its consistency with goals and plans of the local community in the vicinity of the airport.

10. Air and Water Quality Standards

In projects involving airport location, runway construction, or a major runway extension, the sponsor has to provide for the governor of the state in which the project is located to certify in writing that the project will be designed, constructed, and operated so as to comply with applicable air and water quality standards.

11. Pavement Preventive Maintenance

With respect to projects approved after January 1, 1995 for replacement or reconstruction of pavement at the airport, the sponsor has to assure that it has implemented an effective airport pavement maintenance-management program and will continue using such program for the useful life of any pavement constructed with federal financial assistance.

12. Terminal Development Prerequisites

For projects, which include terminal development at public use airports, the sponsor has to certify that at the day of the grant application submittal, the airport has all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code and all the security equipment required by the federal regulations.

13. Accounting Systems, Audit and Record Keeping

The sponsor assures that it will keep all the project accounts and records regarding the details of project cost and will make these records available to the Comptroller General for the purpose of audit and examination.

14. Minimum Wage Ranges

The sponsor shall include in all contracts, in excess of \$2000 that involve labor, the provisions establishing minimum rates of wages that the contractors shall pay to skilled and unskilled labor.

15. Veteran's Preference

The sponsor ensures that in the employment of labor for the project (except for executive, administrative, and supervisory positions), the preference shall be given to the veterans of the Vietnam era and disabled veterans provided such individuals are available and qualified to perform the work.

16. Conformity to Plans and Specifications

The sponsor certifies that it will execute the project subject to plans, specification and schedules approved by the Secretary of Transportation.

17. Construction Inspection and Approval

The sponsor will provide and maintain competent technical supervision and regular inspections at the construction site throughout the project to assure that the work conforms to the approved plans, specifications, and schedules.

18. Planning Projects

The sponsor will execute the project in accordance with the approved program narrative contained in the project application and will provide the Secretary with periodic reports

on planning work activities. The Secretary will have the right to disapprove the use of any consultants and subcontractors suggested by the sponsor and will have unrestricted authority to publish disclose and distribute any material prepared in connection with the grant.

19. Operation and Maintenance

The sponsor assures that the airport and all the facilities necessary to serve the aeronautical users of the airport will be operated at all times in a safe and serviceable condition and in accordance with minimum standards required for maintenance and operation.

20. Hazard Removal and Mitigation

The sponsor will take appropriate actions to adequately clear existing airport hazards (by removing, lowering, marking or lighting) to assure the protection of the airspace required for instrument and visual operations to the airport.

21. Compatible Land Use

The sponsor assures that it will take appropriate action, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations.

22. Economic Nondiscrimination

The sponsor certifies that it will make the airport available for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities including commercial aeronautical activities.

23. Exclusive Rights

The sponsor will permit no exclusive right for the use of the airport by any person providing or intending to provide aeronautical services to the public. Providing services at an airport by a single fixed-based operator (FBO) is not considered exclusive right if: (1) it would be unreasonably costly, burdensome, or impractical for more than one FBO to provide such services; (2) allowing more than one FBO would require the reduction of space leased under the existing agreement with FBO.

24. Fee and Rental Structure

The sponsor assures that it will maintain the fee and rental structure for the facilities and services at the airport, which will make the airport as self-sufficient as possible under the circumstances existing at the particular airport, accounting for such factors as the volume of traffic and economy of collection.

25. Airport Revenue

All revenues generated at the airport (from rental of property or from providing services) shall stay at the airport, meaning that it shall be expended for the capital or operating costs of the airport. The violation of this assurance can result in civil penalties or other sanctions to the airport sponsor.

26. Reports and Inspections

The sponsor assures that it will prepare and submit to the Secretary annual or special financial and operations reports that may be reasonably requested by the Secretary, and that it will make such reports available to the public.

27. Use by Government Aircraft

The sponsor is required to assure that it will make available all of the usable facilities of the airport for landing and takeoff of U.S. Government aircraft at all times without charge, except if the use of government aircraft is substantial. In the case of substantial use by government aircraft, a charge may be made for a reasonable share, proportional to such use, of the cost of maintaining and operating the facilities used.

28. Land for Federal Facilities

The sponsor will provide airport space, facilities, and any areas of land or water with no cost to federal government for use in connection with any air traffic control or air navigation activities, or weather-reporting activities related to air traffic control, as the Secretary considers necessary.

29. Airport Layout Plan

The sponsor will keep up to date, and submit for Secretary's approval, an airport layout plan showing in detail: (1) boundaries of the airport and all proposed additions; (2) the location and nature of all existing and proposed airport facilities and structures (such as

runways, taxiways, aprons, hangars, terminal buildings and roads); and (3) the location of all existing and proposed non-aviation areas and of all existing improvements.

30. Civil Rights

This assurance obligates the sponsor to comply with the rules ensuring that no person shall be excluded from participating in any activity, benefiting from the current grant funds, on the basis of race, creed, color, national origin, sex, age or handicap.

31. Disposal of Land

This assurance requires the sponsor to dispose of the land, acquired with federal assistance (when the land is no longer needed), at fair market value and to return the portion of the proceeds proportionate to the United States' share of land acquisition to the Secretary of Transportation.

32. Engineering and Design Services

The sponsor certifies that it will award each contract or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, etc. in the manner specified in Title IX of the Federal Property and Administrative Services Act of 1949 or other equivalent qualification-based requirement.

33. Foreign Market Restrictions

The sponsor assures that it will not allow the funds provided under this grant to be used for acquiring any products or services from the countries listed by the United States Trade Representative as denying fair and equitable market opportunities for U.S. products and companies.

34. Policies, Standards, and Specifications

The sponsor will carry out the project in accordance with policies, standards and specifications approved by the Secretary and in accordance with applicable state policies and standards.

35. Relocation and Real Property Acquisition

This assurance requires the sponsor to be guided in acquiring real property for the project by the land acquisition policies in Subpart B of 49 CFR Part 24 and pay or

reimburse property owners for necessary expenses as specified in Subpart B.

36. Access by Intercity Buses

The sponsor assures that the airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport. The sponsor, however, has no obligation to fund special facilities for buses or for other modes of transportation.

37. Disadvantaged Business Enterprises

The grant recipient assures that it will not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program.

38. Hangar Construction

The airport owner or operator will grant a long term lease to the person (an aircraft owner) willing to construct a hangar at the airport at his/her expense.

39. Competitive Access

If the airport owner or operator has been unable to accommodate one or more requests by an air carrier for access to gates in order to provide or expand service, it shall provide the Secretary with a report describing the details of the request and the explanation as to why the requests could not be accommodated.

Once an airport sponsor accepts an AIP grant, these assurances become binding contractual obligations between the sponsor and the federal government. The full description of the assurances is presented in Appendix A. Generally, grant requirements remain in effect through the useful life of the facility developed under the grant, but do not exceed 20 years. After 20 years, FAA has limited enforcement capabilities (3). However, in the case of using grant funds to purchase land for the airport, these requirements stay in effect as long as the airport is on the land.

V. Airport and Airway Improvement Act (AAIA)

1. Revenue Retention Provision

The financial grants (through AIP) and land transfers restrict both the use of airport

land, and the use of airport revenue to airport purposes. Under the Airport and Airway Improvement Act (AAIA) of 1982, public agencies receiving federal funding for airport development since September 3, 1982 are required to comply with the revenue retention requirement (4). Revenue retention assurance (Assurance #25) requires airport owners to “use all the revenue generated by the airport for the capital or operating costs of the airport, the local airport system or other local facilities that are directly related to the actual transportation of passengers or property.” In other words, AAIA requires that the revenue generated at the airport is spent at the airport for operations and improvements. The full text of the Airport and Airway Improvement Act is presented in Appendix B.

The Airport and Airway Safety and Capacity Expansion Act of 1987, Public Law 100-223 (December 30, 1987) amended the revenue retention requirement prescribed in AAIA by requiring that airport-generated revenue be expended on the facilities that are “directly and substantially related to actual air transportation of passengers or property” (4). This amendment narrowed the permissible uses of airport revenues to expenditures that are not only “directly” but also “substantially” related to actual air transportation to further assure that such revenues are not diverted for general expenses.

The revenue retention provision, however, is not intended to apply to revenues generated by the airport tenants or users themselves. It only applies to the revenues that the airport is paid by those tenants or users for their use of airport land or facilities (e.g. land leases, rentals, access charges, landing fees, etc.). For example, the revenue retention provision would not apply to revenue generated by such facilities as a water reservoir or a convention center, which might be located on airport property but serve neither the airport nor any air transportation purpose. Only the amount attributable for the use of airport property (rent that a commercial tenant would pay for land or facility rental) would be considered airport revenue and would be subject to retention provision.

2. Grandfather Provision

The revenue retention requirement has a “grandfather” provision—an exception that allows airport revenue to be used for non-airport purposes in the cases when the use predates the AAIA. In particular, revenue use restrictions do not apply to the airports’ debt obligations or provisions in governing statutes issued or enacted before September 3, 1982 (4). None of the grandfathered airports are in Florida.

3. Rationale for Revenue Retention Provision

The plain purpose of revenue retention is to prevent an airport owner or operator who receives federal assistance from using airport revenues for expenditures unrelated to the airport.

The main rationale for the revenue retention provision is the intent of the federal government to ensure that the national network of airports is well-functioning, efficient and safe. This is possible only with adequate investment in airport infrastructure of both commercial and GA airports. However, the federal AIP program is capable of providing only about 20 percent to 30 percent of the total capital development needs of the airports (4). To ensure the maximum effectiveness of the AIP program, and thus adequate infrastructure investment, airports should also spend all of the revenue they generate for operations and development of the airport. A federal grant should not provide the airport with an opportunity to use federal funds to replace other airport-generated funds and use the latter for non-aviation related activity. Thus, revenue retention requirement serves as the sort of “unlimited match” on a federal grant. The goal is to make the airports as self-sustaining as possible and minimize the need for further federal assistance.

VI. Land Use Policies

The disposition of land acquired by federal donation or with federal assistance is governed by specific requirements included in the agreement between the United States and the sponsor. Typically, those provisions are more restrictive than the general restrictions on the use of the airport revenue. Although, the revenue received through the sale of sponsor-owned property (acquired without federal assistance) technically is not subject to revenue retention requirements (except when such property is on approved airport layout plan), historically, FAA has strongly discouraged the use of such revenue for the non-airport purposes. If land is on the Exhibit “A” attached to a grant, it is considered obligated airport property and is subject to revenue use provisions, regardless of how it was obtained, until resealed by FAA.

1. Airport Layout Plan

An Airport Layout Plan is the agreement between FAA and the airport owner regarding the allocation of airport areas for specific operational and support facilities. In general, land designated in the plan cannot be used, leased, or sold for purposes other than airport purposes without the consent of FAA. To alter the land use, an airport owner

must receive FAA permission regardless of whether the land was acquired with or without federal assistance. FAA can grant its permission (called “land release”) if the land is not needed for present or foreseeable future airport purposes.

When FAA releases the land for non-airport purposes to generate revenues for an airport, its policies require that the airport receives fair market value for the sale or lease of the land. Generally, if an airport sells or leases land for less than fair market value, the revenues are considered to be lost or foregone, and this constitutes revenue diversion.

VII. Consequences of Non-compliance

In violating revenue retention requirements, an airport runs the risk of losing the privilege of eligibility for AIP grants, facing civil penalties, and FAA lawsuits, as well as the possibility of a credit rating downgrade that could jeopardize future debt financing. When the airport fails to comply with federal requirements, FAA has a number of enforcement tools:

1. Withholding AIP Grants

FAA can withhold the AIP funds (both new and existing grants) from the airport, or deny requested land releases. Pulling out federal assistance money might prove to be not a very effective deterrent to some airports especially the largest ones that can go without federal assistance. However, many small GA airports can't afford to lose federal grant money.

2. Judicial Enforcement

The federal government is entitled to the same legal options as any other party to a contract that has been breached. FAA can seek court judgment in the case of violation of the revenue retention provision.

3. Civil Penalties

FAA may assess civil penalties of up to \$50,000 without going to court (6). In addition, Airport Revenue Protection Act of 1996 (P.L. 104-264) gives statutory authority to the U.S. Secretary of Transportation to assess civil penalties (filed in U.S. District Court) against the airport sponsor in the amount of up to three times the amount of the illegally diverted airport revenue (8).

4. Withholding Transportation Funds

Congress has strengthened FAA's enforcement power to resolve revenue diversion cases by including restrictive language in appropriations and transportation laws. For fiscal years 1994 and 1995, Congress specified that transportation funds could be withheld from any local government that diverts revenue generated by a public airport (7). The Airport Revenue Protection Act of 1996 made this enforcement action permanent, giving the Secretary of Transportation the authority to withhold not only aviation, but also transit and rail funds from local governments that fail to reimburse airports for illegally diverted funds and to assess civil penalties against those that fail to reimburse the federal government (8). The full text of the Airport Revenue Protection Act of 1996 is presented in Appendix C.

5. Credit Rating

Another possible consequence of diverting revenue from the airport, which is often overlooked, is a decreased credit rating that can lead to a downgrade of airport bonds, and an increase in the cost of borrowing. According to Moody's Investors Service and Standard & Poor Corp., diversion of revenue from the airport would force both agencies to review the airport's credit rating, because diverting funds could cut into an airport's revenue and increase its debt. When funds are diverted from a public facility, the credit rating agencies (Moody's and S&P) usually place the facility on credit watch with negative implications, meaning that a credit watch is usually a precursor for a lower rating (9).

VIII. FAA Enforcement Procedure

Despite the enforcement tools available, FAA prefers to address airport noncompliance through negotiations and settlements. Informal resolution of disputes is initiated prior to formal enforcement procedures. If the airport owner violates its assurance obligations, the FAA regional or district office will first try to obtain voluntary compliance. When the airport owner cannot be brought into voluntary compliance, the FAA regional or district office will notify the airport owner in writing about the violation, specify corrective action to bring the owner back into compliance, and prescribe a deadline for the corrective action. If the airport owner refuses to take the suggested corrective action, the FAA regional and headquarters offices coordinate the enforcement actions.

FAA relies heavily on airports' voluntary compliance and self-certification rather than direct oversight of all airports. Furthermore, FAA also relies on third-party complaints

regarding non-compliance, meaning that the agency typically will only investigate the airport compliance if it receives a complaint from a third party accusing the airport of non-compliance with federal requirements. This, however, does not mean that there is no compliance oversight at all. As directed by Congress, FAA conducts on-site land use compliance inspections at 18 federally-obligated airports annually, with the minimum of 2 airports inspected per region (15). FAA Airport Compliance Branch leaves the selection of airports to be inspected up to the Regional Airports Divisions and their field offices. Typically, the regional and field offices rely on past inspections, complaints, and specific requests from headquarters when selecting airports for the annual land-use inspection (15).

IX. Examples of Activities Violating Federal Requirements

1. Revenue Use

In general, revenues are considered to be diverted when an airport fails to use revenues generated from the activities that take place on the airport property for airport purposes. In particular, FAA prohibits airport revenue to be used for the following purposes (10):

- Direct or indirect payments, other than payments that reflect the value of services and facilities provided to the airport that are not based on a reasonable, transparent cost allocation formula calculated consistently for other units or cost centers of government
- Use of airport revenue for general economic development, marketing and promotional activities unrelated to airports or airport systems
- Payments in lieu of taxes, or other assessments that exceed the value of services provided or are not based on a reasonable, transparent cost allocation formula calculated consistently for other units or cost centers of government
- Payments to compensate non-sponsoring governmental bodies for lost tax revenues exceeding stated tax rates
- Loans of airport funds to a state or local agency at less than the prevailing rate of interest
- Land rental to, or use of land by, the sponsor for non-aeronautical purposes at less than the amount that would be charged a commercial tenant
- Impact fees assessed by a non-sponsoring governmental body that the airport sponsor is not obligated to pay or that exceed such fees assessed against commercial or other governmental entities

2. Land Use

The following are considered unauthorized uses of airport land and are prohibited by FAA:

- Selling or leasing the land acquired with federal assistance for less than its fair market value
- Using the land acquired with federal assistance for non-airport related purposes without the consent of FAA
- Selling, leasing or altering the use of airport land designated in the Airport Layout Plan without the permission of FAA, regardless of whether the land was acquired with or without federal assistance
- Altering the use of land or transferring other airport property that causes harm to the airport, creates incompatible land-use, or interferes with current or future aeronautical activities or functions at the airport
- Any sale, lease or alteration of use of airport property (including land) that can result in the safety hazards to civil aviation

3. Exceptions

There are few exceptions that can justify the use of below-the-market rent of airport land and property. In most cases, FAA can take a flexible approach to higher education institutions located at the airport. Some airports have leased or transferred property to the non-profit accredited collegiate aviation programs on very favorable terms (less than fair market value). FAA recognizes that the development of the aviation “human infrastructure” is just as important as the development of the physical infrastructure, and facilitates those aviation programs located on the airports’ property. Airport space is also often leased at below market rates to not-for-profit air and space museums located at the airport. Those types of rental arrangements are not considered revenue diversion because these aviation programs and museums support airport operations and contribute to the understanding and support of the aviation.

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Florida Department of Transportation



Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Brett J. Cyphers
Executive Director

Phone: (850) 539-5999 • Fax: (850) 539-2777

May 29, 2019

The Honorable Noah Lockley, Jr., Chair
Franklin County Board of County Commissioners
33 Markey Street, Suite 305
Apalachicola, Florida 32320

Dear Chair Lockley:

The purpose of this correspondence is to provide an update for local government leaders and other interested parties about the status of wetland and related habitat protection in northwest Florida. Wetland Environmental Resource Permitting (ERP) has been implemented in northwest Florida since November 1, 2010. Additionally, the Northwest Florida Water Management District (NFWFMD) began in 1996 to implement a regional wetland mitigation program to support Florida Department of Transportation (FDOT) projects.

As of December 31, 2018, impacts to approximately 307 acres of wetlands have been permitted across northwest Florida through the District's ERP program, and impacts to another 522 acres have been permitted to support FDOT projects. Through this date, multiple NFWFMD programs have together protected over 167,900 acres of wetlands and restored over 32,000 acres of wetlands and adjacent protective uplands. Within Franklin County, approximately seven acres of wetland impacts have been permitted, corresponding with approximately 617 acres of restoration and nine acres of preservation. Additional information is provided in the enclosed table.

Please note that the areas indicated here reflect impacts, preservation, and restoration associated with Northwest Florida Water Management Programs only. Significant additional areas of habitat have been protected and restored by other public agencies and private nonprofit organizations.

For more information on Northwest Florida Water Management District resource restoration programs, please contact Paul Thorpe at (850) 539-5999 or Paul.Thorpe@nfwwater.com. Additional information on the District's ERP, regional wetland mitigation, and land management and acquisition programs is also available online at <https://www.nfwwater.com/>.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos D. Herd".

Carlos D. Herd, P.G.
Director, Division of Resource Management

CDH/pt

Enclosure

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

JOHN W. ALTER
Secretary- Treasurer
Malone

GUS ANDREWS
DeFuniak Springs

JON COSTELLO
Tallahassee

TED EVERETT
Chipley

NICK PATRONIS
Panama City

BO SPRING
Port St. Joe

Cumulative Habitat Impacts, Preservation, and Restoration
Northwest Florida Water Management District Programs
May 2019

County	Wetlands Permanently Impacted (Acres) ¹	Habitat Area Restored and Enhanced (Acres) ²	Habitat Area Preserved (Acres) ³
Bay	180	6,253	4,204
Calhoun	7	1,014	1,604
Escambia	63	3,678	16,724
Franklin	7	617	9
Gadsden	5	11	331
Gulf	6	51	15,248
Holmes	9	233	10,915
Jackson	18	794	7,715
Jefferson	0	1	0
Leon	25	664	514
Liberty	6	555	24,450
Okaloosa	22	367	9,236
Santa Rosa	64	842	30,693
Wakulla	8	0	345
Walton	302	5,993	21,929
Washington	107	11,150	24,043
Total	829	32,223	167,960

¹ Impacts permitted through the Northwest Florida Water Management District (NFWFMD) Environmental Resource Permitting program (beginning November 2010) and for Transportation projects mitigated by the NFWFMD Regional Mitigation Program (beginning July 1996)

² Area restored or enhanced to compensate for impacts permitted through the NFWFMD ERP program, through the Regional Mitigation Program, and through other NFWFMD restoration projects

³ Wetland habitat area protected to compensate for impacts permitted through the NFWFMD ERP program, through the Regional Mitigation Program, and by the NFWFMD land acquisition program

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised
underground residential distribution tariffs, by
Duke Energy Florida, LLC.

DOCKET NO. 20190076-EI
ORDER NO. PSC-2019-0212-PCO-EI
ISSUED: June 3, 2019

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

ORDER SUSPENDING PROPOSED TARIFFS

BY THE COMMISSION:

Background

On April 1, 2019, Duke Energy Florida, LLC (Duke) filed a petition for approval of its 2019 revisions to its underground residential differential tariffs and associated charges. These tariffs represent the additional costs Duke incurs to provide underground service in place of overhead service in new residential subdivisions. This order suspends the proposed tariff. We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

Decision

On April 1, 2019, Duke filed a petition for approval of its 2019 revisions to its underground residential differential tariffs and associated charges. Commission staff requested that the tariff be suspended to allow staff sufficient time to review the petition and gather all pertinent information in order to present this Commission with an informed recommendation on the tariff proposal.

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, by delivering to the utility a reason or written statement of good cause for doing so within 60 days. We find that the reason stated above is good cause consistent with the requirement of Section 366.06(3), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC's proposed tariffs concerning its 2019 revisions to its underground residential differential tariffs and associated charges shall be suspended. It is further

ORDERED that the docket shall remain open pending the our vote on the proposed tariff revisions.

By ORDER of the Florida Public Service Commission this 3rd day of June, 2019.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

WLT

NOTICE OF FURTHER PROCEEDINGS

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 7.44% to 6.46%, effective January 1, 2019, by Duke Energy Florida, LLC d/b/a Duke Energy.

DOCKET NO. 20190069-EI
ORDER NO. PSC-2019-0219-PAA-EI
ISSUED: June 3, 2019

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING AFUDC RATE FOR DUKE ENERGY FLORIDA, LLC

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

Background

Duke Energy Florida LLC's (DEF or the Company) current Allowance for Funds Used During Construction (AFUDC) rate of 7.44 percent was approved in Order No. PSC-10-0604-PAA-EI¹ and reaffirmed in Order No. PSC-13-0598-FOF-EI.² On March 21, 2019, DEF filed a request to decrease its AFUDC rate from 7.44 percent to 6.46 percent, effective January 1, 2019. We have jurisdiction over this matter pursuant to Chapter 366, Florida Statutes (F.S.), including Section 366.04, 366.05, and 366.06, F.S.

Decision

DEF has requested a decrease in its AFUDC rate from 7.44 percent to 6.46 percent. Rule 25-6.0141(2), Florida Administrative Code (F.A.C.), Allowance for Funds Used During Construction, provides the following guidance:

¹ Order No. PSC-10-0604-PAA-EI, issued October 4, 2010, in Docket No. 100134-EI, In re: Review of Progress Energy Florida, Inc.'s current allowance for funds used during construction.

² Order No. PSC-13-0598-FOF-EI, issued November 12, 2013, in Docket No. 130208-EI, In re: Petition for limited proceeding to approve revised and restated stipulation and settlement agreement by Duke Energy Florida, Inc. d/b/a Duke Energy.

(2) The applicable AFUDC rate shall be determined as follows:

(a) The most recent 13-month average embedded cost of capital, except as noted below, shall be derived using all sources of capital and adjusted using adjustments consistent with those used by the Commission in the utility's last rate case.

(b) The cost rates for the components in the capital structure shall be the midpoint of the last allowed return on common equity, the most recent 13-month average cost of short term debt and customer deposits and a zero cost rate for deferred taxes and all investment tax credits. The cost of long term debt and preferred stock shall be based on end of period cost. The annual percentage rate shall be calculated to two decimal places.

In support of its requested AFUDC rate of 6.46 percent, DEF provided its calculations and capital structure as Schedules A and B attached to its request. We have reviewed the schedules and determined that the proposed rate was calculated in accordance with Rule 25-6.0141(2), F.A.C. The requested decrease in the AFUDC rate is due principally to a decrease of 63 basis points in the weighted cost of long term debt and a decrease of 15 basis points in the weighted cost of common equity. Customer deposits are 13 basis points lower and short-term debt is 6 basis points lower. DEF used the midpoint return on equity of 10.50 percent, which was approved by Order No. PSC-10-0131-FOF-EI.³

Based on its review, we find that the requested decrease in the AFUDC rate from 7.44 percent to 6.46 percent is appropriate, consistent with Rule 25-6.0141, F.A.C., and is hereby approved.

DEF requested a monthly compounding rate of 0.523400 percent to achieve an annual AFUDC rate of 6.46 percent. In support of the requested monthly compounding rate of 0.523400 percent, DEF provided its calculation as Schedule C attached to its request. Rule 25-6.0141(3), F.A.C., provides a formula for discounting the annual AFUDC rate to reflect monthly compounding. The rule also requires that the monthly compounding rate be calculated to six decimal places.

Having reviewed the Company's calculations and determined that they comply with the requirements of Rule 25-6.0141(3), F.A.C., we find that a discounted monthly AFUDC rate of 0.523400 percent is appropriate and it is hereby approved.

DEF's proposed AFUDC rate was calculated using a 13-month average capital structure for the period ended December 31, 2018. Rule 25-6.0141(5), F.A.C., provides that:

The new AFUDC rate shall be effective the month following the end of the 12-month period used to establish that rate and may not be retroactively applied to a previous fiscal year unless authorized by this Commission.

The Company's requested effective date of January 1, 2019, complies with the requirement that the effective date does not precede the period used to calculate the rate, and is hereby approved.

³ Order No. PSC-10-0131-FOF-EI, issued March 5, 2010, in Docket No. 090079-EI, In re: Petition for increase in rates by Progress Energy Florida, Inc. and Docket No. 090144-EI, In re: Petition for limited proceeding to include Bartow repowering project in base rates, by Progress Energy Florida, Inc.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC's request to decrease its AFUDC rate from 7.44 percent to 6.46 percent is hereby granted. It is further

ORDERED that the effective date of the decrease in the AFUDC rate to 6.46 percent based on a 13-month average capital structure for the period ended December 31, 2018, is January 1, 2019. It is further

ORDERED that the monthly compounding rate to maintain an annual rate of 6.46 percent is 0.523400 percent. It is further

ORDERED that the revised AFUDC rate of 6.46 percent is effective as of January 1, 2019, for all purposes. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that if no person whose substantial interests are affected by this proposed agency action files a protest within 21 days of the issuance of this order, this docket shall be closed upon the issuance of a Consummating Order.

By ORDER of the Florida Public Service Commission this 3rd day of June, 2019.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SBr

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 24, 2019.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.