

RESOLUTION 2025-13

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FLAGLER BEACH ACCEPTING A PROPOSAL FROM NEU URBAN
CONCEPTS TO DEVELOP A MOBILITY ACTION PLAN AND MOBILITY
FEE FOR THE CITY OF FLAGLER BEACH; PROVIDING FOR CONFLICT
AND AN EFFECTIVE DATE.**

WHEREAS, the City Commission requested the City Manager proceed with obtaining consultant(s) to develop a Mobility Action Plan and Impact Fee; and

WHEREAS, following an introduction and discussion with Neu Urban Concepts, including a review of previously completed Mobility Plans and conversations with other engaged municipalities, Neu Urban Concepts was invited to prepare and present a proposal to assist the City of Flagler Beach to develop a Mobility Plan; and,

WHEREAS, the Neu Urban Concept Proposal is attach as Exhibit A; and,

WHEREAS, funding to support the cost of the Neu Urban Concept proposal with be drawn from the City's Infrastructure Surtax Reserve; and,

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, AS FOLLOWS:

SECTION 1. The City of Flagler Beach City Commission approves the proposal submitted by New Urban Concepts in an amount not to exceed \$140,000 for the scope of work and services described in Exhibit A.

SECTION 2. The City Commission authorizes City Staff to issue a Notice to Proceed.

SECTION 3. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

SECTION 4. This Resolution shall become effective immediately upon passage as provided by law.

PASSED AND ADOPTED THIS 13th DAY OF FEBRUARY, 2025.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

ATTEST:

Patti King, Mayor

Penny Overstreet, City Clerk

Attachment:
Exhibit A



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November 21st, 2024

Dale Martin
City Manager
City of Flagler Beach
105 S. 2nd Street
Flagler Beach, FL 32136

RE: MOBILITY ACTION PLAN & MOBILITY FEE FOR FLAGLER BEACH

NUE Urban Concepts (NUC) **(Consultant)** is pleased to provide a scope of service to develop a mobility action plan and mobility fee for the City of Flagler Beach **(City)**. An adopted mobility action plan would serve as the basis for development of a mobility fee. The mobility action plan will set the framework for follow-on actions to be undertaken by the City. The mobility action plan will also incorporate projects, to the extent they are still priorities, identified in other adopted plans, such as a Downtown Master Plan or Long Range Transportation Plan.

One of the concepts that could be incorporated into the mobility action plan would be the concept of a park once environment, with the potential for transit circulators on both land and water. The other concept will include a recommendation for street quality of service (QOS) standards, based on posted speed limits, that could replace roadway level of service standards for City Streets and establish the framework for implementation of low speed shared streets between the Matanzas River and the Atlantic.

A mobility fee is a one-time fee charged to new development and redevelopment to mitigate any transportation impacts from that development. The adoption of a mobility fee would serve as an alternative to transportation concurrency and proportionate share. The mobility fee would provide Flagler Beach with a revenue funding source that it controls and prioritizes based on the projects identified in the mobility action plan. One concept that has worked well in other beach front communities is basing residential fees on square footage, versus per dwelling unit, to account for tear downs and impacts from building larger units. Another concept is assessing vacation rentals per room, excluding kitchens and baths, similar to other overnight accommodations, as opposed to per dwelling unit.

The development of a mobility action plan and mobility fee will require follow-on initiatives (aka actions) to develop administration, implementation, and funding steps for the mobility projects. Some of these initiatives are included as additional tasks, others would be undertaken by the City as part of day to day administration and implementation. Many of these initiatives can be funded either from collected mobility fees or from a service charge based on a study that is applied to mobility fees to help off-set the cost to administer, implement, and update mobility fees consistent with case law and Florida Statute.

HB 479 was adopted by the Florida Legislature this past session and went into effect on October 1st, 2024. HB 479 updated the criteria for development of a mobility plan and a mobility fee. HB 479 also requires that municipalities and counties negotiate the mitigation of transportation impacts, where both local governments attempt to collect a transportation mitigation fee from one development. Since Flagler County does not require the City to collect its transportation impact fee, this provision of HB 479 would not apply to the City. However, it may be prudent for the City to consider what would occur should the County attempt to collect a transportation mitigation fee.

The final deliverable for the Mobility Action Plan & Mobility Fee will consist of **1) a Mobility Action Plan; 2) a Mobility Fee Technical Report; and 3) a Mobility Fee ordinance.** Through a separate additional task, the mobility action plan would need to be incorporated into the Comprehensive Plan, either through inclusion of plans and projects or as an implementing measure of the Comprehensive Plan.

The scope of service identifies primary tasks and subtasks. The scope of service also includes a cost, and hours estimate per primary task. The scope of service is as follows:

MOBILITY SCOPE OF SERVICE:

TASK 1: MOBILITY ACTION PLAN DEVELOPMENT

TASK 1.1 – DATA & PLAN REVIEW: The Consultant will review existing GIS and other available data and resources provided by the City including the Comprehensive Plan and Capital Improvements Program, the FDOT Transportation Improvement Program, the River to Sea TPO Long Range Transportation Plan, the 2006 Downtown Master Plan, the Veranda Bay Traffic Impact Analysis, and other relevant plans identified by Flagler Beach staff. The review will identify funded and unfunded mobility projects proposed or planned within and adjacent to the City of Flagler Beach.

TASK 1.2 – DATA COLLECTION: The Consultant will collect and compile existing traffic characteristics data for functionally classified arterial and collector roads from the City, County, and FDOT into a traffic characteristics report. The data will include the number of travel lanes, AADT, functional classification, length of segment, speed limits, and LOS Standards. ***Additional traffic counts may be needed if the City does not currently have traffic counts for functionally classified City roads. If traffic counts are not available, an addendum will be required to collect the counts or have the City collect the counts through other means.***

TASK 1.3 – IDENTIFY MOBILITY ACTION PLAN PROJECTS: The Consultant will explore innovative solutions to providing a safe, connected, and integrated multimodal transportation system that moves people whether they are walking, bicycling, riding golf carts or a transit circulator, or driving a vehicle.

The Consultant will incorporate projects identified through Task 1.1. The Consultant will also identify up to ten (10) unique projects and up to fifteen (15) generalized (catch-all) mobility action plan projects not currently identified through Task 1.1 (e.g., Construct high visibility mid-block crossings at up to 10 locations within the City).

All projects will be coordinated with City Staff. The consultant, as part of the 10 mobility action plan projects, will recommend projects for creation of a park once environment as a follow-on initiative and establishment of street QOS standards to promote establishment of low speed shared streets.

The Consultant will review the Veranda Bay Traffic Impact Analysis and evaluate whether additional off-site improvements will be necessary to accommodate the future annexation of the +/- 900 acre proposed development into the City of Flagler Beach as part of the 10 unique projects.

The Consultant will develop GIS map(s) of identified mobility action plan projects.

TASK 1.4 – MOBILITY ACTION PLAN PROJECT COST: The Consultant will prepare planning level cost estimates for the mobility action plan projects. The planning level cost for the proposed mobility action plan projects will be based on the most recent and localized data as required by Florida Statute. ***The City shall provide any current cost associated with planning, design right-of-way, inspection, landscape, streetscape, utility relocation, stormwater, and construction cost from any recent multimodal projects.***

TASK 1.5 – ESTABLISH MULTIMODAL CAPACITIES: The Consultant will calculate multimodal capacities for projects to be included in the mobility action plan. Multimodal capacities are necessary to ensure mobility projects are adequate to accommodate future travel demand and new development is not charged more than its fair share. The multimodal capacities will also be used in the mobility fee calculations.

Deliverables: (1) Mobility Action Plan with table that includes project, description, planning level cost estimate, multimodal capacity, and time frames for prioritization. (2) Maps of the location of mobility action plan projects.

TASK 2: MOBILITY FEE DEVELOPMENT

TASK 2.1 – MOBILITY FEE SCHEDULE: The Consultant will evaluate the City's Future Land Use Map, and existing development patterns and develop a proposed schedule of land uses. The City will feature a single assessment area and a single benefit district. ***Additional mobility fee schedule alternatives, multiple assessment areas, or multiple benefit districts would be considered an additional service.***

TASK 2.2 – PROJECT FUTURE GROWTH: The Consultant will evaluate the latest Central Florida Regional Planning Model (CFRPM) to obtain base year and future year vehicle miles of travel (VMT) data. The calculated growth rate would then be used to project travel demand (aka VMT) out to 2045.

TAZ data from the Central Florida Regional Planning Model (CFRPM) will be used to obtain population and employment projections to demonstrate future growth and need as required to meet the first part of the dual rational nexus test. The VMT (aka travel demand) data will be used for planning and to calculate a mobility fee.

TASK 2.3 – PERSON MILES OF TRAVEL (PMT) Factor: The Consultant will develop a person miles of travel (PMT) factor to convert vehicle miles of travel to person miles of travel to account for multiple modes of travel within the City. The PMT factor will be based upon the 2022 National Household Travel Survey. The PMT factor will be used to establish a person miles of travel rate to be used in the mobility fee calculation and the new growth evaluation to ensure new development is not being charged more than its fair share of the cost of mobility action plan projects.

TASK 2.4 – BACKLOG EVALUATION: The Consultant will conduct an existing areawide level of service analysis for the study area network. The evaluation will be conducted to ensure new growth is not paying for existing deficiencies.

TASK 2.5 – NEW GROWTH EVALUATION: The Consultant will conduct a new growth evaluation based on the projected increase in person miles of travel using the VMT data, the PMT factor and the increase in multimodal capacity. The analysis will be utilized to develop a new growth evaluation factor to demonstrate that new growth is not being charged for more than its fair share of projects.

TASK 2.6 – REVENUE ADJUSTMENTS: The Consultant will evaluate existing funding sources for multimodal projects. Case law requires that existing funding for multimodal projects is factored into the mobility fee. Funding may include sales tax, gas tax, special assessments and grants that are reasonably available to fund the multimodal improvements. Revenue funding adjustments will be developed based on whole dollar funding availability to reduce overall cost.

TASK 2.7 – PERSON MILES OF CAPACITY (PMC) RATE: The Consultant will develop a person mile of capacity rate based upon the cost of mobility action plan projects, with adjustments for deficiencies, new growth, and available revenues. The rate will be divided by the increase in person miles of travel based on the regional travel demand model.

TASK 2.8 – PERSON TRAVEL DEMAND (PTD) FOR LAND USES: The Consultant will calculate a person travel demand (PTD) for each land use identified in the mobility fee schedule for travel within the City. The PTD will be based on trip generation rates, adjusted for pass-by and internal capture, adjustments for limited access facilities, origin and destination, and person trips and trip lengths from the 2022 National Household Travel Survey Data, adjusted for local conditions and City travel.

TASK 2.9 – CALCULATE THE MOBILITY FEE: The Consultant will develop a mobility fee schedule based on the data and analysis from prior tasks. The mobility fee schedule will include the applicable units of measure and the mobility fee rates to be assessed per land use. **The mobility fee will address all requirements of HB 479.**

TASK 2.10 - MOBILITY FEE TECHNICAL REPORT: A technical report will document the methodology and data used to develop the mobility action plan and the mobility fee. The technical report will provide the factual basis to demonstrate the mobility action plan and mobility fee meets legal and statutory requirements. The report will include an in-depth legal review and include definitions and future recommendations.

Deliverable: Mobility Fee Technical Report documenting the methodology used to develop the Mobility Fee Schedule.

TASK 3: MOBILITY FEE ORDINANCE

The Consultant will assist the City with development of a mobility fee implementing ordinance. The Consultant shall take the lead in development of the ordinance with assistance from the City Attorney. The Mobility Fee Ordinance provides the legal basis to enact a mobility fee and allows the City to begin to assess new development for its multimodal travel impact. ***The City will provide the title block, the Code or Ordinance or Land Development Article, Section and Chapter location, and an Ordinance format with the ordinance formatting detailed in a word document.***

Deliverable: Mobility Fee Ordinance.

TASK 4: BUSINESS IMPACT STATEMENT

The consultant will develop a “Business Impact Statement” for the Mobility Fee Ordinance as required by Florida Statute including information such as the proposed ordinance’s purpose, estimated economic impact on businesses, and compliance costs.

TASK 5: MEETINGS, PUBLIC HEARINGS & WORKSHOPS

TASK 5.1 - PRESENTATIONS: The Consultant shall prepare presentations as required for meetings, hearings, and workshops.

TASK 5.2 - CONFERENCE CALLS: The Consultant shall participate in conference calls scheduled by the City or as requested by the City.

TASK 5.3 – IN-PERSON MEETINGS: Consultant will participate in a maximum of five (5) in person meetings, with one (1) consultant team members consisting of some combination of: staff meetings, public workshops, community outreach, hearings, and coordination with governmental and transportation partners. Additional team members will attend virtually.

All outreach materials, advertisement, social media engagement, meeting locations, food and beverage, meeting set-ups, and meeting logistics is the responsibility of the City.

Hours for meetings, hearings, and workshops shall be based on the time, including travel, allocated for preparation and participation in meetings. There will be a maximum number of hours allocated. If the City utilizes the allotment of hours, then the scope will require an amendment to address the need for additional hours.

Final Deliverables:

- (1) Mobility Action Plan
- (2) Mobility Fee Technical Report
- (3) Mobility Fee Ordinance
- (4) Business Impact Statement

All deliverables are in an electronic format only. No hardcopy materials are included in this scope.

CALENDAR

Florida Statute requires that the Study be completed, and the fee adopted within one year from the date that the study commenced.

Scope Cost: The cost per hour is based on a rate of \$200 per hour. The total number of projected hours is up to 700 and the total cost is not to exceed \$140,000. Of that total, 100 hours and \$20,000, is for meetings, hearings and public workshops, which is fairly typical for this type of service.

TASK #	TASK	HOURS	COST
1	MOBILITY ACTION PLAN DEVELOPMENT	230	\$46,000
2	MOBILITY FEE DEVELOPMENT	250	\$50,000
3	MOBILITY FEE ORDINANCE	100	\$20,000
4	BUSINESS IMPACT STATEMENT	20	\$4,000
5	MEETINGS, HEARINGS & PUBLIC WORKSHOPS	100	\$20,000
Total		700	140,000

ADDITIONAL TASK (NOT COVERED IN THE SCOPE):

COMPREHENSIVE PLAN AMENDMENT: The Consultant will integrate the mobility action plan and mobility fee into the Comprehensive Plan. The Consultant will also update goals, objectives, and policies (GOP's) to ensure consistency with Florida Statute. The amendment will include an overview behind the amended GOPs and the necessary data inventory and analysis. **Hours Estimate: (130 hours, includes Planning Board, transmittal & adoption hearings, and response to agency comments)**

Note: This is a follow on task to be completed within one (1) year from date of adoption to insure internal consistency. Staff would advertise Comprehensive Plan Amendment hearings and formally submit the amendment to Florida Commerce. The consultant would assist with the staff report, support documentation and the ordinance.

ADDITIONAL TASK CONSIDERATIONS (NOT COVERED IN THE SCOPE):

Tasks included in the scope above are legally and statutorily required tasks. The following are tasks requested by local governments to compliment the day-to-day assessment, administration, and implementation of a mobility action plan and mobility fee. The following are related to the Mobility Action Plan and Mobility Fee:

PARKING ONCE ENVIRONEMNT: The Consultant will further refine the components to create a park once environment with recommendations on phasing of parking and ideal locations for a potential parking structure. Planning for transit circulation via low speed electric vehicles and multi-passenger water borne vehicles (aka water taxi) will be incorporated into planning for a park once environment. The planning initiative will also include recommendations for variable message signs related to parking availability.

Hours Estimate: (100 to 150 hours)

PARKING MANAGEMENT STRATEGIES: The Consultant will develop parking and curbside management strategies to include dynamic pricing, time of day restrictions, residential parking permit programs, visitor parking passes for overnight accommodations and coordinating with the State to regulate on-street parking. Coordination with the County may also include development of a County resident program to pay for beach parking. While there is some potential overlap with creating a park once environment, this program is more focused on capturing revenue for ongoing parking demand and developing a program that protects City residents. **Hours Estimate: (100 to 150 hours)**

LOW SPEED SHARED STREETS PROGRAM: The Consultant will develop a low speed shared streets program for City Streets east of the Matanzas River. This program will integrate Street Quality of Service (QOS) Standards and allow for the City to lower speed limits on City Streets (the State sets speed limits on State Roads). The speed limits could range between 15 MPH to 25 MPH, with 20 MPH being a representative speed limit.

Just posting speed limits won't result in a reduction in speeds. There are geometric and physical changes that will be needed to existing ROW. Some involve traffic calming techniques through physical vertical deflection (aka chicane, mini roundabout, raised intersection) other involve horizontal changes through pavement markings that limit effective pavement width. Some local governments elect to go as far as conversion of streets to one-way pairs and adding either dedicated spaces for bicycles, golf carts, and scooters, or the addition of metered on-street parking to help off-set maintenance cost and pay for improvements. **Hours Estimate: (125 to 175 hours)**

FINANCE COORDINATION: Florida Statute requires that Mobility Fees be maintained in separate funding accounts to allow for annual auditing. In addition, there are legal requirements regarding the collection and expenditure of Mobility Fee funds and the ability to audit said expenditures. Coordination is required with Finance and Accounting and Budgeting Departments to ensure fund accounts are consistent with the adopted ordinance and Statutory requirements. **Hours Estimate: (10 to 15 hours)**

BUILDING PERMIT INTEGRATION: The City's permit system may need to be updated to process the collection of mobility fees. Some permit systems are relatively simple and can be accommodated through simple look up tables and excel spreadsheets. Other permit systems are propriety and require coordination with third party vendors to initiate updates. Permit clerks may need to be trained, and a process established for quality control checks. The Building Permit Department is also the front-line interaction with the development community. There is oftentimes further outreach done with the development community and builders during the implementation stage. Florida Statute requires a minimum of 90 days between the adoption of a Fee Implementing Ordinance and collection of the Fee, unless the fee is lower than existing fees. **Hours Estimate: (15 to 20 hours)**

SITE / MOBILITY IMPACT ANALYSIS REQUIREMENTS: The City would be eliminating transportation concurrency through adoption of a mobility action plan and mobility fee. The City may wish to consider developing site / mobility impact analysis requirements as a replacement of traffic impact analysis. These requirements address site related turn lanes, traffic control devices, trip generation, driveway design, access management, on-site and off-site multimodal improvements, internal circulation, and parking. While these requirements can be included in Land Development Regulations, they are also provided as separate stand-alone requirements. **Hours Estimate: (100 to 150 hours)**


ADMINISTRATIVE MANUAL: There are many day-to-day administrative items that arise in the assessment and collection of fees. Some local governments have developed an administrative manual to address these issues. The manual often includes forms, review fees for special request related to credit, determinations, and offsets. The manual also provides consistency in implementation to address changes in Staff administering the ordinance and provides back-up to permit clerks and interim administrators should the individual(s) tasked with implementing the Fee not be available. Florida Statute has placed the burden on local governments to defend not only its Fee but also its administration
Hours Estimate: (125 to 150 hours).

ADMINISTRATIVE SERVICE CHARGES: To relieve impact to the general fund, local governments frequently develop administrative service charges and fees to administer and implement the mobility fee. Florida Statute requires service charges not exceed the cost to fully administer a mobility fee. NUE Urban Concepts can prepare a report documenting the cost to administer and implement a mobility fee **Hours Estimate: (75 to 100 hours)**.

INTERLOCAL AGREEMENT: The Consultant will assist the City with developing an interlocal agreement with Flagler County. The interlocal update would include any mobility fees to be set aside for County Roads and County impact fees to be set aside for City Roads. The update would also identify the County Road projects for which the mobility fees would be expended and the City Roads for which County impact fees would be required. The interlocal agreement would address requirements of HB 479. **Hours Estimate: (100 to 125 hours)**.

Thank you for your consideration of this first draft scope of services. Please let me know if have any questions.

Sincerely,


Jonathan B. Paul, AICP
Principal