

Town of Ponce Inlet  
Mayor's State of the Town Address

January 18, 2018

With the start of a fresh New Year, many of us reflect on the prior year. The Town does this as well and we provide this information to you through an annual Address.

As always, we'll start with providing you information on the financial health of our Town. We have a general fund reserve of approximately \$2.5 million dollars, which equates to approximately 5 ½ months of our current operating expenses. The Town's established goal is to keep the general fund reserve between 3 and 9 months of operating expenses. The Town's total millage rate is now the 4<sup>th</sup> lowest out of the 24 separate taxing districts in Volusia County, over a half-mill lower than our neighboring unincorporated area Wilbur-by-the-Sea and almost one and a half mills lower than our nearest incorporated neighbor. We continue to meet our stated mission to provide you with excellence in service delivery while ensuring citizens obtain the greatest value for their tax dollar.

As an update to the lawsuit, the series of which was brought upon the Town by Pacetta, LLC since 2008, the Town was very pleased this year to receive the ruling from the Fifth District Court of Appeals overturning the lower court's ruling on the takings claim and ultimately dispensing with the jury award of \$30 million. The 5<sup>th</sup> DCA did however mandate determination of ripeness for a partial-taking claim against the Town, which would require that a meaningful application for development was submitted and rejected or that no application was submitted for a legally permissible development because it would have been futile to do so. The Town does not believe that this case can pass a ripeness test, as neither of these requirements were met. A trial on this matter has been set to begin on March 12<sup>th</sup>. Pacetta's federal claim, which is nearly identical to the claim made via state court, remains *stayed* in the meantime. This has been a long and difficult road for all of us and I continue to applaud the fortitude of our citizenry to stay the course with a long-term view for our Town.

The FEMA and State reimbursements from Hurricane Matthew are beginning to come in and it now appears this approximately \$300,000 event became an out-of-pocket expense of just \$30,000. Our Town staff worked very hard to obtain these reimbursements over the past year, well after completing the restoration work for which we all saw occurring. The greatest portion of this total cost was for debris removal.

Just eleven months after our last storm, Hurricane Irma got us all moving again in September. Irma's path covered the entire state of Florida, with Category 1 winds in this area on September 10<sup>th</sup>, gusting at 82 mph for 8 hours in duration. The storm surge was 4-5 feet. Flooding and structural damage was anticipated and ultimately experienced from this storm. Staff closely monitored this hurricane and took all appropriate precautions in preparation, including double-shifts housed onsite for police, fire and public works. Once again, public works had our roads cleared by the time the bridge was reopened after the event. Structural damage occurred throughout the Town, with minimal damage to Town facilities and a range of damage to various

homes and businesses within the Town. Several homes experienced flooding to such an extent that they are being demolished for a complete rebuild at a higher elevation. As Volusia County and several other cities have done, one of the first actions following this event was to waive the cost of building permits for damage resulting from Hurricane Irma. The debris clean-up was of course the primary focus following the event and this Town was again the first municipality in Volusia County to complete this process. Due to this storm impacting the entire state and given there was less debris to collect, the Town's staff and regular solid waste contractor handled the entire debris pickup at a cost of \$30,000. While this method of collection was several months faster than it would have been otherwise, it is not eligible for any reimbursement. There are approximately \$25,000 in additional expenses which are reimbursable and for which monies are currently being sought.

Following the hurricane, the Town initiated a dune restoration effort. Our dune line had taken quite a beating after two hurricanes in a year but the ocean began to provide a great deal of seaweed material on our beaches that offered itself as a perfect base for this project. With the permission of Volusia County, the Town reached out for volunteers and assigned staff in two groups to move this material closer to the dune line. This type of effort had been used many years ago with old Christmas trees and while it worked well in providing a base for the dunes, the seaweed is more natural to the beach and therefore preferred. The Town dedicated six half-day sessions to this effort and covered 2 miles of beach in that time. We had 95 volunteers sign up for this on various days and 15 staff members, to include some temporary labor assistance, worked nearly every day on this project. This was very hard work, as most of it had to be done by hand so as to not disturb the natural slope of the beach. We waited until after turtle hatching season to do this, as we didn't want to disturb any potential nesting areas. This project naturally led to a trash cleanup too, as the ocean had brought forth a great deal of interesting debris deposited along our beach. We were not able to cover the entire beach but we did make a significant impact on the majority of our beach.

A primary point of focus in 2017 has been to gather information for a potential canal dredging project for the three canals adjacent to Old Carriage Road and Anchor Drive. To date, the Town has hired a consultant marine engineering firm and tasked them with completing a study to determine the estimated cost for this project and to determine any grant funding that could be available. Unfortunately, no grant funding exists for canals which are situated such as these in a residential area; while these canals are open to the public, they are considered a private benefit to the homeowners adjacent to them. Therefore, the Town is now in the process of obtaining a study to determine how the total cost would be allocated and assessed to each property owner along these canals via a special assessment for a predetermined number of years (likely twenty). We expect to obtain this information in the coming months and a determination regarding whether to proceed with this project, will likely follow.

On April 8<sup>th</sup> of this past year, we were all shocked and dismayed to learn of the beating death of a Labrador retriever puppy named Ponce here in our community. Though there was nothing we could do to change what had happened to Ponce, it was the response of our staff, residents, those in our surrounding communities and those well beyond this area to this tragic event that

demonstrated the type of caring people that we are. From the donation of a statue in our dog park, to the well-attended memorial service, to the bill that is now before the State Legislature to increase penalties for convicted animal abusers - "Ponce's Law", we as a community responded and encouraged others to do the same. We have watched our resolution on this matter be adopted throughout Volusia County and recently by Miami-Dade County. Both the House and the Senate have bills on this matter (Senate Bill 952 and House Bill 473). All stemming from a small town's response to a tragic event.

In 2017, we saw the completion of a \$1.5 million water system improvement project that focused on replacement of some of the older water pipes within the Town and increased sizes where needed for more optimal fire suppression capability. In addition to this project, a couple of smaller projects were completed. Directional signs were changed throughout the Town in order to replace those that had fallen into disrepair due to time or storms and for an overall aesthetic improvement in the type of sign we selected; we are pleased to report that the new signs withstood the winds of Hurricane Irma. We continue to upgrade the VOTRAN bus stops throughout the Town for both ADA compliance and aesthetics, improving about three per year until we complete those with the highest ridership.

Economic recovery continued to be demonstrated in 2017 with the increase in permitting. Over the course of the year, 1,262 permits were issued. That is consistent with the numbers in 2016 and an increase of 32% compared to three years ago. In response to these permit requests, we conducted 2,310 inspections with a 96% pass rate, which continues to show the appreciated efforts of our building inspectors to assist our residents and their contractors.

The Ponce Inlet Police Department received its 4<sup>th</sup> reaccreditation this year from the Commission for Florida Law Enforcement Accreditation, having been recognized as a fully accredited agency since 2005. The law enforcement accreditation program has long been recognized as a quantifiable means of maintaining the highest standards of professionalism. Accreditation is a coveted award that symbolizes professionalism, excellence, and competence. It is important to recognize that the Ponce Inlet Police Department is one of the smallest agencies in Florida to receive accreditation. Our police department seeks to demonstrate a high level of performance, to enhance and maintain the integrity of the department, and to promote a high level of community confidence in its operations. We are very proud to have a state accredited police department.

The Town is in the process of purchasing 4 License Plate Readers (LPRs). These LPRs will be in operation 24 hours a day, 7 days a week and allow our police department the ability to check for any criminal element passing through or loitering in our Town. This new technology will further enhance our police department's capability of both preventing via a notification system and solving crime via the data that will be available to them. This camera system is currently utilized by the Volusia County Sheriff's Department, the Florida Highway Patrol, and the police departments of Daytona Beach, Port Orange, South Daytona, DeLand, New Smyrna Beach, and Orange City, along with more than 50 other law enforcement agencies throughout Florida.

One of the areas of service delivery for which we are very proud is the patient transport service we provide, as Ponce Inlet is one of only two municipalities in Volusia County to provide this additional service to its residents. We have now been doing so for over five years, transporting approximately 983 patients in that timeframe. The Town maintains two ambulances for this program at a minimal cost to our residents because the offsetting revenue generated from the transport system. Providing our own patient transport from our barrier island community ensures the patient arrives at the hospital in the shortest time possible and provides an added benefit in continuity of care.

The Town submitted a 2018 Volusia County ECHO Grant for Timothy Pollard Memorial Park located at 4680 South Peninsula Drive. Volusia ECHO provides grant funds to finance acquisition, restoration, construction or improvement of facilities to be used for environmental, cultural, historical and outdoor recreational purposes. The grant was written for the renovation project of the park which would ultimately include: a basketball court; four pickleball courts; two bocce courts; a racquetball court; two playground areas: one for ages 2-5 and one for ages 5-12; a public walking trail; a pavilion; a new restroom facility; LED lighting throughout the park; and 8 additional parking spaces. The grant awardees will be announced in April 2018.

Ponce Inlet offers many opportunities for interesting and fun things to do! With the invaluable assistance of community volunteers, the Town was pleased to sponsor or co-sponsor 22 events during 2017. The Ponce Inlet Historical Museum, located at 143 Beach Street which proudly boasts being listed on the National Register of Historic Places, is responsible for hosting a number of cultural / historic talks and has several planned in the coming months for your education and enjoyment. The museum welcomed a total of 1315 visitors in 2017. The Parks and Recreation department also hosted 16 special programs throughout 2017 in the various Town parks. In addition to all of these, there are all of the events held by the Marine Science Center, the Ponce Inlet Lighthouse Association and by your various Town clubs at the Community Center.

In reviewing 2017, we can see that we were not the only ones who have been hard at work for our Town. Our citizenry continues to volunteer at an amazing rate! We have about 70 volunteers related directly to Town government purposes and many other volunteers who give of their time to other various community clubs. In total, there are at least 23 different boards, clubs, or other organizations for a census population of just over 3,000. This is quite commendable! These many volunteers make our Town the special place we all enjoy. On behalf of Council and staff, I want to give our heartfelt thanks to all of our volunteers.

With that, I wish you all a very happy, healthy, and prosperous New Year!

Respectively,

Gary L. Smith, Mayor