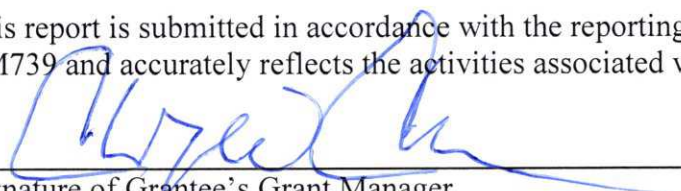


DEPARTMENT OF ENVIRONMENTAL PROTECTION
Progress Report Form

Exhibit A

DEP Agreement No.:	CM739		
Grantee Name:	Indialantic Resiliency Project		
Grantee Address:	216 5 th Avenue, Indialantic, FL 32903		
Grantee's Grant Manager:	Christopher Chinault	Telephone No.:	321-723-2242
Reporting Period:	4/1/2019 – 6/30/2019		
Project Number and Title:	Indialantic Resiliency Project		
Provide the following information for all tasks and deliverables identified in the Grant Work Plan: a summary of project accomplishments for the reporting period; a comparison of actual accomplishments to goals for the period; if goals were not met, provide reasons why; provide an update on the estimated time for completion of the task and an explanation for any anticipated delays and identify by task. NOTE: Use as many pages as necessary to cover all tasks in the Grant Work Plan. Task 3 of the grant has been completed. Deliverable 3 was submitted and received by DEP on June 24, 2019. No delays were incurred in completing this task. Summary of accomplishments: The Town received the Objections, Recommendation and Comment (ORC) report from Department of Economic Opportunity (DEO) on April 19, 2019. DEO had one objection that required revisions to the Amendment. After communication with the DEO reviewer revisions were made and submitted for a courtesy review. The reviewer was in agreement with the changes that were made. On June 19, 2019, staff presented to the revised Comprehensive Plan Amendment to the Town Council at an adoption public hearing. Council reviewed the revisions based on the ORC Report and voted unanimously adopt the Plan Amendments and submit to (DEO) for a finding of compliance. The adopted Comprehensive Plan Amendment Package was submitted to DEO on June 21, 2019. Task 3 is the final task of the grant. Therefore, this grant is hereby complete.			

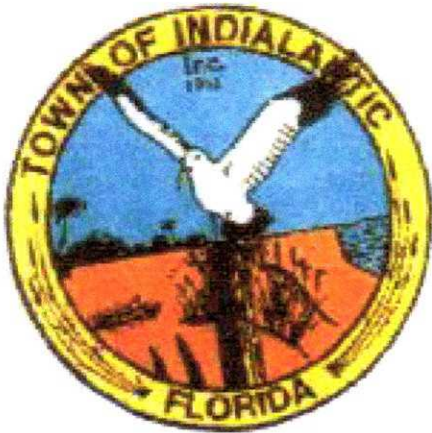
This report is submitted in accordance with the reporting requirements of DEP Agreement No. CM739 and accurately reflects the activities associated with the project.



Signature of Grantee's Grant Manager



Date



**DEPARTMENT OF ENVIRONMENTAL PROTECTION
INDIALANTIC RESILIENCY PROJECT
AGREEMENT NUMBER: CM739**

Deliverable 3 – June 21, 2019

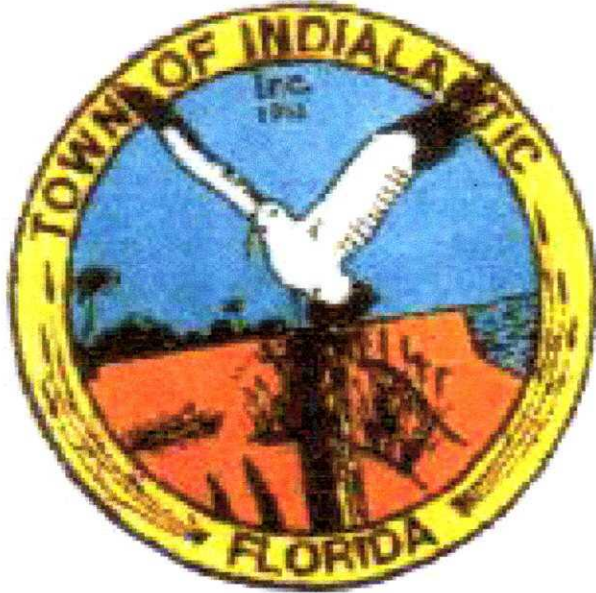


**LaRue
planning**
1375 Jackson Street, #206, Fort Myers, FL 33901

Deliverable

Comprehensive Plan Amendment Adopted by Council on June 19, 2019

Amendment Package Submitted to DEO on June 21, 2019



**TOWN OF INDIALANTIC
216 FIFTH AVENUE
INDIALANTIC, FL 32903**

Comprehensive Plan Amendment Package
Adopted: June 19, 2019

COMPREHENSIVE PLAN AMENDMENT PACKAGE

Table of Contents

Transmittal Letter

Response to DEO ORC Report

Adopted Ordinance No. 2019-02

Attachment A: Coastal Management and Conservation Element

Agenda and Minutes

Town Council, June 19, 2019



June 21, 2019

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning and Development
Department of Economic Opportunity
107 East Madison Street
Caldwell Bldg., MSC 160
Tallahassee, Florida 32399

Reference: Town of Indialantic Adopted Comprehensive Plan Amendment No. 19-01ER

Dear Mr. Eubanks:

Pursuant to the State Coordinated Review process guidelines, enclosed are three (3) copies (one printed copy and two compact discs) of the above referenced adopted Amendment to the Comprehensive Plan for the Town of Indialantic.

The following information concerning the adopted amendment is offered:

- The Town Council held its adoption public hearing on June 19, 2019 and adopted Ordinance No. 2019-02 approving the amendment as submitted herein.
- The Plan Amendment package contains amendments to the Coastal Management and Conservation Element of the Town's Comprehensive Plan.
- The Plan Amendment is adopted as proposed except for the revisions made in response to the Department's Objections, Recommendations and Comments (ORC) Report. See the attached *Response to ORC Report* outlining the changes.
- Timely comments received from other reviewing agencies required no compliance changes to the Amendment package as originally transmitted.
- The Town is relying on data and analysis previously submitted with the transmittal.
- The adopted Comprehensive Plan Amendment package and this transmittal letter have been submitted to the following agencies (via email) on the above captioned date:

East Central Florida Regional Planning Council
St. Johns River Water Management District
Florida Department of Education
Florida Department of State
Florida Department of Transportation, District 5
Florida Department of Environmental Protection
Brevard County Community Development Department

providing planning and management solutions for local governments

1375 Jackson Street, Suite 206 Fort Myers, FL 33901 239-334-3366 www.larueplanning.com

The contact person for this Plan Amendment is:

James G. LaRue, AICP, Planning Consultant
LaRue Planning & Management Services, Inc.
1375 Jackson Street, Suite 206, Fort Myers, FL 33901
239-334-3366 E-Mail: jim@larueplanning.com

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



James G. LaRue, AICP
President

RESPONSE TO:
OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
PROPOSED COMPREHENSIVE PLAN AMENDMENT
TOWN OF INDIALANTIC (19-01ER)

The Town has reviewed the Department's ORC Report and is revising the policies as shown in the chart below. The revised objectives and policies (right hand column) have been included in the Coastal Management and Conservation Element of the Town's Comprehensive Plan.

Objectives and Policies	
Proposed (February 13, 2019)	Revisions based on ORC Report
<u>Policy 4.3: The Town shall support development measures which integrate innovative climate adaptation and mitigation designs, such as Low Impact Development (LID) practices, to better manage stormwater runoff.</u>	<u>Policy 4.3: The Town shall include in its Land Development Code stormwater management controls that emphasize the urban design tools of low impact development (LID). New development in the Town's designated Adaptation Action Areas (AAAs) will be incentivized to integrate these innovative climate adaptation and mitigation design tools to better manage stormwater runoff.</u>
<u>Objective 5: The Town shall address the issues underlying the potential impacts of storm surge and sea level rise over time. The Town shall consider the designation of areas known as Adaptation Action Areas (AAA) as may be identified by the Town Council in the future as being subject to coastal erosion, flooding, sea level rise or damage to environmental systems. Prepare a Future Land Use Plan which directs population concentrations away from Coastal High Hazard Areas where feasible.</u>	<u>Objective 5: The Town shall designate the areas that show inundation by 2020 based on the Florida sketch tool maps prepared in 2018 as AAAs. Prepare a Future Land Use Plan which directs population concentrations away from Coastal High Hazard Areas where feasible.</u>
<u>Policy 5.3: The Town will evaluate sea level rise risks to existing Town owned infrastructure and plan for the mitigation of any potential threats. Strategies may include replacement of failing infrastructure and resurfacing existing roads, and modifications to the existing drainage and stormwater retention system.</u>	<u>Policy 5.3: The Town has evaluated its infrastructure with respect to sea level rise and storm surge risks and has authorized \$3,000,000 in CIE funds to repair/replace existing stormwater piping and create new detention areas.</u>

<u>Policy 5.4: The Town shall review the Florida Department of Economic Opportunity's "Community Resiliency Initiative: Planning for Sea Level Rise," as well as other state, regional, and federal planning resources, as part of its efforts to establish effective strategies to plan for and adapt to sea level rise. In examining the statewide planning framework, the Town can better determine how best to integrate sea level rise adaptation policies into existing processes.</u>	<u>Policy 5.4: The Town will consider, but not be limited to using the following tools within the designated AAAs:</u> ▪ <u>Public infrastructure planning, siting, construction replacement, operation and maintenance</u> ▪ <u>Stormwater management</u> ▪ <u>Green streets</u> ▪ <u>Rain garden/bioswales</u> ▪ <u>Vernacular streetscapes and plant replacement</u> ▪ <u>Grass pavers (driveways, main streets, ponding areas)</u> ▪ <u>New building code standards</u> ▪ <u>Land development regulations</u> ▪ <u>Comprehensive planning</u>
<u>Policy 5.5: The National Oceanic and Atmospheric Administration (NOAA) Sea Level Rise Inundation Methodology and other reliable hazard assessment tools will be used to model future sea level rise and flood hazards in the Town. Public input meetings will be held, and the Town shall identify areas vulnerable to these impacts. Analysis shall include the identification of existing, pending, and proposed development and infrastructure that would be inappropriate or unsafe as a consequence of current and future flood hazards.</u>	<u>Policy 5.5 -has been deleted</u> <i>Note: Proposed Policy 5.6 has been renumbered and is now Policy 5.5</i>
<u>Objective 6: The Town will implement development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in storm surge vulnerable areas.</u>	<u>Objective 6: The Town will reduce the amount of surface water runoff, if economically feasible.</u>
<u>Policy 6.1: The Town will identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.</u>	<u>Policy 6.1: The Town shall conduct yearly inventories of existing infrastructure focusing on the condition of the stormwater runoff systems.</u>

<u>Policy 6.3: In order to reduce flood risk from, or associated with, high-tide events, storm surge, flash floods, stormwater runoff and the impacts related to sea-level rise, the Town will consider the use of the development and redevelopment principles, strategies and engineering solutions based on data obtained from the East Central Florida Regional Planning Council, the Florida Building Code and the Town's Land Development Code.</u>	<u>Policy 6.3: The Town shall maximize unpaved landscape to ease stormwater infiltration. The Town will adhere to native landscaping methods which emphasize salt tolerance and water absorption vegetation. The Town will implement landscaping programs through its local development review process, establishing meaningful standards and salient guidelines to promote vegetation that is highly water absorbent to withstand the marine environment and the impacts of tropical winds.</u>
<u>Policy 6.4: The Town shall consider participating in the National Flood Insurance Program Community Rating System, administered by FEMA.</u>	<u>Policy 6.4: The Town shall take steps to participate in the National Flood Insurance Program Community Rating System, administered by FEMA. The initial step will be adopting the state model flood damage prevention ordinance.</u>

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA; AMENDING THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTION 163.3178; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature passed the Peril of Flood Act in 2015 requiring cities and counties to address the potential of sea level rise and storm surge in their respective communities; and

WHEREAS, these requirements are incorporated in Section 163.3178, Florida Statutes, and specify the Coastal Management Element in each Comprehensive Plan reflect a redevelopment component that will make a community more resilient to flooding, storm surge, and sea level rise; and

WHEREAS, a public workshop was held on October 11, 2018, where the public responded to a vulnerability assessment of the Town to the future impacts from sea level rise, flooding and storm surge; and

WHEREAS, Resiliency strategies were recommended and proposed amendments to the Town's Coastal Management and Conservation Element were reviewed by the Zoning and Planning Board (Land Planning Agency) at a duly advertised public hearing on January 22, 2019; and

WHEREAS, Town Council has agreed with the recommendations of the Local Planning Agency that the proposed amendments comply with the requirements of Chapter 163, and that the proposed amendments are consistent with the Town's Comprehensive Plan; and

WHEREAS, Town Council held a duly advertised public hearing on February 13, 2019, for submittal hearing approval of the amendments and transmittal to the State Land Planning Agency.

38 **NOW, THEREFORE, BE IT ENACTED** by the Town Council of the Town of
39 Indialantic, Brevard County, Florida:
40

41 **SECTION 1. Recitals.** The foregoing recitals are hereby fully incorporated herein
42 by this reference.
43

44 **SECTION 2.** The Town of Indialantic hereby adopts the amended Coastal
45 Management and Conservation Element to its current Comprehensive Plan, which
46 amendments consist of the pages identified as Attachment A, which are incorporated into
47 the current Comprehensive Plan.
48

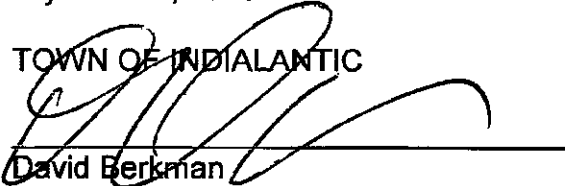
49 **SECTION 3.** The Town Manager shall transmit the proposed amendments to the
50 applicable agencies in accordance with State Statutes governing the review of
51 Comprehensive Plan Elements.
52

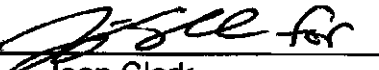
53 **SECTION 4. Severability Clause/Interpretation.** In the event that any term,
54 provision, clause, sentence or section of this Ordinance shall be held by a court of
55 competent jurisdiction to be partially or wholly unenforceable or invalid for any reason
56 whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the
57 other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance,
58 and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable
59 term, provision, clause, sentence, or section did not exist.
60

61 **SECTION 5. Effective Date.** The effective date of this plan amendment, if the
62 amendment is not timely challenged, shall be the date the state land planning agency
63 posts a notice of intent determining that this amendment is in compliance. If the
64 amendment is timely challenged, or if the State Land Planning Agency issues a notice of
65 intent determining that this amendment is not in compliance, this amendment shall
66 become effective on the date the state land planning agency or the Administration
67 Commission enters a final order determining this adopted amendment to be in
68 compliance. No development orders, development permits, or development dependent
69 on this amendment may be issued or commence before it has become effective.
70

71 **PASSED** by the Town Council of the Town of Indialantic on first reading on the
72 13th day of February, 2019, and **ADOPTED** by the Town Council of the Town of
73 Indialantic, Florida, on final reading on the 19th day of June, 2019.

74
75 TOWN OF INDIALANTIC

76
77
78 
79 David Berkman
80 Mayor

81 ATTEST: 
82 Joan Clark
83 Town Clerk

84 1st reading: February 13, 2019

85 2nd reading: June 19, 2019

86 Effective: June 19, 2019

ATTACHMENT A



Coastal Management and Conservation Element

Coastal Management and Conservation Element

Goal 1: Ensure that growth which occurs in the Town does not damage or destroy the function of coastal resources, protects human life, and limits public expenditures in the high hazard area.

Objective 1:

Protect, conserve, and enhance remaining coastal wetlands, living marine resources, coastal barriers, wildlife habitat, and estuarine quality.

- Policy 1.1:** The Town will implement Objective 1 by participating, as deemed appropriate by the Town Council, in area-wide governmental programs to protect, conserve, and restore remaining coastal wetlands, living marine resources, coastal barriers, wildlife habitat, and estuarine quality, including Marine Resources Council programs, the SWIM program, programs for the Florida Department of Environmental Protection (DEP), Indian River Lagoon National Estuary Program, and Brevard County Office of Natural Resources Management.
- Policy 1.2:** Implement the landscaping and lot clearing ordinance to make sure that native vegetation is protected as much as possible from destruction by development activities.
- Policy 1.3:** Ensure that air quality meets acceptable DEP standards by requesting periodic monitoring by the State.
- Policy 1.4:** Review and revise, as necessary, the stormwater management regulations to ensure that the maximum protection to the Indian River Lagoon has been given and ensure that the Town's goals, objectives and policies are consistent with those of the Indian River Lagoon Comprehensive Conservation and Management Plan.
- Policy 1.5:** Continue to participate in County-wide beach and dune renourishment programs.
- Policy 1.6:** Protect natural reservation areas identified in the Recreation and Open Space Element and maintain the designation of the Indian River Lagoon and beaches and dunes as environmentally sensitive areas.
- Policy 1.7:** Continue to enforce the current water shortage ordinance which is consistent with the St. Johns River Water Management District policy for conservation.
- Policy 1.8:** Continue to enforce the Turtle Protection Ordinance and keep the designation of Bird Sanctuary for the Town. Also, restrict activities known to adversely affect the survival of endangered species including the Manatee.
- Policy 1.9:** Continue to protect and conserve the natural function of existing soils, fisheries, wildlife habitats, ocean beaches and shores, estuarine marshes, and water recharge areas through the adopted land development regulations.

Policy 1.9.1: The Town will support the County in its efforts to manage hazardous waste in order to protect natural resources. The Town will continue to utilize its procedures for providing for emergency response and cleanup capabilities for uncontrolled or accidental discharges or releases of hazardous wastes through its Police and Fire Departments.

Policy 1.10: The Town of Indialantic shall consider its valuable environmental resources, including wetlands, as visual amenities to be preserved and protected from activities which alter their physical and hydrological nature. The Town will review regulations that can be considered for inclusion in the LDR by 2012 to ensure the protection and preservation of these areas.

Objective 2:

By January 2010, develop criteria for prioritizing shoreline uses giving priority to water-dependent uses.

Policy 2.1: The first priority for water-dependent uses shall be for recreational facilities that provide pedestrian access to the public to the navigable waters of the state.

Policy 2.2: Recreational facilities which cause shoreline destruction will not be provided, encouraged, or allowed.

Policy 2.3: Local waterfront revitalization is to be encouraged through participation with the Waterfronts Florida Partnership Program (WFPP) as practicable.

Objective 3:

Establish construction standards which minimize the impacts of man-made structures on beach or dune systems.

Policy 3.1: Construction standards for buildings and man-made structures shall be those established by the State and approved by the Department of Environmental Protection unless further restricted by Town standards. This will continue to be a part of the building permit procedure.

Policy 3.2: Infrastructure and roadway improvements which are required to meet minimum level of service standards within already developed public rights-of way are allowed. No public buildings shall be constructed east of the Coastal Construction Control Line (CCCL), with the exception of minor structures including public restrooms and picnic shelters which are customarily provided to support recreation and open space activities, and pedestrian access facilities (in accordance with dune protection design standards).

Policy 3.3 Any construction activities allowed seaward of the CCCL established pursuant to Florida Statutes Section 161.053, must be consistent with Florida Statutes Chapter 161 [Beach and Shore Preservation].

Objective 4:

Limit public expenditures that subsidize development in Coastal High Hazard Area (CHHA).

Policy 4.1: The Coastal High-Hazard Area shall be defined as stated in Florida Statutes Chapter 163, as the areas below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, as described in Florida Statutes 163.3178(2)(h). The area defined should be based upon the most recently available data published by the Florida Division of Emergency Management.

Policy 4.1.4.2: Since the CHHA already has the necessary infrastructure, only funds for maintenance, upgrading and expansion of infrastructure, as deemed necessary, to ensure adequate levels of service are provided by all facilities, will be expended.

Policy 4.2: ~~The Town of Indialantic designates the Coastal High Hazard Area as “the area defined by the SLOSH model to be inundated from a Category 1 Hurricane”.~~

Policy 4.3: The Town shall include in its Land Development Code stormwater management controls that emphasize the urban design tools of low impact development (LID). New development in the Town’s designated Adaptation Action Areas (AAAs) will be incentivized to integrate these innovative climate adaptation and mitigation design tools to better manage stormwater runoff.

Policy 4.4: The Town shall undertake a master stormwater capital improvement pipe replacement program to alleviate failing infrastructure that, left unchanged, would increase the potential for flooding.

Policy 4.5: The Town shall secure funding to construct stormwater retention improvements south of Lily Park to decrease the flow of surface water to the Indian River Lagoon.

Objective 5:

The Town shall designate the areas that show inundation by 2020 based on the Florida sketch tool maps prepared in 2018 as AAAs. ~~Prepare a Future Land Use Plan which directs population concentrations away from Coastal High Hazard Areas where feasible.~~

Policy 5.1: The Town shall not increase the density or intensity of land use within the Coastal High Hazard Area.

Policy 5.2: The Town shall encourage low density residential uses around water bodies to preserve and protect them and their contribution toward the enhancement of the quality of life in Indialantic.

Policy 5.3: The Town has evaluated its infrastructure with respect to sea level rise and storm surge risks and has authorized \$3,000,000 in CIE funds to repair/replace existing stormwater piping and create new detention areas.

Policy 5.4: The Town will consider, but not be limited to using the following tools within the designated AAAs:

- Public infrastructure planning, siting, construction replacement, operation and maintenance
- Stormwater management

- Green streets
- Rain garden/bioswales
- Vernacular streetscapes and plant replacement
- Grass pavers (driveways, main streets, ponding areas)
- New building code standards
- Land development regulations
- Comprehensive planning

Policy 5.5: The Town shall collaborate with stakeholders at least every 5-years, or earlier, to analyze the best available data and maintain efforts to identify and understand the risks, vulnerabilities and opportunities for resiliency strategies within the updated planning horizons.

Objective 6:

The Town will reduce the amount of surface water runoff, if economically feasible.

Policy 6.1: The Town shall conduct yearly inventories of existing infrastructure focusing on the condition of the stormwater runoff systems.

Policy 6.2: The Town will be consistent with, or more stringent, if possible, than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

Policy 6.3: The Town shall maximize unpaved landscape to ease stormwater infiltration. The Town will adhere to native landscaping methods which emphasize salt tolerance and water absorption vegetation. The Town will implement landscaping programs through its local development review process, establishing meaningful standards and salient guidelines to promote vegetation that is highly water absorbent to withstand the marine environment and the impacts of tropical winds.

Policy 6.4: The Town shall take steps to participate in the National Flood Insurance Program Community Rating System, administered by FEMA. The initial step will be adopting the state model flood damage prevention ordinance.

Objective 6.7:

Maintain or reduce hurricane evacuation times.

Policy 6.7.1: Work with Brevard County to ensure that hurricane evacuation is planned for in a safe and expeditious manner.

Policy 6.7.2: At the beginning of each hurricane season, coordinate with Brevard County Emergency Management to ensure that residents are informed about evacuation procedures.

Objective 7.8:

By January 2010, the Town shall ~~prepare a~~ continue to maintain its Post Disaster Recovery Plan addressing any issues that are not specifically reflected in Resolution 05-09.

Policy 7.18.1: Work with all other public bodies which provide infrastructure to the Town to ensure that their post-disaster plans are sound.

Policy 7.28.2: Utilize the existing building permit process and regulations for rebuilding any structures demolished during a storm. This would include approval by the DEP and by the Board of Adjustment of the Town.

Policy 7.38.3: The Town will work with the County to determine cleanup and repair activities following a major storm. Immediate activities will include repairs to infrastructure, removal of debris, and the stabilization or removal of structures deemed to present a hazard to public safety.

Policy 7.48.4: Within two (2) months after the occurrence of a major storm event (Category 3 hurricane in the Town), the Town Local Planning Agency will initiate an evaluation of those areas where there is significant property damage or erosion and in those areas that have a record of repeated property damage or erosion to determine what actions, if any, should be taken to limit redevelopment or redirect redevelopment to other areas. Upon completion of the evaluation process, the Local Planning Agency shall recommend to the Town Council any appropriate amendments to the Comprehensive Plan and amendments to the Town land development regulations.

Policy 7.58.5: The Town will review and amend its Comprehensive Plan accordingly to reflect applicable mitigation report recommendations provided by State or Local agencies.

Policy 7.68.6: The Town, in cooperation with the County and other incorporated municipalities, shall support the development of a county-wide Local Mitigation Strategy (LMS) by participating as an active member of the Brevard County Working Group for LMS Development.

Policy 7.78.7: The Town shall amend the Comprehensive Plan to include appropriate mitigation initiatives and enhancements identified in the LMS such as policies, programs and projects to reduce potential damage from natural disasters.

Policy 8.8: The Town requires that any non-residential structure, including those abandoned, or sustaining damage in excess of 50% of its assessed value due to storm conditions or erosion, be demolished or reconstructed in accordance with all Town ordinances applicable to new construction.

Policy 7.88.9: The Town shall amend the Comprehensive Plan to include appropriate short-term recovery directives and long-term redevelopment strategies identified in the LMS.

Policy 7.98.10: The Town shall protect the lives of residents by ensuring designated evacuation routes are well marked and maintained; by basing land use decisions on the availability of adequate capacity on designated evacuation routes necessary to evacuate residents in a safe and timely manner; and by educating residents regarding hazards such as evacuations routes, shelter availability, safety procedures and incentives for or benefits of preparing homes for disaster events.

Objective ~~8~~9:

Maintain and preserve the existing public access to the beach and Indian River; enhance and improve public access where possible.

Policy ~~8.1~~: ~~Reserved.~~

Policy ~~8.2~~9.1: Continue to preserve, enhance, and improve existing access points to the beach.

Objective ~~9~~10:

Identify and preserve any historical resources that have been documented to actually exist.

Policy ~~9.1~~10.1: Work with local entities to identify by markers the "Tradewinds" and the "Bahama Beach Club" properties (Structures no longer exist).

Policy ~~9.2~~10.2: In documented cases where environmental resources have been degraded, the Town shall seek to restore these areas by coordinating with appropriate agencies seeking available funds for restoration projects.

Policy ~~9.3~~10.3: The Town shall work with the area electric utility to provide energy conservation tips and low energy audits to consumers.

Policy ~~9.4~~10.4: The Town shall require the use of High Efficiency Toilets; High Efficiency Showerheads; High Efficiency Faucets; High Efficiency Clothes Washers; and Dishwashers that are Energy Star rated and Water Sense certified in all new and redeveloped residential projects, as required by the 2007 edition of the Florida Building Code, as amended.

Objective ~~10~~11:

Establish standards for levels of service, areas of service, and phasing of infrastructure where applicable.

Policy ~~10.1~~11.1: Utilize existing level of service standards identified in other elements of the Comprehensive Plan.

Objective ~~11~~12:

The Town shall support the Goals and Objectives of the Indian River Lagoon National Estuary Program (IRLNEP) Indian River Lagoon Comprehensive Conservation and Management Plan (CCMP) dated May, 1996.

Policy ~~11.1~~12.1: The Town shall participate in the development and maintenance of a monitoring network which will provide adequate and reliable data and information on water quality.

Policy ~~11.2~~12.2: The Town shall support the effort of the Florida Dept. of Environmental Protection and the Florida Fish and Wildlife Commission to protect the threatened and endangered species of the Indian River Lagoon.

Policy ~~11.3~~12.3: The Town shall participate in the effort by the St. Johns River Water Management District to protect and restore seagrass integrity and functionality in the Indian River Lagoon.

Policy ~~11.4~~12.4: The Town shall prohibit all new point-source discharges into the Indian River Lagoon in accordance with the Indian River Lagoon Act.

Policy ~~11.5~~12.5: The Town shall continue to implement appropriate recommendations contained in the IRLNEP CCMP and the SJRWMD Surface Water Improvement and Management (SWIM) Plan to reduce the amount of non-point source pollution entering the Indian River Lagoon.

Policy ~~11.6~~12.6: Consistent with the Goals and Policies of the IRLNEP CCMP and the SJRWMD's SWIM Plan, the Town shall reduce the amount of non-point source pollution entering the Indian River Lagoon. This shall be accomplished by applying for any appropriate grants and funds to improve the efficiency of pollutant removal by upgrading, expanding and replacing existing stormwater management facilities and to construct new regional stormwater management facilities to enhance the existing system.

Policy ~~11.7~~12.7: The Town will ensure that any stormwater management and water reuse policies and projects are consistent with the Goals of the SJRWMD's Indian River Lagoon Basin program, including its Comprehensive Conservation Management Plan, to restore and protect the Indian River Lagoon through the enhancement of water quality and natural systems in the basin.

Policy ~~11.8~~12.8: The Town will ensure that any new regulation to protect water resources is consistent with SJRWMD's environmental resource permitting and consumptive permitting use permitting rules.

Objective ~~12.13~~13:

The Town shall support a safe, convenient, and energy efficient multimodal transportation system that furthers the reduction of greenhouse gas emissions and supports and funds mobility.

Policy ~~12.1~~13.1: The Town shall require pedestrian safety in the planning, design, and construction of all transportation facilities.

Policy ~~12.2~~13.2: The Town will coordinate with state and county governmental entities to provide bikeway facilities for new and reconstructed roadway facilities, with determination of need and costs being of primary consideration.

Policy ~~12.3~~13.3: The Town shall, on an ongoing basis, work with Brevard County and the Space Coast TPO and assist these agencies in establishing policies and standards which promote housing in close proximity to employment opportunities and transit services.

Policy ~~12.4~~13.4: The Town shall not prohibit the appropriate placement of solar panels.

Policy ~~12.5~~13.5: The Town will coordinate with FDOT, SCAT and any other potential future mass transit service providers to address the provision of mass transit services.

This Policy is not to be construed to prevent alteration, modification or termination of Interlocal Agreements by reason of mutual consent or a mutually entered into mediation process.

~~Note: The Policy in Rule 9J-5.013(2)(c)2., Florida Administrative Code, is not applicable.~~

AGENDA AND MINUTES

AGENDA NO. 19-10

**TOWN OF INDIALANTIC
REGULAR MEETING OF THE TOWN COUNCIL
June 19, 2019**

A regular meeting of the Indialantic Town Council will be held at 7:00 p.m. on Wednesday, June 19, 2019, in Indialantic Town Hall, 216 Fifth Avenue, Indialantic, Florida.

I. CALL TO ORDER:

Honorable Dave Berkman, Mayor
Honorable Stu Glass, Deputy Mayor
Honorable Dick Dunn, Council Member
Honorable Randy Greer, Council Member
Honorable Simon Kemp, Council Member

II. PLEDGE OF ALLEGIANCE:

III. 2017/2018 AUDIT PRESENTATION: Christine Noll-Rhan (Carr, Riggs & Ingram, LLC)

IV. PUBLIC:

In accordance with the Town Council's public participation policy, persons wishing to address the Town Council on a matter not listed on the agenda may speak under the public portion of the meeting agenda. A person must be recognized by the Mayor prior to arriving at the podium to speak.

Speakers must provide their name and address and must direct comments to the Mayor and not to the members of the audience. Please observe the time limit of **three (3) minutes** while speaking under the public portion of the agenda.

To ensure that everyone is heard, all speakers, including Council Member and staff, **are requested to speak directly into the microphone.**

V. PUBLIC ANNOUNCEMENTS:

- A. There are currently openings, including reappointments, on the Board of Adjustment; Budget & Finance Committee; Code Enforcement Board; Heritage Committee; Parks, Recreation, and Beautification Committee; Police/Fire Pension Board of Trustees; and Zoning & Planning Board.
- B. There will be openings and reappointments on the Budget and Finance Committee; Code Enforcement Board; Heritage Committee; Parks, Recreation and Beautification Committee; Police/Fire Pension Board of Trustees; and Zoning and Planning Board in April.

VI. CONSENT AGENDA:

- A. Minutes No. 19-09: Regular Town Council Meeting of May 8, 2019.
- B. Appointments:
 - a. Civil Service Board – 2 openings. Bernie Gott would like to be reappointed. Reappoint Mr. Gott.
 - b. Heritage Committee – 3 openings. Steven Trentadue would like to be appointed. Anne H. Kaylor would like to be reappointed. Appoint Mr. Trentadue. Reappoint Ms. Kaylor.
 - c. Police/Fire Pension Board – 1 opening. Carrie Powell Foy would like to be appointed. Appoint Ms. Foy.
- C. Approve Deputy Mayor Glass' request to attend the June & July Legislative Policy Committee Meetings.
- D. Resiliency Project – approve FDEP Agreement Amendment #2.
- E. Melbourne Beach Fire Dispatch Services – approve the 5th Amendment to Fire-Rescue Dispatch Services Interlocal Agreement
- F. Designate Deputy Mayor Glass as the Town's voting delegate at the 93rd Annual Conference of the Florida League of Cities in August.
- G. Solid Waste Rates – approve a rate increase of 2.0% as authorized in the franchise agreement.

VII. ORDINANCES AND RESOLUTIONS:

- A. Ordinance No. 2019-02/Second Reading and Public Hearing: Amending the Coastal Management and Conservation Element of the Comprehensive Plan as mandated by Florida Statutes Section 163.3178; and providing for transmittal to the State Land Planning Agency.
- B. Ordinance No. 2019-04/Second Reading: Amending Town Code Chapter 13 related to small wireless facilities.
- C. Ordinance No. 2019-05/Second Reading: Amending Town Code Chapter 17 related to zoning; amending sections 17-126, 17-130 & 17-131 as they affect drive-through restaurants.
- D. Ordinance No. 2019-06/First Reading: Updating the five-year schedule of Capital Improvements of the Town's Comprehensive Plan.
- E. Ordinance No. 2019-07/First Reading: Amending Town Code Chapter 2 creating a new section 2-236 regarding rehired after retirement.
- F. Ordinance No. 2019-08/First Reading: Amending Town Code Chapter 2, Article VII, to alter the practice of paying for dinners for members to attend the SCLOC's monthly meetings.

G. Resolution No. 07-19 – Designating personnel authorized to sign checks for the Town.

H. Resolution No. 08-19 – Establishing a fund balance practice.

VIII. Administrative Matters:

A. Report from Town Manager

B. Report from Town Attorney

IX. REPORTS:

A. Mayor Berkman

B. Deputy Mayor Glass

C. Council Member Dunn

D. Council Member Greer

E. Council Member Kemp

X. ADJOURNMENT.

NOTICE TO THE PUBLIC: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD, AGENCY, OR COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION INTO EVIDENCE OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

MINUTES NO. 19-10

**TOWN OF INDIALANTIC
REGULAR MEETING OF THE TOWN COUNCIL
June 19, 2019**

A regular meeting of the Indialantic Town Council was on Wednesday, June 19, 2019, in Indialantic Town Hall, 216 Fifth Avenue, Indialantic, Florida, as publicly noticed.

I. CALL TO ORDER:

Mayor Berkman called the meeting to order at 7:00 p.m.

PRESENT: Honorable Dave Berkman, Mayor
Honorable Stu Glass, Deputy Mayor
Honorable Dick Dunn, Council Member
Honorable Randy Greer, Council Member
Honorable Simon Kemp, Council Member
Paul Gougelman, Town Attorney
Christopher W. Chinault, Town Manager
Jennifer Small, Deputy Town Clerk

ALSO PRESENT: Michael Casey, Chief of Police
Michael Connor, Sergeant

II. PLEDGE OF ALLEGIANCE:

Mayor Berkman led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

II. 2017/2018 AUDIT PRESENTATION: Christine Noll-Rhan (Carr, Riggs & Ingram, LLC)

Christine Noll-Rhan presented the 2017/2018 audit to the Council.

*** MOTION By Mayor Berkman; Seconded by Deputy Mayor Glass, to accept the FY 17/18 audit report.**

AYES: Berkman, Glass, Dunn, Greer and Kemp

THE MOTION CARRIED UNANIMOUSLY. (5 TO 0)

IV. PUBLIC:

Linda Postma, 112 Fourth Avenue, spoke regarding the Town's social media accounts and thinks that guidelines need to be established.

Louis Postma, 112 Fourth Avenue, mentioned that social media can be a great thing because the news can twist your words but whereas on social media it's your exact words.

Luke Frisbee, 334 First Avenue, said he prefers to hear what all Council Members has to say and is more afraid of what they are not saying.

V. PUBLIC ANNOUNCEMENTS:

Mayor Berkman read the following public announcements:

- A. There are currently openings, including reappointments, on the Board of Adjustment; Budget & Finance Committee; Code Enforcement Board; Heritage Committee; Parks, Recreation, and Beautification Committee; Police/Fire Pension Board of Trustees; and Zoning & Planning Board.
- B. There will be openings and reappointments on the Budget and Finance Committee; Code Enforcement Board; Heritage Committee; Parks, Recreation and Beautification Committee; Police/Fire Pension Board of Trustees; and Zoning and Planning Board in June.

VI. CONSENT AGENDA:

- A. Minutes No. 19-09: Regular Town Council Meeting of May 8, 2019
- B. Appointments:
 - a. Civil Service Board – 2 openings. Bernie Gott would like to be reappointed. Reappoint Mr. Gott.
 - b. Heritage Committee – 3 openings. Steven Trentadue would like to be appointed. Anne H. Kaylor would like to be reappointed. Appoint Mr. Trentadue. Reappoint Ms. Kaylor.
 - c. Police/Fire Pension Board – 1 opening. Carrie Powell Foy would like to be appointed. Appoint Ms. Foy.
- C. Approve Deputy Mayor Glass' request to attend the June & July Legislative Policy Committee Meetings.
- D. Resiliency Project – approve FDEP Agreement Amendment #2.
- E. Melbourne Beach Fire Dispatch Services – approve the 5th Amendment to Fire-Rescue Dispatch Services Interlocal Agreement
- F. Designate Deputy Mayor Glass as the Town's voting delegate at the 93rd Annual Conference of the Florida League of Cities in August.
- G. Solid Waste Rates – approve a rate increase of 2.0% as authorized in the franchise agreement.

- * **MOTION By Council Member Kemp; Seconded by Council Member Dunn, to approve Consent Agenda as presented.**

THE VOTE ON THE MOTION WAS:

AYES: Berkman, Glass, Dunn, Greer, and Kemp

THE MOTION CARRIED UNANIMOUSLY. (5 TO 0)

VII. ORDINANCES AND RESOLUTIONS:

- A. Ordinance No. 2019-02/Second Reading and Public Hearing: Amending the Coastal Management and Conservation Element of the Comprehensive Plan as mandated by Florida Statutes Section 163.3178; and providing for transmittal to the State Land Planning Agency.

Mr. Gougelman read the ordinance into the record by title only, as follows:

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA; AMENDING THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTION 163.3178; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Jim LaRue, the Town's Planner, gave a brief reminder to Council regarding the ordinance.

- * **MOTION By Deputy Mayor Glass; Seconded by Council Member Greer, to approve Ordinance No. 2019-02 on the second reading.**

THE VOTE ON THE MOTION WAS:

AYES: Berkman, Glass, Dunn, Greer, and Kemp

THE MOTION CARRIED UNANIMOUSLY. (5 TO 0)

- B. Ordinance No. 2019-04/Second Reading: Amending Town Code Chapter 13 related to small wireless facilities.

Mr. Gougelman read the ordinance into the record by title only, as follows:

ORDINANCE NO. 2019-04