



STAFF REPORT

City Commission Regular Meeting

April 24, 2025



To: Elected Officials

From: Dale L. Martin, City Manager

Date: April 17, 2025

Item Name: Resolution 2025-41. A Resolution by the City Commission of the City of Flagler Beach to approve the Professional Services Agreement proposed by McKim & Creed Inc. to complete tasks outlined in Exhibit "A" Scope of Services Summary in response to the Florida Department of Environmental Protection's Amended Consent Order, Case #23-0409 for a fee not to exceed \$41,646.00 under Project # 571 and a budget amendment to cover the expense; providing for conflict and an effective date.

Background: The City of Flagler Beach and the Florida Department of Environmental Protection (FDEP) entered a Consent Order for Case Number 23-0409 in December 2023.

The City contracted McKim and Creed Inc. to resolve the Case for an amount not to exceed \$289,920.00 in July of 2024. The services to be completed by McKim & Creed included Project Management, Field Research/Personnel Interviews, Consent Order Compliance Plan & Reporting, a Wastewater Emergency Response Plan, and the development of a Capacity, Management, Operation and Maintenance program (CMOM).

In December 2024, the City received a Draft Amended Consent Order from FDEP. The following month in January 2025, McKim and Creed Inc. facilitated a conference call between the City and FDEP to discuss the Draft Amended Consent Order. As a result, FDEP sent an updated Amended Consent Order to the City in February 2025 which outlined additional requirements and provided an extended reprieve on the compliance schedule and Interim limits.

For the additional work required under the updated Amended Order to address total suspended solids and enterococci exceedance issues through a Compliance Plan and update report to FDEP on compliance progress every six months, McKim and Creed Inc. has provided the City with the attached Amended Consent Order Assistance and Scope of Services Summary covering an additional 180 days of effort for an amount not to exceed \$41,646.00.

Fiscal Impact: \$41,646.00 to be transferred from Utility Unrestricted Reserves to Professional Services Project # 571.

Staff Recommendation: Staff recommends approval Resolution 2025-41.

Attachment:
Resolution 2025-41