

PANAMA CITY BEACH CITY COUNCIL

AGENDA

NOTE: AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS THE CITY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY.

MEETING DATE: JULY 11, 2019
MEETING TIME: 5:00 P.M.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION – COUNCILMAN SOLIS
- III. PLEDGE OF ALLEGIANCE – COUNCILMAN SOLIS
- IV. COMMUNITY ANNOUNCEMENTS
- V. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 27, 2019
- VI. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS
- VII. PRESENTATIONS- COUNCILMAN SOLIS
 - 1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD
- VIII. PUBLIC COMMENTS – REGULAR (NON-PUBLIC HEARINGS) & CONSENT ITEMS ONLY (LIMITED TO THREE MINUTES)
- IX. CONSENT AGENDA
 - 1 **RESOLUTION 19-102, BID AWARD – BREATHING APPARATUS (SCBA).** *“A Resolution of the City of Panama City Beach, Florida approving an agreement with Municipal Emergency Services, Inc. in the total amount of \$42,990.00 for the purchase of five breathing apparatus and associated equipment.”*
 - 2 **RESOLUTION 19-103, BID AWARD – FOUR (4) 4X4 TRUCKS BEACH FIRE RESCUE.** *“A Resolution of the City of Panama City Beach, Florida approving the purchase of four Dodge Ram Tradesman trucks from Garber Chrysler-Dodge Truck, Inc., in the amount of \$104,420.00”*
 - 3 **RESOLUTION 19-105, BID AWARD – RFP AUDIT SERVICES.** *“A Resolution of the City of Panama City Beach, Florida, approving a five-year engagement of Carr Riggs & Ingram, LLC for an annual fee of \$79,900.00.”*
- X. REGULAR AGENDA - DISCUSSION/ACTION
NO. OFFICIAL ITEM

- 1 **DW RESOLUTION 19-104, BID AWARD – FOUR (4) SOLAR SCHOOL ZONE SIGNS AND BUDGET AMENDMENT #44 – POLICE DEPARTMENT.**
- 2 **ML RESOLUTION 19-106, INITIAL NUISANCE ABATEMENT ASSESSMENT RESOLUTION FOR 2019 ROLL.**
- 3 **MG RESOLUTION 19-107, UNDERSTAFFED PILOT INCENTIVE PAY POLICY.**
- 4 **MG RESOLUTION 19-109, CONTRACT AMENDMENT WITH HAGERTY AND BUDGET AMENDMENT #46.**
- 5 **MG RESOLUTION 19-110, AUTHORIZING CONDEMNATION OF PROPERTY LOCATED AT 17138 AND 17140 FRONT BEACH ROAD.**
- 6 **MG RESOLUTION 19-111, UPDATING CITY'S RIGHT-OF-WAY INCENTIVE SCHEDULE TO MATCH FDOT.**
- 7 **ML ORDINANCE 1492, REPEALING LDC REGULATION OF CANNABIS DISPENSARIES, 2ND READING, PUBLIC HEARING, AND ADOPTION.**
- 8 **MG ORDINANCE 1493, SPECIAL EVENT MUNICIPAL SERVICES, 1ST READING.**
- 9 **ML EXAMINING BOARD MEMBER APPOINTMENT.**

XI. DELEGATE AND STAFF REPORTS

1 **DELEGATIONS.** In accordance with the City Council's rules and procedures, residents or tax-collectors of the City (upon any subject of general or public interest), City employees (regarding his/her employment), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card. Speaker cards are located inside the Council meeting room and should be provided to the City Clerk. Please observe the time limit of three (3) minutes while speaking under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by the Chair.

2 **ATTORNEY REPORT.**

3 **CITY MANAGER REPORT.**

4 **COUNCIL COMMENTS.**

5 **ADJOURN.**

DRAFT
MINUTES

The Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on June 27, 2019.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

HECTOR SOLIS

CITY MANAGER:

MARIO GISBERT

CITY CLERK:

MARY JAN BOSSERT

CITY ATTORNEY:

AMY MYERS

Mayor Thomas called the Regular Meeting to order at 9 a.m. with all Councilmen, the City Manager, City Clerk, and City Attorney present.

Pastor Wayne Asproditos of Destiny Worship Center gave the invocation and Councilman McConnell led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Regular Meeting June 13, 2019 were read. **Councilman Casto made the motion to approve the Minutes as written. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

Mayor Thomas asked if there were any additions or deletions to the Agenda. Councilman Solis requested add discussion of water safety during double red flags. Mr. Gisbert requested to add two updated Information Technology job descriptions. **Councilman McConnell made the motion to approve the agenda with the additions. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

PRESENTATIONS

1 **UTILITIES DEPARTMENT UPDATE.** Mr. Shortt gave a PowerPoint presentation on the Utilities Department. He explained the department's mission is to responsibly

provide high levels of customer service to the community and preserve our environment. He provided a detailed breakdown of the Utilities Department's consists of six divisions.

Mr. Shortt explained the City has the lowest combined water and sewer rate in Bay County. Mr. Shortt provided a detailed presentation on the current state of the City's system and areas of future growth including the City's 152 lift stations and the possibility of future projects to extend the sewer system to Lagoon Beach that is currently served by septic systems. Mr. Shortt explained the most immediate need is the capability to attract and retain qualified entry-level personnel. He suggested giving a short-term incentive to new employees. Councilman Solis noted the City's excellent benefits and hoped the City was highlighting those benefits to potential applicants. Councilman McConnell thanked the department for their work as unsung heroes in restoring service following Hurricane Michael. The Council thanked Mr. Shortt, for his excellent leadership and his department's performance. Discussion ensued.

2 OWEN BEITSCH – RIGHT-OF-WAY ASSESSMENT. Ms. Myers introduced Dr. Owen Beitsch and his company's work for the City. Mr. Beitsch explained the need for a CRA right-of-way assessment due to the capital costs of project infrastructure, along with continued administrative, operational, and maintenance expenses. He explained the assessment would only apply to those parcels inside the Front Beach Road CRA district. Dr. Beitsch explained that under the proposed formula the assessment would be \$5 per parcel. Discussion ensued.

PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)

Mayor Thomas opened the Public Comments section of the meeting at 10:20 a.m. and invited comments. There were none. He closed the Public Comments at 10:20 a.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

ITEM 1 RESOLUTION 19-97, BID AWARD – THOMAS DRIVE AND BEACH DRIVE UTILITIES IMPROVEMENTS PHASE 1. *"A Resolution of the City of Panama City Beach, Florida approving an agreement with Gulf Coast Utility Contractors, LLC related to the Thomas Drive and Beach Drive Utilities Improvements – Phase I, In the total amount of \$2,038,510."*

ITEM 2 RESOLUTION 19-98, PIER PARK ROAD CLOSURES – 4TH OF JULY. *"A Resolution of the City of Panama City Beach, Florida authorizing temporary closures of a portion of Pier Park Drive on July 4, 2019, for the "Star Spangled Spectacular" Event."*

Councilman Chester made the motion to approve the Consent Agenda. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

REGULAR AGENDA

ITEM 1 RESOLUTION 19-99, RIGHT OF WAY ASSESSMENT DIRECTORY RESOLUTION. Ms. Myers read Resolution 19-99 by title. Councilman Chester asked Mr. Campbell to approach the podium. Councilman Chester asked if the CRA roads are controlled by the Florida Department of Transportation. Mr. Campbell explained the majority of Front Beach Road is under DOT control with the exception of the completed CRA segments. Ms. Myers stated a primary objective of the CRA is funding and financing of the CRA. She explained the Council has executed every funding alternative contemplated at the CRA's creation except a right of way assessment.

Councilman McConnell explained the reason he ran for office was his belief that the City did not historically keep up with the infrastructure costs and maintenance. He commented if the City delays this process, it will hurt the community financially. The system needs to be maintained and it's the Council's responsibility to plan ahead for cost and maintenance.

Councilman McConnell made the motion to approve Resolution 19-99. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

ITEM 2 RESOLUTION 19-100, SETTING SUMMER SPECIAL MEETINGS. Ms. Myers read Resolution 19-100 by title. There were no comments.

Councilman Chester made the motion to approve Resolution 19-100. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

ITEM 3 RESOLUTION 19-101, BUDGET AMENDMENT FOR PURCHASE OF 156 ESCANABA AVENUE. Ms. Myers read Resolution No. 19-101 by title. There were no comments.

Councilman Casto made the motion to approve Resolution 19-101. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

ITEM 4 ORDINANCE 1492, REPEALING LDC REGULATIONS OF MEDICAL MARIJUANA, 1ST READING. Ms. Myers read Ordinance 1492 by title. Mayor opened the Public Hearing at 10:31 a.m. for comments from the audience. There were none. He

closed the Public Hearing at 10:31 a.m. The Mayor asked if there were any Council questions or comments. There were none.

Councilman McConnell made the motion to approve Ordinance 1492. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

ITEM 5 DOUBLE RED FLAG DISCUSSION. Councilman Solis handed out Bay County's current Ordinance for the double red flag system which, compared to City ordinance, provides for citation and arrest of swimmers in the Gulf of Mexico during double red flags. He asserted that any rule with no enforcement mechanism is useless and explained that double red flags close the water to the public. Under the current code, City officers cannot cite people for going into the water during double red flags. Councilman Solis explained that several drownings this summer occurred during double red flags. Councilman Solis pointed out that some of the victims were those attempting to rescue others in distress. Councilman Solis asserted that an arrest of a swimmer in dangerous conditions sends a deterrent message to others in the area. Councilman Solis asked to move forward with an Ordinance providing enhanced enforcement tools. Ms. Myers proposed to put a rule in place that makes it unlawful to disobey the lawful order of a police official or a fire rescue official acting on behalf of the City.

Councilman Casto called Deputy Chief Lindsey to the podium. He asked if the Police Department had enough staff to enforce an Ordinance. Deputy Chief Lindsey stated they do not have enough staff; they would need a minimum of at least seven people to use as primary Beach Patrol. Mayor Thomas disagreed. Councilman Solis explained they increased the department by thirteen officers in the last three years, and felt staffing levels were up to the task. Deputy Chief Lindsey commented he understands the frustration of not being able to enforce this issue. Councilman Casto suggested an Amber Alert be sent out about double red flag and adding some education about double red flags to the beach services at condos that already hand out brochures and flyers daily, it is a good tool to get the information out to the public. He stated the new fire station and its employees will be a big plus to assist on this issue. Councilman McConnell commented he would like to see buoys at each service spot and Bay Alerts go out and the importance of using all available resources. He commented we are understaffed for the City of our size. Councilman Chester stated he will consult with the Tourist Development Council on some possible advertisements. Councilman Casto stated we must continue making progress as the community grows. He is excited about the Fire Department taking over Beach and Surf. Discussion ensued.

Councilman Solis made the motion to instruct Staff to write an Ordinance enforcing double red flags. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

ITEM 6 INFORMATION TECHNOLOGY JOB DESCRIPTIONS UPDATE. Mr. Gisbert explained IT staff is performing functions above what is outlined in their current job descriptions. Staff is requesting the job descriptions to be updated to reflect the current job functions.

Councilman Casto made the motion to approve the job descriptions. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 11:02 a.m.

1 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson spoke in opposition of stricter enforcement during double red flags. He asked the Council to listen to the listen to law enforcement about arrests and Councilman Casto about water safety. He questioned Councilman Solis's primary residence in Florida.

2 Collen Swab – 13416 Front Beach Road. Ms. Swab stated she is opposed to Resolution 19-99. She requested clarification on the special assessment.

3 Genese Hatcher – 203 S Wells Street. Ms. Hatcher spoke in favor of stricter double red flag enforcement. She suggested that civil citations could cover the cost of additional officers. She suggested several ways people could be informed and have receipt of their acknowledgment of a red flag policy when they check in to surrounding hotels. She commented rules are there to be enforced. She argued the rule of no dogs on the beach is not being enforced.

4 Rex Reid – 202 Gulf Lane. Mr. Reid commented parents should be arrested for child endangerment for letting the children in the water. He commended the great job by the Police Department. He explained he just put in a sewer line that goes to six lots, he is limited to five years of capturing the costs. In his opinion, he should be able to recapture the cost as long as he owns the property.

With no further comments, Mayor Thomas closed the Delegations period at 11:12 a.m.

ATTORNEY REPORT

Ms. Myers stated she had no report.

CITY MANAGER REPORT

Mr. Gisbert read the open bids and available jobs.

COUNCIL COMMENTS

Mayor Thomas answered Ms. Swabs' concern about the CRA right-of-way assessment. He explained the City is following through with the obligation to maintain what was built.

Councilman Casto questioned if surfers must leave the waters. Ms. Myers explained it will be up the Officer's discretion.

Councilman Chester had no comments.

Councilman Solis explained he lives in Panama City Beach. He commented he does visit Texas because he has family in the area.

Councilman McConnell explained it costs about \$100,000 per officer every year, he doubts the officers will write that many fines to cover their salary as commented by Ms. Hatcher.

With nothing further, the meeting was adjourned at 11:18 a.m.

READ AND APPROVED this 11th of July, 2019.

IN THE EVENT OF A CONFLICT BETWEEN THE FOREGOING MINUTES AND A VERBATIM TRANSCRIPT OF THESE MINUTES, THE FOREGOING MINUTES SHALL CONTROL.

Mayor

ATTEST:

City Clerk

PRESENTATION

1

CITY OF PANAMA CITY BEACH

CIVIC ACHIEVEMENT AWARD

Be It Known That

Josie Buell

HAS GIVEN EXCEPTIONAL SERVICE

**TO THE BOYS AND GIRLS CLUB
OF PANAMA CITY BEACH**

For the responsibility assumed, for the unselfish service rendered her community and its citizens in discharging the duties of good citizenship, this token of CIVIC ACHIEVEMENT is hereby awarded.

Presented this 11th of July, 2019



MA R MIKE THOMAS

CONSENT ITEM

1



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Fire Chief Larry Couch

2. MEETING DATE:

07/11/2019

3. REQUESTED MOTION/ACTION:

Purchase of Breathing Apparatus, and associated equipment for \$42,990.

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO

N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO

N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

The department is requesting the purchase of five (5) Breathing apparatus with ten (10) breathing air cylinders and one (1) RIT-PAK. These items are necessary for our new firefighters. The department competitively solicited bids and received one bid from Municipal Emergency Services, Inc. This brand and style of breathing apparatus are preferred because of interoperability with neighboring departments in emergency situations. The total amount of the bid received is \$42,990.00. This equipment is budgeted for this fiscal year.

Staff recommends approval.

RESOLUTION 19-102

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING AN AGREEMENT WITH MUNICIPAL EMERGENCY SERVICES, INC. IN THE TOTAL AMOUNT OF \$42,990 FOR THE PURCHASE OF FIVE BREATHING APPARATUS AND ASSOCIATED EQUIPMENT.

BE IT RESOLVED by the City of Panama City Beach, Florida that the appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Agreement between the City and Municipal Emergency Services, Inc. relating to the purchase of 5 Breathing Apparatus and associated equipment for the Fire Department, in the total amount of Forty-Two Thousand, Nine Hundred and Ninety Dollars (\$42,990.00), on substantially the terms and conditions set forth in the quote attached hereto and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval.

THIS RESOLUTION shall take effect immediately upon passage.

PASSED in special session this ___ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk



3789 62nd Avenue North
Pinellas Park, FL 33781

Quote

Date 05/12/2019
 Quote # QT1265423
 Expires 06/28/2019
 Sales Rep Mock, Kevin
 PO #
 Shipping Method FedEx Ground

Bill To

Chief Larry Couch
 Panama City Beach Fire Rescue
 17121 Panama City Beach Parkway
 Panama City Beach FL 32413
 United States

Ship To

Chief Larry Couch
 Panama City Beach Fire Rescue
 17121 Panama City Beach Parkway
 Panama City Beach FL 32413
 United States

Item	Alt. Item #	Units	Description	QTY	Unit Sales Pri...	Amount
X3714022205303			Air-Pak X3 Pro w/Snap-Change Harness Type: Parachute Buckles Pressure: 4500 Belt Type: Standard Regulator: Quick Connect EBSS: Dual Spare Harness: No Airline Option: None Console: PASS w/ Pak-Tracker Case: None Packaging: 1 SCBA Per Box (Black Box)	5	5,925.00	29,625.00
200129-01			Snap-Change Cylinder, Carbon-Wrapped, Pressure 4500, 45 Minutes (at 40 lpm)	10	1,050.00	10,500.00
201564-02			RIT-PAK FAST ATTACK, 5.5, MEDIUM	1	1,915.00	1,915.00
201567-01			Cylinder/Valve Assy., 30/5500,90 degree	1	950.00	950.00

Subtotal 42,990.00
Shipping Cost (FedEx Ground) 0.00
Total \$42,990.00

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1265423

CONSENT
 AGENDA ITEM # 1

CONSENT ITEM

2



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
FIRE DEPARTMENT/ CHIEF LARRY COUCH

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
APPROVE THE PURCHASE OF 2019 DODGE RAM CLASSIC TRADESMAN TRUCKS FROM GARBER CHRYLSEY-DODGE TRUCK, INC IN THE AMOUNT OF 104,420.00.

4. AGENDA
PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)
THE FIRE DEPARTMENT IS REQUESTING AUTHORIZATION TO PURCHASE FOUR (4) DODGE RAM CLASSIC TRADESMAN 4X4 QUAD CAB 6'4" BED TRUCKS FOR THE NEW BEACH RESCUE DIVISION UNDER THE CITY FIRE DEPARTMENT. THESE TRUCKS WILL REPLACE THE CURRENT BEACH PATROL TRUCKS THAT ARE DUE FOR REPLACEMENT.

ON JUNE 10, 2019, THE CITY SOLICITED SEALED BIDS ON THE PURCHASE OF TWO OF THESE VEHICLES FOR TWO WEEKS ENDING ON JUNE 24, 2019. THE CITY RECEIVED ONE RESPONSIVE BID FROM GARBER CHRYSLER-DODGE TRUCK, INC. WITH A PRICE OF \$26,105.00 PER TRUCK. DUE TO A NEED FOR TWO ADDITIONAL TRUCKS, THE DEPARTMENT REQUESTS AUTHORITY TO PIGGY BACK ON THIS ORIGINAL BID FOR THE PURCHASE OF TWO ADDITIONAL TRUCKS FOR A TOTAL OF FOUR TRUCKS IN THE AMOUNT OF \$104,420.00.

THIS PURCHASE IS BUDGETED BY A TRANSFER OF FUNDS FROM THE POLICE DEPARTMENT IN ANTICIPATION OF THE FIRE DEPARTMENT'S ASSUMPTION OF BEACH RESCUE DUTIES IN FISCAL YEAR 2019-2020.

STAFF RECOMMENDS APPROVAL.

Panama City Beach Fire Rescue Invitation for sealed bids

The City of Panama City Beach Fire Rescue will be accepting sealed bids for (2) of the following items:

- 2019 Ram 1500 Classis Tradesman 1500 4X4 quad cab 6'4" box
- 27B Tradesman package
- 5.7L V8 HEMI MDS VVT
- Transmission: 8-Speed Automatic (8HP70)
- Flame Red (exterior color)
- Diesel Gray/Black Heavy Duty Vinyl 40/20/40 Split Bench Seat
- Protection Group-Inc: Transfer Case skid plates Shield, Front Suspension Skid Plate, Tow Hooks
- Anti-Spin Differential Rear Axle
- Remote keyless entry w/all secure (Power windows, Locks, Mirrors included)
- Tires LT265/70R17E BSW A/T
- Class IV Towing Package
- Spray in Bed liner (Linex or equivalent)
- Third Key fob
- Temporary Tag and Delivery

The City of Panama City Beach reserves the right to accept the bid they deem is in the best interest of the department. The City will be the final authority in deeming compliance with the specifications. For information and /or specifications, contact

Panama City Beach Fire Rescue/ 4X4 Truck Bids
17121 Panama City Beach Parkway.
Panama City Beach, Fl 32413
Fire Station #31
Phone (850) 233-5120

Bids shall be sealed and clearly marked and must be in the Deputy Fire Chief's Office, Fire Station #31 by 11:00 A.M. on Monday, June 24, 2019. The City will not be responsible for bids opened in error, which are incorrectly or inadequately marked.

No bid may be withdrawn for a period of (30) days. All documents and bid forms required by the specifications shall be submitted in the original bids.

The City reserves the right to reject any or all bids.

Larry Couch
Fire Chief



RESOLUTION 19-103

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING THE PURCHASE OF FOUR DODGE RAM TRADESMAN TRUCKS FROM GARBER CHRYSLER-DODGE TRUCK, INC., IN THE AMOUNT OF \$104,420.

BE IT RESOLVED by the City of Panama City Beach, Florida that the appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Agreement between the City and Garber Chrysler-Dodge Truck, Inc., relating to the purchase of four (4) 2019 Dodge Ram Classic Tradesman trucks for the Beach Rescue Division, in the amount of One Hundred Four Thousand, Four Hundred Twenty Dollars (\$104,420.00), on substantially the terms and conditions set forth in the quote attached hereto and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval.

THIS RESOLUTION shall take effect immediately upon passage.

PASSED in special session this ____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk



Panama City Beach Fire Rescue

UNSPSC Code	25101507
Line #	108
Unit Description	DSGL11

Prepared for: _____ Prepared by: _____

6/24/2019
 Panama City Beach Fire Rescue
 Attn: Capt. Terry Parris
tparris@pcbfire.com
 850-233-5120
 RFP Number 062419

Garber Chrysler Dodge Jeep
 Ryan Davis
 (904) 264-2442 ext.2350 FAX: (904) 284-0054
 3408 Hwy 17 Green Cove Springs, FL 32043
rdavis@garberautomall.com



DEPARTMENT OF MANAGEMENT
SERVICES

I appreciate your interest and the opportunity to quote. Prices are published by the State of Florida Department of Management Services. ([http://dms.myflorida.com/contract_search/\(category\)/18](http://dms.myflorida.com/contract_search/(category)/18)). Purchasing contract number is 25100000-18-1, expiring November 16, 2019 for Motor Vehicles. If you have any questions regarding this quote please call!

		Unit Price	Net Price
DSGL11 2019 Ram 1500 Classic Tradesman 4x4 Quad Cab 6'4" Box			\$22,669.00
27B	Quick Order Package 27B Tradesman	Included	\$0.00
EZH	Engine: 5.7L V8 HEMI MDS VVT	1450	\$1,450.00
DFD	Transmission: 8-Speed Automatic (8HP70)	500	\$500.00
PR4	Flame Red Clearcoat	Included	\$0.00
TXX8	Diesel Gray/Black, Heavy Duty Vinyl 40/20/40 Split Bench Seat	Included	\$0.00
ADB	Protection Group -Inc: Transfer Case Skid Plate Shield, Front Suspension Skid Plate, Tow Hooks	395	\$395.00
DSA	Anti-Spin Differential Rear Axle (Std in State Contract Specs)	Included	\$0.00
GXM	Remote Keyless Entry w/All-Secure (Power Windows, Locks, Mirrors Incl)	190	\$190.00
TTB	Tires: LT265/70R17E BSW A/T	250	\$250.00
TOW	Class IV Towing Package	Included	\$0.00
SIBL	Spray In Bedliner (LINEX or Equivalent)	475	\$475.00
3K	Third Key and Key Fob	176	\$176.00
T&D	Temporary Tag and Delivery	Included	\$0.00
TOTAL PURCHASE AMOUNT PER VEHICLE			\$ 26,105.00
TOTAL x2 VEHICLES			\$ 52,210.00

CONSENT ITEM

3



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Holly White, Administration

2. MEETING DATE:

07/11/19

3. REQUESTED MOTION/ACTION:

STAFF requests Council approval to enter a contract with Carr, Riggs & Ingram, LLC for auditing services for the fiscal years ending September 30, 2019 through September 30, 2023.

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

Staff requested proposals for independent auditing services for the fiscal years ending September 30, 2019 through September 30, 2023. Four firms responded to the RFP. The audit committee members independently reviewed the proposals and assigned point values for each of the categories specified in the RFP which included general government audit experience, personnel assigned, firm size and organization, understanding of City requirements and audit approach. After the firms were ranked based upon technical qualifications, City attorney Amy Myers opened the sealed cost estimates which were included in each firm's proposal and the pricing component points were scored using the mathematical formula stipulated in the RFP. The firms were ranked as follows:

- | | |
|--------------------------------------|-----------------------|
| 1. Carr, Riggs & Ingram, LLC | Panama City Beach, FL |
| 2. Mauldin & Jenkins, LLC | Bradenton, Florida |
| 3. Warren Averett | Panama City, FL |
| 4. Tipton, Marler, Garner & Chastain | Panama City Beach, FL |

The highest ranking firm was Carr, Riggs & Ingram, LLC. STAFF RECOMMENDS that Council authorize the City Manager to execute a contract for independent auditing services for the fiscal years ending September 30, 2019 through September 30, 2023 with Carr, Riggs & Ingram, LLC in the amount of \$79,900 per year. The total contract cost over the five year period is \$399,500.

III. Services Required

- 1) Prepare an audit and an opinion on the basic financial statements of the City of Panama City Beach. The audit is to be performed in accordance with generally accepted auditing standards in addition to the following:
 - a. Section 218.39, Florida Statutes
 - b. Rules of the Florida Department of Financial Services
 - c. Rules of the Auditor General (Chapter 10.550, Local Government Entity Audits)
 - d. AICPA Audit and Accounting Guide – Audits of State and Local Governmental Units
 - e. Federal and Florida Single Audit Acts
 - f. Government Auditing Standards issued by the Comptroller General of the United States
 - g. Office of Management and Budget Uniform Guidance, Washington, DC
 - h. Generally Accepted Accounting Principles (GAAP)
 - i. Pronouncements of the Governmental Accounting Standards Board (GASB)
- 2) Final audit required by this RFP must be completed within eight (8) months of the end of the fiscal year.
- 3) Prepare a calendar including the following items which will be established by the Audit Committee:
 - a. Contract signed with proposer
 - b. Interim audit procedures
 - c. Fiscal year end for the City of Panama City Beach
 - d. Close books of the City of Panama City Beach
 - e. Preliminary management comments and recommendations delivered to the City of Panama City Beach Audit Committee
 - f. Written management comments delivered to the City of Panama City Beach Audit Committee
 - g. First draft of financial statements delivered to City Finance Director and the Audit Committee

- h. Second draft of financial statements delivered to City Finance Director and the Audit Committee
 - i. Final production of financial statements delivered to City Finance Director and Audit Committee.
 - j. Provide a formal “outbrief” to the City Council and Audit Committee in a public meeting.
- 4) Prepare a draft of the City of Panama City Beach’s financial statements and related notes to be reviewed and approved by the City of Panama City Beach.
 - 5) Prepare all required note disclosures for the City of Panama City Beach’s financial statements to be reviewed and approved by the City of Panama City Beach.
 - 6) Prepare the Annual Financial Report which shall include the following contents, as required: all those elements set out in the attached exhibit (the Table of Contents from this year’s audit letter), to be reviewed and approved by the City of Panama City Beach.
 - 7) Prepare FDOT local highway finance report (FHWA-536), to be reviewed and approved by the City of Panama City Beach.
 - 8) Following the completion of the audit of the fiscal year’s financial statements, the auditor shall issue the following reports for the City of Panama City Beach.
 - a. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles.
 - b. A report on the internal control structure based on the auditors understanding of the control structure and assessment of control risk.
 - c. A report on compliance with applicable laws and regulations.
 - d. Reports on compliance with specific requirements applicable to Federal awards and State financial assistance programs.
 - e. The auditor shall communicate in a letter to management and the Audit Committee any reportable conditions found during the audit.
 - 9) Undertake Department of Financial Services report review as required by Section 218.32(1), Florida Statutes.
 - 10) Provide guidance and assist with implementing changes in governmental accounting standards.
 - 11) For any debt issued by the City of Panama City Beach which included an official statement in connection with the debt containing basic financial statements and the report of independent accounts, the firm shall be required to issue a “consent and

citation of expertise” as auditor and any necessary “comfort letters” at no additional cost to the City of Panama City Beach.

12) The Auditors shall be required to make an immediate, written report of all fraud, waste and abuse.

13) Support by City Staff.

City Staff will:

Perform the year-end closing of the books;

Provide information necessary for preparing draft financial statements and related notes;

Prepare work schedules and related materials as requested by the selected firm; and

Provide access to paid invoices, cancelled checks and other supportive documentation as requested by the firm.

RESOLUTION 19-105

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A FIVE YEAR ENGAGEMENT OF CARR RIGGS & INGRAM, LLC FOR AN ANNUAL FEE OF \$79,900.

BE IT RESOLVED that the appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and Carr, Riggs & Ingram, LLC, relating to the provision of independent auditing services for the fiscal years ending September 30, 2019 through September 30, 2023, in the basic annual amount of Seventy Nine Thousand, Nine Hundred Dollars (\$79,900.00), with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in special session this ____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____

Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk



CITY OF PANAMA CITY BEACH, FLORIDA **SCHEDULE OF PROFESSIONAL FEES AND EXPENSES**

The annual quote for the fiscal years ended September 30, 2019 through 2023.

	<u>HOURS</u>	<u>STANDARD HOURLY RATES</u>	<u>CHARGED HOURLY RATES</u>	<u>TOTAL</u>
PARTNERS	140	\$235	\$160	\$ 22,400
MANAGERS/SENIORS	210	160	110	23,100
STAFF	<u>400</u>	115	86	<u>34,400</u>
 TOTAL FOR AUDIT SERVICES	 <u>750</u>			 \$ 79,900

Should it become necessary for City of Panama City Beach to request additional services, outside the scope of the RFP, such additional work shall be performed as an addendum to the contract.

Monthly progress billings will be provided on the basis of hours of work completed during the course of the engagement.

REGULAR ITEM

1



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Panama City Beach Police Department/Chief Drew R. Whitman

2. MEETING DATE:

07/11/2019

3. REQUESTED MOTION/ACTION:

Solar School Zone Light Poles x 4

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

The City purchased and installed 10 solar powered school zone light systems several years ago for the four schools we serve on the beach. Hurricane Michael immediately destroyed 2 of the poles (one at Surfside Middle and one at Arnold High) and possibly weakened the integrity of a third (at Beach Elementary). The Beach Elementary pole was found on the ground June 8, 2019 immediately following a high wind storm event the night before. A fourth pole was struck and destroyed by a vehicle accident; which was reimbursed by the vehicle's insurance company. The City's electrician inspected the salvaged parts and determined that none of the old equipment was usable. Sealed bids were solicited on 06/11/2019 for a 2 week period of time, ending on 06/26/2019. One response was submitted by World Fiber Technologies, quoting \$15,074.56 per pole; for a total project amount of \$60,298.24. This price includes parts, 3 year warranties, and installation costs. We believe the 3 storm damage related poles will be reimbursed by hurricane insurance; and the vehicle damage related pole has already been reimbursed by the vehicle's insurance company. It is our intent to have these 4 sites operational prior to the beginning of school for the safety of the community and our children.

RESOLUTION 19-104

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING THE PURCHASE OF FOUR SOLAR SCHOOL ZONE SPEED SIGNS FROM WORLD FIBER TECHNOLOGIES IN THE AMOUNT OF \$60,298.24; AND AUTHORIZING A BUDGET AMENDMENT TO REFLECT THE RECEIPT AND EXPENDITURE OF FUNDS FOR THIS PURCHASE.

BE IT RESOLVED by the City of Panama City Beach, Florida that:

1. The appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Agreement between the City and World Fiber Technologies relating to the purchase of 4 Solar School Zone Speed Signs for the Police Department, in the amount of Sixty Thousand, Two Hundred Ninety-Eight Dollars and Twenty-Four Cents (\$60,298.24), on substantially the terms and conditions set forth in the quote attached hereto as Exhibit A and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval.
2. The following budget amendment (#44) is adopted for the City of Panama City Beach, Florida, for the fiscal year beginning October 1, 2018, and ending September 30, 2019, as shown in and in accordance with the attached and incorporated Exhibit B, to reflect the receipt and expenditure for the purposes stated herein.
3. This Resolution shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the special meeting of the City Council of the City of Panama City Beach, Florida, this _____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk



WORLD FIBER TECHNOLOGIES

ENGINEER - CONSTRUCT - MAINTAIN

5665 SHIRLEE INDUSTRIAL WAY ALPHARETTA, GA. 30004
Phone (770) 619-0118 Fax (770) 619-3243

To:	City Of Panama Beach Police Department	Contact:	Lt. Danny Mcdonald
Address:	17115 Panama City Beach Parkway Panama City Beach, FL 32413	Phone:	(850) 233-5000
Project Name:	School Zone Flashers - Panama City Beach	Fax:	
Project Location:	Panama City Beach, Panama City Beach, FL	Bid Number:	School Zone Flashers
		Bid Date:	6/26/2019

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	F&I, SPEEDCHECK-15 SOLAR SCHOOL ZONE POLE ASSEMBLIES	4.00	EACH	\$15,074.56	\$60,298.24


Total Bid Price: \$60,298.24

Notes:

- The above prices do not include Bid, Performance and Payment Bond.
- The above prices include all cost for taxes and insurance
- The above prices are only for items listed above
- The above prices are firm for six months.

Payment Terms:

World Fiber Technologies will require a unit price contract.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: World Fiber Technologies, LLC</p> <p style="text-align: center;"></p> <p>Authorized Signature: _____</p> <p>Estimator: Jimmie Hemrich (770) 616-5157 jehemrich@worldfiber.com</p>
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**CITY OF PANAMA CITY BEACH
BUDGET TRANSFER FORM BF-10**

No. BA # 44

FUND	GENERAL	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-2101-521.64-20	Machinery and Equipment	715,650.00	60,500.00	776,150.00
TO	001-0000-364.10-00	Proceeds from Disposal of Assets	(30,815.00)	(12,750.00)	(43,565.00)
FROM	001-8100-999.9600	Reserves Available for Expenditures	3,267,609.00	(47,750.00)	3,219,859.00
			0.00	0.00	0.00
			0.00	0.00	0.00
		Check Adjustment Totals:	3,952,444.00	0.00	3,952,444.00

BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:

To appropriate funds to purchase (4) new school speed zone solar powered signs; (3) were destroyed by Hurricane Michael and (1) in a vehicular accident; it is anticipated that most of the expenditure will be recovered from FEMA and a private insurance carrier

ROUTING FOR APPROVAL

_____ DEPARTMENT HEAD _____ DATE _____ CITY MANAGER _____ DATE
 _____ FINANCE DIRECTOR _____ DATE

EXHIBIT B

AGENDA ITEM # 1

REGULAR ITEM

2



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
CODE ENFORCEMENT/LEGAL

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
APPROVE INITIAL ASSESSMENT RESOLUTION FOR NUISANCE ABATEMENT

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)
THE CITY HAS ADOPTED A NUISANCE ABATEMENT ASSESSMENT PROGRAM TO COLLECT FROM PROPERTY OWNERS THE COSTS OF NUISANCE ABATEMENT UNDERTAKEN THROUGHOUT THE CITY WITH CITY RESOURCES.

ATTACHED IS AN INITIAL ASSESSMENT RESOLUTION FOR FISCAL YEAR 19-20, LISTING THE TAX PARCELS ON WHICH A NUISANCE ABATEMENT SERVICE COST SHALL BE ASSESSED ON THE 2019 TAX BILL, AND DIRECTING A PUBLIC HEARING BE HELD FOR INTERESTED PARTIES TO CONTEST THE ASSESSMENT BEFORE A FINAL ROLL IS ADOPTED.
IF APPROVED, THAT PUBLIC HEARING WILL BE NOTICED AS PROVIDED IN THE RESOLUTION, AND A FINAL ASSESSMENT RESOLUTION SHALL BE PRESENTED TO THE COUNCIL AT THAT SEPTEMBER 12, 2019 PUBLIC HEARING.

RESOLUTION 19-106

CITY OF PANAMA CITY BEACH, FLORIDA

=====

**INITIAL ASSESSMENT RESOLUTION
FOR NUISANCE ABATEMENT ASSESSMENTS**

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ADOPTED JULY 11, 2019

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RESOLUTION NO. 19-106

A RESOLUTION OF THE CITY COUNCIL OF PANAMA CITY BEACH, FLORIDA, RELATING TO THE DELIVERY OF NUISANCE ABATEMENT RELATED SERVICES WITHIN THE CITY; PROVIDING FOR NUISANCE ABATEMENT ASSESSMENTS WITHIN THE CITY; ESTIMATING THE SERVICE COST TO PROVIDE NUISANCE ABATEMENT RELATED SERVICES AND PROGRAMS; ESTABLISHING THE METHOD OF ASSESSING THE NUISANCE ABATEMENT RELATED SERVICE COST AGAINST REAL PROPERTY SPECIALLY BENEFITED; DIRECTING THE CITY MANAGER TO PREPARE A PRELIMINARY NUISANCE ABATEMENT ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED NUISANCE ABATEMENT ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AS FOLLOWS:

ARTICLE I

INTRODUCTION

SECTION 1.01. AUTHORITY. This Resolution of the City of Panama City Beach, Florida (the "City"), is adopted pursuant to City Ordinance Nos. 947 and 1313 as amended from time to time and codified in Chapter 28 of the Code of Ordinances of the City of Panama City Beach (the "Assessment Ordinance"), City Ordinance No. 1294 (the "Nuisance Ordinance") (collectively, the "Nuisance Abatement Ordinances"), Article VIII,

Section 2, Florida Constitution, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 1.02. DEFINITIONS. This Resolution constitutes the Initial Assessment Resolution as defined in the Assessment Ordinance. All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires.

"Assessment Area" means all property within the corporate boundaries of Panama City Beach.

"Assessed Property" means all parcels of real property included in the Nuisance Abatement Assessment Roll that receive a special benefit from or relieve a burden attributable to Nuisance Abatement Services or Nuisance Abatement Improvements.

"Assessment" means a special assessment (sometimes also characterized as a non-ad valorem assessment) imposed by the City against property located within the boundaries of the City of Panama City Beach Assessment Area for the costs of services, facilities or programs which provide a special benefit to, or relieve a burden attributable to, one or more parcels of land within the Assessment Area, by eliminating or abating a public nuisance, computed in the manner described in Article III hereof.

"City Clerk" means the clerk of the City Council.

"City Code" means the Code of Ordinances for Panama City Beach.

"City Manager" means the chief executive officer of the City, or such person's designee, responsible for coordinating Assessments as provided herein.

"Nuisance" shall mean a Nuisance or Public Nuisance, as defined in the Nuisance Ordinance, ultimately abated by the City after notice to and failure by the owner of the Tax Parcel on which the nuisance is located to timely or completely abate the nuisance.

"Nuisance Abatement Assessment" means the Assessment, as defined in the Assessment Ordinance, lawfully imposed by the Council against Assessed Property to fund all or any portion of the cost of the provision of Nuisance Abatement Services, in accordance with the Nuisance Ordinance, necessary to abate a violation of the Panama City Beach Code of Ordinances present on the affected Tax Parcel.

"Nuisance Abatement Assessment Roll" means the roll created pursuant to Section 2.04 of the Assessment Ordinance and described in Section 2.02 hereof that includes a summary description of each Tax Parcel subject to the Nuisance Abatement Assessment, the name of the owner of each Tax Parcel as shown on the Tax Roll, and the Assessment to be imposed on each Tax Parcel shown.

"Nuisance Abatement Improvement" means land, capital assets, services or improvements acquired, constructed, replaced, demolished, relocated or provided to abate a Nuisance existing on a Tax Parcel.

"Nuisance Abatement Service" means any work authorized in accordance with the Nuisance Abatement Ordinance and necessary to remove or otherwise abate a Nuisance located

on a Tax Parcel, in accordance with the Nuisance Ordinance, including but not limited to review, planning, investigation, analysis, permitting, notice, enforcement, remediation, improvement, demolition or removal services.

"Nuisance Abatement Service Cost" means the Service Cost, as defined in the Assessment Ordinance, that is properly attributable to the provision of the Nuisance Abatement Services under generally accepted accounting principles, including, without limiting the generality of the foregoing: (A) the costs incurred by the City, including all actual, administrative, and collection costs, in performing any work authorized in accordance with the Nuisance Abatement Ordinance and necessary to abate a Nuisance located on a Tax Parcel, in accordance with the Nuisance Abatement Ordinance; and (B) costs associated with review, planning, investigation, analysis, permitting, notice, enforcement, remediation, improvement, provision of services, demolition or removal, or any combination of those, to abate a public nuisance; and (C) interest and reimbursement to the City or any other Person for any moneys advanced for any costs incurred by the City or such Person in connection with any of the foregoing components of a Nuisance Abatement Service Cost.

"Tax Parcel" means a parcel of property to which the Bay County Property Appraiser has assigned a distinct ad valorem property tax identification number.

"Uniform Assessment Collection Act" means Sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

SECTION 1.03. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 1.04. FINDINGS. It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City Council has all powers of local self-government to perform municipal functions and to render municipal services except when prohibited by law and such power may be exercised by the enactment of legislation in the form of City ordinances.

(B) The City Council may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the City Council may legislate on any subject matter on which the Legislature may act, except those subjects described in (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c) and (d) of Section 166.021(3), Florida Statutes, are not relevant to imposition of the Nuisance Abatement Assessments within the City.

(C) The City is authorized by Article VIII, Section 2 of the State Constitution, Section 166.021, Florida Statutes, the Nuisance Abatement Ordinances, the Uniform Assessment Collection Act, and other applicable provisions of law, to provide for the imposition and collection of charges in the form of special assessments, such impositions also being sometimes characterized as non-ad valorem assessments.

(D) The Council has enacted the Assessment Ordinance and the Nuisance Ordinance to authorize the imposition of Nuisance Abatement Assessments to fund the Nuisance Abatement Service Cost to benefit property in the Assessment Area.

(E) Prior to the adoption of the Assessment Roll, the City incurred costs related to the abatement of one or more public nuisances and the remediation or improvement of property, which costs remain outstanding, and are properly included within the Nuisance Abatement Service Cost.

(F) The provision of Nuisance Abatement Services have specially benefitted the Tax Parcels to be assessed and enhanced the utilization and enjoyment of the Tax Parcels by one or more of the following: (1) protecting or enhancing the value and use of the property through the elimination of an existing code violation that presents a serious threat to the public health, safety, and welfare; (2) providing increased safety and better access to the property; (3) improving the property's appearance; (4) rendering the property more adaptable to a current or reasonably foreseeable new and higher use; (5) fostering the enhancement of environmentally responsible use and enjoyment of the property; and (6)

eliminating the accrual of daily fines imposed on the property due to the original code violation.

(G) The Nuisance Abatement Service Costs consists of costs incurred by the City, including all actual, administrative, service and collection costs, in performing or having performed any work necessary to abate a nuisance located on an affected Tax Parcel. The Council hereby determines that the Nuisance Abatement Service Cost provides a special benefit to each Tax Parcel to be assessed, and that it is fair and equitable to allocate the Nuisance Abatement Service Cost to Tax Parcels predominately benefited by the removal or abatement of the Nuisance from that Tax Parcel and the reciprocal relief of the burden caused by the Nuisance, based upon the actual, administrative, services and collection costs incurred by the City in abating the nuisance located on the Tax Parcel and which costs are uniquely attributable to that Tax Parcel.

ARTICLE II

NOTICE AND PUBLIC HEARING

SECTION 2.01. ESTIMATED NUISANCE ABATEMENT SERVICE COST.

(A) The estimated Nuisance Abatement Service Cost to be recovered through Nuisance Abatement Assessments for the Fiscal Year commencing October 1, 2019 is \$4,903.53.

(B) The estimated Nuisance Abatement Service Cost is hereby allocated among the following Tax Parcels for Service Costs incurred by the City in the Fiscal Year

commencing October 1, 2018:

PARCEL ID	PROPERTY OWNER	SERVICE COST
38222-000-000	Ewyell Jordan & Paul Hofer	\$2,463.25
34999-000-000	David W. Bare and Benjamin B. Bare	\$1,533.28
33949-000-000	Peek Development LLC	\$907.00

This Nuisance Abatement Service Cost will be collected through the imposition of Assessments against property located within the City in the manner set forth in Section 3.04 hereof.

(C) The estimated Nuisance Abatement Assessments established in this Initial Assessment Resolution shall be the estimated service costs applied by the City Manager in the preparation of the preliminary Nuisance Abatement Assessment Roll for the Fiscal Year commencing October 1, 2019, as provided in Section 2.02 of this Initial Assessment Resolution.

SECTION 2.02. NUISANCE ABATEMENT ASSESSMENT ROLL. The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Nuisance Abatement Assessment Roll for the Fiscal Year commencing October 1, 2019, in the manner provided in Section 2.04 of the Assessment Ordinance. The Nuisance Abatement Assessment Roll shall include all Tax Parcels identified in Section 2.01 hereof. The City Manager shall apportion the estimated Nuisance Abatement Service Cost to be recovered through Nuisance Abatement Assessments in the manner set forth in this Initial

Assessment Resolution. A copy of this Initial Assessment Resolution and the preliminary Nuisance Abatement Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection.

SECTION 2.03. PUBLIC HEARING. There is hereby established a public hearing to be held at 6:00 PM on September 12, 2019, in City Council Chambers, City Hall, 110 South Arnold Road, Panama City Beach, Florida, at which time the City Council will receive and consider any comments on the Nuisance Abatement Assessments from the public and affected property owners, and consider imposing Nuisance Abatement Assessments and collecting such assessments on the same bill as ad valorem taxes.

SECTION 2.04. NOTICE BY PUBLICATION. The City Manager shall direct the mailing of a notice of the public hearing authorized by Section 2.03 hereof in the manner and time provided in Section 2.05 of the Ordinance. The notice shall be published no later than August 13, 2019, in substantially the form attached hereto as Appendix A.

SECTION 2.05. NOTICE BY MAIL. The City Manager shall direct the publication of a notice of the public hearing authorized by Section 2.03 hereof in the manner and time provided in Section 2.06 of the Ordinance. The notice shall be mailed no later than August 13, 2019, in substantially the form attached hereto as Appendix B.

ARTICLE III
ASSESSMENTS

SECTION 3.01. NUISANCE ABATEMENT ASSESSMENTS TO BE IMPOSED IN ASSESSMENT AREA.

(A) Pursuant to Section 2.02 of the Assessment Ordinance, Nuisance Abatement Assessments are to be imposed on those certain Tax parcels located within the City on which Nuisance Abatement Improvements or Nuisance Abatement Services have been undertaken or performed by the City.

SECTION 3.02. IMPOSITION OF ASSESSMENTS. Nuisance Abatement Assessments shall be imposed against those Tax Parcels identified in Section 2.01 located within the Assessment Area, and shall be computed for each Tax Parcel in accordance with this Article III. When imposed, the Assessment for each Fiscal Year shall constitute a lien upon the Tax Parcels located within the Assessment Area pursuant to the Assessment Ordinance.

SECTION 3.03 COMPUTATION OF NUISANCE ABATEMENT ASSESSMENT.

(A) The Nuisance Abatement Assessment identified in Section 2.01 shall be calculated and apportioned based upon the actual Service Costs incurred by the City in performing any work necessary to abate or correct a violation of the Code of Ordinances of the City of Panama City Beach for each specific Tax Parcel identified in Section 2.01. In the event the City undertakes aggregated and contemporaneous nuisance abatement activities

upon two or more Tax Parcels under common ownership for which Service Costs are comingled and cannot be uniquely attributed to one Tax Parcel over another, the Service Costs for such aggregated and contemporaneous nuisance abatement activities shall be equally divided among the Tax Parcels on which the aggregated and contemporaneous work was performed. If the City undertakes nuisance abatement on two or more occasions upon a single parcel, the Service Costs shall be added together.

(B) It is hereby ascertained, determined, and declared that the method of determining the Nuisance Abatement Assessments for nuisance abatement related services as set forth in this Initial Assessment Resolution is a fair and reasonable method of apportioning the Nuisance Abatement Service Cost among parcels of Assessed Property located within the Assessment Area.

SECTION 3.04. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the City from the Nuisance Abatement Assessments will be utilized to reimburse the City for the actual costs arising from its provision of Nuisance Abatement related services, facilities, and programs.

SECTION 3.05. COLLECTION OF ASSESSMENTS. The Nuisance Abatement Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

ARTICLE IV

GENERAL PROVISIONS

SECTION 4.01. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4.02. SEVERABILITY. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 4.03. EFFECTIVE DATE. This Initial Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED ____ day of _____, 2019.

**CITY COUNCIL OF PANAMA CITY
BEACH, FLORIDA**

By: _____
Mike Thomas, Mayor

(SEAL)

Attest:

By: _____
City Clerk

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

To be published on or before August 13, 2019.

(Map of Panama City Beach City Limits Area)

**NOTICE OF HEARING
TO IMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS**

Notice is hereby given that the City Council of Panama City Beach, Florida, will conduct a public hearing to consider adoption of a Nuisance Abatement Final Assessment Resolution related to the imposition of special assessments nuisance abatement to reimburse the City for services undertaken by the City of Panama City Beach to abate a nuisance on the following properties:

PARCEL ID	PROPERTY OWNER
38222-000-000	Ewyell Jordan & Paul Hofer
34999-000-000	David W. Bare and Benjamin B. Bare
33949-000-000	Peek Development LLC

The Nuisance Abatement Final Assessment Resolution will provide for the imposition of special assessments, sometimes characterized as non-ad valorem assessments, against property located within the boundaries of the City and collection of the assessments by the billing method described in Section 3.01 of City Ordinance No. 947. The hearing will be held at 6:00 PM on September 12, 2019 at City Council Chambers of City Hall, 110 South Arnold Road, Panama City Beach, Florida. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within twenty (20) days of this notice.

The assessments have been proposed to fund nuisance abatement related essential services and improvements throughout the City. The assessment for each tax parcel within the Assessment Area will be based upon the actual costs incurred by the City attributable to the abatement of a nuisance on each tax parcel as of the date the assessments are imposed. A more specific description of the nuisance abatement related services and improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution adopted by the City Council on July 11, 2019. Copies of the Initial Assessment Resolution and the preliminary Nuisance Abatement Assessment Roll together with Ordinances 947 and 1313 (the "Assessment Ordinance") and Ordinance 1294

(the "Nuisance Ordinance") are available for inspection at the office of the City Clerk, located at City Hall, 110 South Arnold Road, Panama City Beach, Florida.

If you have any questions, please contact the City Clerk's Office at (850) 233-5100.

ANY PERSON WISHING TO ENSURE THAT AN ADEQUATE RECORD OF THE PROCEEDINGS IS MAINTAINED FOR APPELLATE PURPOSES IS ADVISED TO MAKE THE NECESSARY ARRANGEMENTS FOR RECORDING AT HIS OR HER OWN EXPENSE.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT 850-233-5100.

APPENDIX B

FORM OF NOTICE TO BE MAILED

PANAMA CITY BEACH, FLORIDA

City of Panama City Beach, Florida
110 South Arnold Road
Panama City Beach, Florida 32413-2199

August 13, 2019

**NOTICE OF HEARING
TO IMPOSE AND TO PROVIDE FOR
COLLECTION OF
NUISANCE ABATEMENT RELATED
SPECIAL ASSESSMENTS IN
PANAMA CITY BEACH**

Apparent Owners of Record:

VIA FIRST CLASS MAIL

[Property Owner Name]

[Street Address]

Panama City Beach, FL [Zip]

Tax Parcel No. **[Insert Number]**

Location: **[Insert Address]**

Dear Property Owner:

In accordance with Section 197.3632, Florida Statutes, notice is hereby given by the City of Panama City Beach that a non-ad valorem assessment for nuisance abatement services using the tax bill collection method, may be levied on your property for the fiscal year beginning on October 1, 2019. The purpose of this assessment is to recover costs arising from nuisance abatement services benefitting affected properties located within the City. The total property abatement assessment revenue to be collected is estimated to be \$4,903.53 for the fiscal year beginning October 1, 2019. The assessment of each parcel of property is calculated and apportioned based upon the extent of work necessary to abate or correct a violation of the City's Code of Ordinances existing on a Tax Parcel. The assessment will include the actual costs incurred by the City in performing any work necessary to abate or correct violations for unsafe structures or abatement of nuisances or both, including all labor, materials, disposal and administrative costs.

Copies of the Initial Assessment Resolution and the preliminary Nuisance Abatement Assessment Roll describing the assessments are available for your review at the offices of the City Clerk, located at City Hall, 110 South Arnold Road, Panama City Beach. Information regarding the assessment for your specific property is included below.

The total amount of actual and administrative costs incurred by the City in performing the work necessary to abate or correct a violation of the City's Code of Ordinances on the above referenced parcel is \$[] ("Nuisance Abatement Cost"). The Nuisance Abatement Assessment for the above parcel is \$[] for the fiscal year beginning October 1, 2019.

The nuisance abatement non-ad valorem assessment amount shown on this notice will be collected by the Bay County Tax Collector on the tax bill to be mailed in November 2019. Florida law requires that the City inform you that failure to pay your assessment may result in foreclosure or the issuance of a tax sale certificate in the future. The City has the right to foreclose and collect delinquent assessments in any manner provided by law.

Until paid, the Nuisance Abatement assessment will constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Assessments shall become delinquent if not timely paid.

The City, in its sole discretion, shall determine whether to provide a program of hardship assistance, either through monetary contributions or extended payment terms, to City residents who are living below or close to the poverty level and are at risk of losing title to their homes as a result of the imposition of a Nuisance Abatement Assessment.

The City Council will hold a public hearing at 6:00 PM on September 12, 2019, in the City Council Chambers at City Hall, 110 South Arnold Road, Panama City, Florida, for the purpose of receiving comments on the proposed assessments. You are invited to attend and participate in the hearing. You may also file written objections with the City Council prior to or during the hearing. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

If you have any questions, please contact the City Clerk's office at 850-233-5100.

THIS IS NOT A BILL. DO NOT SEND PAYMENT.

PANAMA CITY BEACH, FLORIDA

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Panama City Beach City Clerk, at City Hall, 110 South Arnold Road, Panama City Beach, Florida 32413 or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or (800) 955-8771.

REGULAR ITEM

3



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
HUMAN RESOURCES

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:

Approve the creation of a Critical Staffing Shortage Pay Pilot Program providing for additional pay for those City employees working in positions that are severely understaffed.

4. AGENDA

- PRESENTATION
- PUBLIC HEARING
- CONSENT
- REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

Due to the highly competitive labor market following Hurricane Michael, the City has been unable to fill several vacant positions.

This shortage has left some employees to carry an extraordinary burden of working in positions without adequate support of co-workers as needed. These employees are left doing the work of two or three employees and are vital to the City. To incentivize this continued extra effort, the Human Resources director proposed a Critical Staffing Shortage Pay program to offer additional pay for those working without help as budgeted by the City Council.

Resolution 19-107 creates a pilot program for Critical Staffing Shortage Pay. The Resolution would, under certain conditions, allow nonsupervisory full-time employees working in departments staffed below 75% of their budgeted levels to receive an additional \$80.00 per pay period. The program requires the shortage to be certified by the City Manager, that positions be advertised for ninety days prior to implementation, and ceases upon staffing levels reaching 75%.

Staff recommends approval.

RESOLUTION 19-107

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA,
IMPLEMENTING A CRITICALLY STAFFING SHORTAGE INCENTIVE
PAY PILOT PROGRAM FOR A PERIOD OF ONE YEAR FROM THE
DATE OF THIS RESOLUTION.**

BE IT RESOLVED by the City Council of the City of Panama City Beach that the City Manager is hereby authorized to implement a Critically Staffing Shortage Incentive Pay Pilot Program for a period of one (1) year from the date of this Resolution under the following terms:

1. A "Critical Staffing Shortage" shall exist when the percentage of budgeted positions of any individual department's nonsupervisory positions reaches below 75%. The City Manager shall, by Executive Order, certify the existence of a Critical Staffing Shortage. The Executive Order shall identify the department and positions affected and request that the Civil Service Board take all actions reasonably necessary to fill the vacant positions from the Executive Order.

2. If the positions identified by the City Manager remain unfilled ninety (90) days from the Executive Order such that more than 25% of the non-supervisory full-time positions are vacant for a period of ninety (90) days, then all non-supervisory full-time employees in the affected department(s) shall receive Critical Staffing Shortage Pay in the amount of \$80.00 per pay period. Critical Staffing Shortage Pay shall cease ninety (90) days from the physical start date of any non-supervisory full time employee whose hire or transfer renders the department staffed at 75% or above. The aforementioned employee shall not be eligible for Critical Staffing Shortage Pay within ninety (90) days of his or her start date.

THIS RESOLUTION shall take effect immediately upon its passage.

PASSED, APPROVED, AND ADOPTED in special session this ____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By _____
MIKE THOMAS, MAYOR

ATTEST:

MARY JAN BOSSERT, CITY CLERK

REGULAR ITEM

4



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Administration

2. MEETING DATE:

7/11/2019

3. REQUESTED MOTION/ACTION:

Approval of Budget Amendment

4. AGENDA

PRESENTATION

PUBLIC HEARING

CONSENT

REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

Hagerty has requested additional funding for continued work on FEMA reimbursements. They have submitted \$1.8M to FEMA as of July 1st and have identified an additional \$875K that is reimbursable. They have requested additional funding of \$150,000 to complete 6 weeks worth of work. This would include submission of the \$875K, completing site inspection package for the roof of the 2 Fire stations and answering the Requests for information from the FEMA and the State on the projects already submitted. Additionally, they have requested \$71,240 for 1 year additional support for any requests from the State, FEMA, Audit and Close-out work.

If we choose to pursue the HMGP projects, Hagerty has selected 3 projects with the highest chance of success, with a corresponding fee of \$325,000.

RESOLUTION 19-109

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING ITS AGREEMENT WITH HAGERTY CONSULTING, INC. TO ADJUST THE SCOPE OF SERVICES PROVIDED, FOR A NOT TO EXCEED AMOUNT OF \$221,240, AND ADOPTING A BUDGET AMENDMENT FOR THIS PURPOSE.

BE IT RESOLVED by the City Council of the City of Panama City Beach that:

1. The appropriate officers of the City are authorized to accept and deliver on behalf of the City an amendment to that certain Agreement between the City and Hagerty Consulting, Inc., dated December 20, 2018, relating to additional services to be provided regarding the City's Public Assistance program requests, in the basic amount of Two Hundred Twenty-One Thousand, Two Hundred, Forty Dollars (\$221,240.00), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.
2. The following budget amendment (#46) is adopted for the City of Panama City Beach, Florida, for the fiscal year beginning October 1, 2018, and ending September 30, 2019, to provide for the expenditure of funds contemplated herein.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this ____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk

Panama City Beach – Proposal for Continued Work

On November 8, 2018, the City Council of the City of Panama City Beach passed resolution 19-16 awarding Hagerty Consulting a time and materials (T&M) contract for Disaster Recovery Administrative Services and Federal Disaster Grant Management Consulting. The total value of that contract was \$250,000.

Hagerty has directly increased the City's eligible FEMA Public Assistance (PA) reimbursements by \$1,100,057 (for a total of \$2,820,372 in FEMA PA reimbursements) while progressing six FEMA Hazard Mitigation Grant Program (HMGP) projects totalling ~\$23,000,000.

PCB is seeking to increase the contract amount by \$546,240, for a new contract total of \$796,240. Of this amount, it is anticipated that FEMA will reimburse at least \$459,303 (~\$336,937 may not be reimbursable by FEMA). Potential "return on investment" is > \$700,000.

Hagerty Consulting Completed Services and Accomplishments

1. Hagerty has successfully formulated and submitted **\$1,811,015** in FEMA PA grants.
 - a. Of this ~\$1.8M, **\$569,354 was additional eligible funding identified by Hagerty.**
2. Hagerty has also developed initial scope for six FEMA HMGP projects totalling approximately **\$23,000,000**, four of which will likely be projects that will require additional scope and cost development before they are approved by FDEM.
 - a. All six have been accepted by the County's Local Mitigation Strategy (LMS) Committee.

Project	Initial Funding (Without Hagerty)	Additional Funding (With Hagerty)	Total Reimbursement	Estimated Hagerty Fee
FEMA PA Grants	\$1,261,662	\$549,354	\$1,811,016 (+44%)*	\$190,169
FEMA HMGP Grants	\$0	~\$23,000,000	TBD	\$59,840

*Percent increase as a direct result of Hagerty support

Hagerty Consulting Proposed Additional Services

To continue this success, there is a need to increase the contract value by \$546,240, broken down as follows:

1. **\$221,240 to support the development and submission of an additional \$1,009,356 in FEMA PA grants.**
 - a. Also includes ongoing administrative services such as FEMA / FDEM RFIs, audits, grant closeout, etc. for all PA grants.
2. **\$325,000 to support the further development of the four priority FEMA HMGP grants, likely totalling at least \$6.5M.**

Project	Initial Funding (Without Hagerty)	Additional Funding (With Hagerty)	Total Reimbursement	Estimated Hagerty Fee
FEMA PA Grants	\$458,653	\$550,703	\$1,009,356 (+120%)*	\$221,240
FEMA HMGP Grants	\$0	\$6,500,000+	TBD	\$325,000

*Percent increase as a direct result of Hagerty support

City of Panama City Beach - Final Projected FEMA Grant Funding Position

Project	Initial Funding (Without Hagerty)	Additional Funding (With Hagerty)	Total Reimbursement	Estimated Hagerty Fee
FEMA PA Grants	\$1,720,315	\$1,100,057	\$2,820,372 (+64%)*	\$411,409
FEMA HMGP Grants	\$0	\$6,500,000+	\$6,500,000+	\$384,831

*Percent increase as a direct result of Hagerty support



AGENDA ITEM # 4

**CITY OF PANAMA CITY BEACH
BUDGET TRANSFER FORM BF-10**

No. BA # 46

FUND	GENERAL ACCOUNT NUMBER	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-1300-513.52-91	Hurricane Michael	275,000.00	221,240.00	496,240.00
FROM	001-8100-999.96-00	Reserves Available for Expenditures	3,219,859.00	(221,240.00)	2,998,619.00
			0.00	0.00	0.00
			0.00	0.00	0.00
			0.00	0.00	0.00
		Check Adjustment Totals:	3,494,859.00	0.00	3,494,859.00

BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:

To record budget amendment for Hagerty Consulting, Inc. related to disaster recovery administrative services;
 additional contract services needed to complete FEMA work

ROUTING FOR APPROVAL

_____ DEPARTMENT HEAD _____ DATE _____ CITY MANAGER _____ DATE
 _____ FINANCE DIRECTOR _____ DATE

AGENDA ITEM # 4

EXHIBIT B

REGULAR ITEM

5



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
CRA/DAVID CAMPBELL

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
APPROVE RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY LOCATED AT 17138 AND 17140 FRONT BEACH ROAD BY EMINENT DOMAIN

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

THE COUNCIL HAS DIRECTED STAFF TO ACQUIRE PROPERTY NECESSARY FOR THE FRONT BEACH ROAD SEGMENT 3 AND STATE ROAD 79 IMPROVEMENT PROJECT. STAFF HAS BEEN UNSUCCESSFUL IN NEGOTIATING THE VOLUNTARY PURCHASE OF PROPERTY LOCATED AT 17138 AND 17140 FRONT BEACH. THE PROPERTY IS ESSENTIAL TO REALIGN AND IMPROVE THE INTERSECTION, AND TO SUPPORT THE STORMWATER AND DRAINAGE FACILITIES NECESSITATED BY THE EXPANSION AND IMPROVEMENT OF STATE ROAD 79.

STAFF REQUESTS COUNCIL'S AUTHORIZATION TO INITIATE AN EMINENT DOMAIN ACTION IN ACCORDANCE WITH CHAPTERS 73 AND 74, FLORIDA STATUTES, TO ACQUIRE FEE SIMPLE INTEREST IN THE PROPERTY.

RESOLUTION 19-110

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH FLORIDA RELATING TO THE CONDEMNATION OF THAT CERTAIN PROPERTY LOCATED AT 17138 and 17140 FRONT BEACH ROAD WITHIN THE CITY FOR RIGHT OF WAY AND DRAINAGE PURPOSES TO SUPPORT THE IMPROVEMENT OF THE INTERSECTION OF STATE ROAD 79 AND FRONT BEACH ROAD; MAKING FINDINGS OF FACT AND NECESSITY; AND AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO TAKE THE APPROPRIATE ACTIONS TO SECURE THE ACQUISITION OF THE PROPERTY BY EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the CITY may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by eminent domain proceedings, as the City may deem necessary for any of the purpose of the Municipal Home Rule Powers Act, included, but not limited to, any lands reasonably necessary for expansion, construction, operation and maintenance of public streets and roads, and

WHEREAS, the CITY OF PANAMA CITY BEACH, (the "CITY") is authorized by Chapter 166, Florida Statutes to condemn all necessary lands and property for the purpose of securing and utilizing transportation rights-of-way, and

WHEREAS, State Road 79 is a key north-south connector and evacuation route providing access from Panama City Beach Parkway to Front Beach Road; and

WHEREAS, Front Beach Road is a key east-west connector providing access from State Road 79 to State Road 392A and US Highway 98; and

WHEREAS, the City finds that the expansion and improvement of the rights-of-way along State Road 79 (between Panama City Beach Parkway and Front Beach Road) and Front Beach Road (between State Road 79 and Lullwater Drive) and the realignment of the intersection of State Road 79 and Front Beach Road (the "Project") is necessary to improve the function and

Resolution 19-110

Page 1 of 3

appearance of those corridors, and to allow for the installation and construction of sidewalks and additional traffic lanes in a safe and acceptable manner; and

WHEREAS, the CITY has determined that it is necessary, in the public interest, and serves a public purpose to make certain improvements to portions of the State Road 79 and Front Beach Road rights-of-way, and the City has determined that to do so it is necessary, in the public interest, and serves a public purpose that the CITY obtain title to certain portions of land along and adjacent to both State Road 79 and Front Beach Road in certain parcels of land situate, lying and being in Bay County, Florida, the legal descriptions of each parcel whereof being attached hereto as composite *Exhibit A* (the "Property"), and

WHEREAS, the City finds that the Property is necessary and essential for the realignment, construction and expansion of the Project, in accordance with the permitting requirements of state and local agencies, and the City determines that acquiring the Property for this Project is necessary and in the best interests of the public, and serves a public purpose; and

WHEREAS, the City, in consultation with the Florida Department of Transportation, has considered alternative designs and routes, cost, safety, environmental factors, and long term area planning in concluding that acquiring said property is necessary and in the best interests of the public, and all other conditions precedent to acquiring said parcels have been met, including, but not limited to, notifying appropriate state and local agencies that governmental permits have been obtained or that there is a reasonable probability that such permits will be obtained; and

WHEREAS, the acquisition of the Property is consistent with the City's Near Term Work Plan adopted by the City Council on August 9, 2018 by Resolution 18-128, and funds have been budgeted for this purpose; and

WHEREAS, the City has been unsuccessful in negotiating the voluntary purchase of the Property.

NOW THEREFORE BE IT RESOLVED, for the purposes aforesaid, the City Council finds that:

1. The City Council hereby adopts as true and correct the foregoing

Resolution 19-110

Page 2 of 3

Whereas clauses, and incorporates them herein.

2. For the purposes aforesaid, it is necessary, practical, and in the best interest of the public and the CITY that the property necessary for the Panama City Beach Front Beach Road CRA Segment 3 – State Road 79 be acquired as fee simple right of way in the name of the CITY over and upon those certain parcels heretofore described in the attached composite Exhibit A. Once acquired, the Property shall be used as transportation right of way for the realignment, improvement and expansion of the intersection of State Road 79 and Front Beach Road, for required drainage facilities and water retention areas necessitated by the improvement and expansion of State Road 79, and other municipal purposes.
3. The CITY, its officers, employees and attorneys be and are hereby authorized and directed to proceed to take the necessary steps to institute and prosecute such necessary actions and proceedings as may be proper for the acquisition of the fee simple title in said land by eminent domain proceedings and otherwise and to prepare, sign, execute, serve, publish and file in the name of the CITY, all eminent domain papers, affidavits and pleadings and said attorneys are authorized to have prepared such other instruments and documents as may be necessary in connection herewith.

THIS RESOLUTION shall become effective immediately upon passage.

PASSED, APPROVED, AND ADOPTED this 11th day of July, 2019.

FLORIDA

CITY OF PANAMA CITY BEACH,

BY: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk

EXHIBIT A

17138 FRONT BEACH ROAD

BAY COUNTY PARCEL ID 32780-000-000

and

17140 FRONT BEACH ROAD

BAY COUNTY PARCEL ID 32779-000-000

Legal Description:

Begin at the intersection of the East line of the Southwest Quarter of the Southwest Quarter of Section 18, Township 3 South, Range 16 West, Bay County, Florida, and the Northerly right of way line of State Road No. 30 (U.S. No. 98); thence S61°07'41"E along said Northerly right of way line for 150.21 feet; thence S60°42'51"E along said Northerly right of way line for 162.14 feet to the Westerly right of way line of the East Leg of State Road No. 79; thence Northerly along said Westerly right of way line which is a curve concave to the East and having a radius of 638.36 feet for an arc distance of 286.55 feet to the intersection of said Westerly right of way line with the Southerly right of way line of the West Leg of said State Road No. 79; thence Westerly along said Southerly right of way line which is a curve concave to the North and having a radius of 446.20 feet and an arc distance of 225.65 feet to said East line of the Southwest Quarter of the Southwest Quarter of Section 18, Township 3 South, Range 16 West; thence S1°05'19"W along said East line for 17.89 feet to the Point of Beginning.

REGULAR ITEM

6



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
CRA/LEGAL

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
UPDATE INCENTIVE SCHEDULE FOR LAND ACQUISITIONS SOUGHT FOR FRONT BEACH ROAD CRA PROJECTS.

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

The City has undertaken the acquisition of land to effect improvements which will support and enhance various transportation corridors within the City in furtherance of the Front Beach Road Community Redevelopment Project (the "Project"). In 2006, the City adopted an incentive schedule, based on FDOT's incentive schedule, to engage property owners to willingly sell their land to the City for these purposes, and avoid the necessity of exercising the City's eminent domain authority to accomplish the contemplated land acquisition. The incentive offers were particularly helpful in avoiding the need for eminent domain suits for the Front Beach Road Segment Two project. As the City moves forward with Front Beach Road Segment 3, the City finds it is necessary and appropriate to update its incentive schedule in order to be in full compliance with current FDOT procedures regarding calculation of offers with incentives.

The updated schedule adds a new value bracket, and provides percentage calculation to the City's former top value bracket.

Staff recommends approval.

RESOLUTION 19-111

A RESOLUTION OF THE CITY COUNCIL FOR PANAMA CITY BEACH, FLORIDA, UPDATING ITS INCENTIVE SCHEDULE FOR LAND ACQUISITIONS SOUGHT IN ASSOCIATION WITH EXPANSION AND ENHANCEMENT OF RIGHT-OF-WAYS IN FURTHERANCE OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PROJECT.

WHEREAS, the City has undertaken the acquisition of land to effect improvements which will support and enhance various transportation corridors within the City in furtherance of the Front Beach Road Community Redevelopment Project (the "Project"); and

WHEREAS, in 2006, the City adopted an incentive schedule, based on FDOT's incentive schedule, to engage property owners to willingly sell their land to the City for these purposes, and avoid the necessity of exercising the City's eminent domain authority to accomplish the contemplated land acquisition; and

WHEREAS, the City finds it is necessary and appropriate to update its incentive schedule in order to be in full compliance with current FDOT procedures regarding calculation of offers with incentives.

NOW THEREFORE BE IT RESOLVED by the City Council of Panama City Beach, Florida, that:

The City may offer monetary incentives to encourage property owners to sell desired land to the City, pursuant to the following guidelines:

Appraisal is		Incentive	Of Amount Over
Over	But Not Over		
\$0	\$1,000	\$1,000	
\$1,000	\$2,500	\$1,000 + 83.3%	\$1,000
\$2,500	\$5,000	\$2,250 + 70%	\$2,500
\$5,000	\$7,500	\$4,000 + 50%	\$5,000

\$7,500	\$10,000	\$5,250 + 45%	\$7,500
\$10,000	\$20,000	\$6,375 + 40%	\$10,000
\$20,000	\$30,000	\$10,375 + 35%	\$20,000
\$30,000	\$100,000	\$13,875 + 32.5%	\$30,000
\$100,000	\$311,250	\$36,625 + 30%	\$100,000
<u>\$300,000</u>	<u>\$513,500</u>	<u>\$96,625 + 25%</u>	<u>\$300,000</u>
<u>\$311,250</u>		<u>\$100,000</u>	
<u>\$513,500</u>		<u>\$150,000</u>	

PROVIDED, however, that the City Manager shall be authorized to modify or withhold the application of this incentive where necessary to preserve and protect the best interests of the City.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON PASSAGE.

PASSED IN SPECIAL SESSION THIS _____ DAY OF _____, 2019.

CITY OF PANAMA CITY BEACH

By _____
MIKE THOMAS, MAYOR

ATTEST:

MARY JAN BOSSERT, CITY CLERK

REGULAR ITEM

7



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
LEGAL

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
HOLD PUBLIC HEARING TO CONSIDER SECOND READING AND ADOPTION OF ORDINANCE 1492 REPEALING THE CITY'S REGULATIONS OF CANNABIS DISPENSARIES

4. AGENDA
PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)
On May 25, 2017, the City adopted Ordinance 1413, which regulated the establishment and operation of Cannabis Dispensing Facilities in the City. On June 23, 2017, the Florida Legislature adopted legislation preempting municipal regulation of medical marijuana treatment facilities, such that the City's ordinance was rendered unenforceable. Though Section 381.986, Florida Statutes, permits a local government to ban medical marijuana treatment facilities from its jurisdiction, the City Council has previously determined that a total ban on these facilities is contrary to the desire of the majority of electors who voted to legalize medical marijuana in Florida in 2016. If the City repeals prior Ordinance 1413, medical marijuana treatment facilities may be established in the City limits in accordance with the requirements set forth in Section 381.986, Florida Statutes.

The Planning Board considered the Ordinance at their June 12, 2019, meeting and recommended approval.

Council approved the first reading of the Ordinance on June 27, 2019. Staff has properly advertised a public hearing for the second reading and adoption of the ordinance. If adopted, the Ordinance shall take effect immediately.

ORDINANCE NO. 1492

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, REPEALING CITY ORDINANCE 1413 RELATED TO THE REGULATION OF CANNABIS DISPENSING FACILITIES; AUTHORIZING CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on May 25, 2017, the City adopted Ordinance 1413, which regulated the establishment and operation of Cannabis Dispensing Facilities in the City; and

WHEREAS, in June 23, 2017, the Florida Legislature adopted legislation preempting municipal regulation of medical marijuana treatment facilities, such that the City's ordinance was rendered unenforceable; and

WHEREAS, though Section 381.986, Florida Statutes, permits a local government to ban medical marijuana treatment facilities from its jurisdiction, the City finds and determines that a total ban on these facilities is contrary to the desire of the majority of electors who voted to legalize medical marijuana in our State in 2016; and

WHEREAS, the City finds and determines that, as a result of its repeal of City Ordinance 1413, medical marijuana treatment facilities may be established in the City limits in accordance with the requirements set forth in Section 381.986, Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Ordinance 1413 of the City of Panama City Beach related to Cannabis Dispensing Facilities is hereby repealed in its entirety.

SECTION 2. The appropriate officers and agents of the City are authorized

and directed to codify, edit and publish in electronic format the Panama City Beach Land Development Code to execute the intent and provisions of this Ordinance, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 3. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the special meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____, 2019.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2019.

MAYOR

Published in the News Herald on the 20th day of June, 2019 and on the 5th day of July, 2019.

Posted on pcbgov.com on the ____ day of _____, 2019.

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Ordinance 1492

AGENDA ITEM # _____

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REGULAR ITEM

8



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
CITY ATTORNEY/ COLE DAVIS

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
APPROVE FIRST READING OF ORDINANCE 1493 REVISING THE ADMINISTRATION OF SPECIAL EVENT MUNICIPAL SERVICES AND OUTSIDE DUTY SPECIAL EVENT SERVICES.

4. AGENDA

- PRESENTATION
- PUBLIC HEARING
- CONSENT
- REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)
FOLLOWING THE SPRING SPECIAL EVENT SEASON, STAFF SET OUT TO REVISE THE PROVISION AND ADMINISTRATION OF OUTSIDE DUTY EMPLOYMENT BETWEEN SPECIAL PROMOTERS AND CITY EMPLOYEES OF THE POLICE AND FIRE DEPARTMENT.

ORDINANCE 1493 CODIFIES A PROCESS BY WHICH THE CITY MAINTAINS A ROSTER OF VOLUNTARY POLICE AND FIRE EMPLOYEES OFFERING TO WORK OUTSIDE DUTY FOR PRIVATE SPECIAL EVENT PROMOTERS AT A RATE DETERMINED BY THE COUNCIL.

THE ORDINANCE CONTEMPLATES SPECIAL EVENT PROMOTERS COORDINATING CLOSELY WITH CITY STAFF TO DETERMINE THE NECESSARY LEVELS OF MUNICIPAL SERVICES AND THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND PROMOTER FOR THOSE SERVICES.

STAFF RECOMMENDS APPROVAL. IF APPROVED THIS ORDINANCE SHALL BE SCHEDULED FOR SECOND READING AND ADOPTION ON AUGUST 8, 2019, TOGETHER WITH A RESOLUTION ADOPTING FEES FOR SPECIAL EVENT MUNICIPAL SERVICES.

ORDINANCE 1493

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, ESTABLISHING RULES AND PROCEDURES FOR THE PROVISION OF OUTSIDE DUTY POLICE AND FIRE SPECIAL EVENT SERVICES; REVISING THE MEDICAL AID PERSONNEL REQUIRED FOR SPECIAL EVENTS; ESTABLISHING A MUNICIPAL SERVICES RESERVATION SYSTEM FOR SPECIAL EVENT PROMOTERS PRIOR TO THE FILING OF A SPECIAL EVENT APPLICATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Chapter 2 of the Code of Ordinances of the City of Panama City Beach related to Off-Duty Employment, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 2-58 Special Event Outside Police and Fire Employment

- (a) **It is the purpose and intent of the City Council that all outside duty law enforcement and fire and rescue employment with a private employer organizing, staging, promoting, or conducting a special event permitted by the City be administered and supervised in accordance with the provisions of this section.**
- (b) **The provisions of sections 2-53, 2-54, 2-55 and 2-57 shall apply equally to special event outside duty employment.**

Sec. 2-59 Definitions

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- (a) When used in this section, the word “promoter” shall mean any person or entity organizing, staging, promoting or conducting any special event as defined by 4-16(a), (b), or (c) of this Code.
- (b) When used in this section, the word “special event services” shall mean outside duty law enforcement, security, traffic control, emergency medical technician services, fire protection, crowd management, or any other services necessary for the issuance of a special event permit or as a condition of conducting a special event within the corporate limits of the City of Panama City Beach performed by employees of the City Police or Fire department.

Sec. 2-60 Special Event Services

- (a) The City Police Department and Fire Department may facilitate the employment of law enforcement and fire/rescue personnel by separate and independent private promoters needing off-duty special event services. Such employment shall be specific to each event and shall not be on a continuing, seasonal, or annual basis.
- (b) The departments shall maintain a roster of personnel who, at their sole option, wish to perform such work. Each department head or his or her designee will select the personnel for such outside duty details from the roster of those who wish to participate. Personnel serving in executive/management may not participate in outside duty details, except that the police chief and fire chief or their respective designees may assign executive/management personnel, to supervise special events in an outside duty detail capacity as deemed necessary.
- (c) The City Council shall establish rates for off-duty special event services and fees for the City’s administrative expenses. The rates and administrative fees may be established by resolution. The City may require that the promoter pay the charges for such services directly to the city and may establish procedures for the personnel to receive their pay for off-duty special event services through the city’s payroll system. The City may require that

- promoters pay all charges in advance of services being performed.
- (d) Should the promoter determine that the special event services for which it contracted will no longer be required the promoter shall to request a reduction in services from the coordinating department no later than twenty-four (24) hours prior to the scheduled start of such reserved services. Upon receipt of such request, the coordinating department may deny the request if the department determines the reduction would create a safety risk to the public. In the event that the promoter fails to timely request a reduction, the City shall charge a minimum of two (2) hours for each officer who reports for duty to the promoter's event.
- (e) Outside duty personnel shall observe the department's normal standards of conduct, rules and regulations and other policies and procedures during such details and shall be subject to disciplinary action by the City for their failure to do so.
- (f) In accordance with 29 C.F.R. Section 553.227, hours worked by police and fire personnel for outside special event services shall not be combined with the hours worked for the City for purposes of overtime compensation.
- (g) Police and fire personnel voluntarily performing off-duty police special event services shall be compensated at the hourly rate established by the Council, as an addition to the regular employee payroll. Such compensation shall be subject to all applicable withholding taxes. Compensation under this section shall not be considered as income reportable to the City's pension.
- (h) By enacting this section, the City has not agreed, and does not agree, to provide workers' compensation coverage for injuries sustained by outside personnel performing services for private employers. Such coverage shall be determined in accordance with Florida law.
- (i) In consideration for the City allowing private employers to hire police and fire personnel for special event services, the promoter shall indemnify and save harmless the City, its officers, agents and employees from or on account of any injuries or damages received or sustained by any person or

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persons during or on account of any negligent act of City personnel while that employee is employed by the promoter regardless of whether the negligent act occurred while the employee was discharging his or her primary responsibilities in providing special event services. This requirement may be waived by the City Council for special event services on City property.

- (j) **This section shall not apply to events held solely by the City of Panama City Beach**

SECTION 2. From and after the effective date of this ordinance, Chapter 4 of the Code of Ordinances of the City of Panama City Beach related to Special Events, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 4-20. - Application for permit.

- (1) Each application for a special event permit required by this Article shall contain the information described below and must be filed, and the permit fee paid, no less than the following number of days before the opening of the event to the public:
- a. Sixty (60) calendar days for a large event or for a medium event to be held in whole or in part during the month of March, Memorial Day weekend, 4th of July and its closest weekend or Labor Day weekend.
 - b. Thirty (30) calendar days for a medium event other than at the above times.
 - c. Twenty (20) calendar days for a small event.

Notwithstanding the foregoing, the City Manager shall accept a tardy application and if (i) City staff has the capacity to conduct an ordinary review of the application without causing material neglect of other staff duties or, (ii) the event promoter stands willing and able to pay and deposits a sum of money to cover any overtime for City staff to conduct an ordinary review of the application, and staff volunteers such overtime, then the City will use reasonable efforts to process a

tardy application in time to allow the event to be held. Applications shall be reviewed in the order received and priority shall be given to timely filed applications.

(2) Prior to approval of a special event application, any applicant proposing to hire off-duty City employees in meeting the special event obligations required herein must secure a municipal services reservation pursuant to section 4.21.5 of this Code. Any person who completes this reservation need not resubmit information required for that reservation set out in subsections 4-20 (a), (b), (e), (f), (i), (j), (k), and (m) unless such information has changed since the reservation's approval.

- (2) All applications for a permit under this Article must contain:
- a. The name and address of the applicant and if not a natural person the names and addresses of all persons controlling or owning greater than a five (5) percent interest in the applicant or a parent company of the applicant.
 - b. The dates and times of the event.
 - c. A list of the names and addresses of all vendors, independent contractors or other persons or firms which will be engaged by or associated with the applicant to offer goods or services during the special event, including a description of the goods and services offered by each and the name and address of the person who will have on-site responsibility, if different. The names and addresses of such persons shall be used only for the purposes of (i) identifying the source of good or services after the event, if necessary, (ii) allowing the City to collect all business license taxes due, and (iii) contacting such persons or firms as necessary in the normal course of City business. The information may not be used to grant or deny a permit. Should such a list not be available at the time application is made, applicant shall give a written statement to that effect and agreeing to furnish such a list no later than thirty-six (36) hours before the event and acknowledging that failure to timely provide such a list will result in termination of the special event permit.

- d. The names and addresses of all entertainers. This information shall be used for the sole purpose of the City, first, investigating whether sufficient adverse secondary effects have accompanied the entertainer's performance(s) at past performances to raise an objective and reasonable concern that a performance at the event could require planning for and provision of extraordinary municipal services and precautions due to a special or enhanced danger to public health, safety or welfare, and then, second, to allow the City to contact such entertainers as necessary in the normal course of City business.
- e. Whether (i) patrons will be permitted to bring alcoholic beverages into the event (herein a "coolers event"), or (ii) patrons will not be permitted to bring alcoholic beverages into the event but patrons will be offered alcoholic beverages within the event (herein an "alcohol sales event"), or (iii) alcoholic beverages will be prohibited within the event (herein a "no alcohol event").
- f. An estimate of the largest number of persons anticipated to be in attendance in the event venue at any point in time, a statement as to how such attendance was estimated (i.e., such as historical events, ticket sales, etc.), and a plan for: (i) determining the actual number of persons in attendance at the event venue as the event progresses; (ii) keeping the City informed in real time of that number; and (iii) a plan to manage and control or disburse the persons desiring to enter the event after capacity is reached. The name, address, telephone number and a description of any prior experience in estimating attendance at previous events shall be included for all persons participating in the attendance estimation.
- g. A plan for sanitation facilities and sewage, garbage and litter collection and disposal (during and after the event) generated by the event or by its patrons (wherever such garbage or litter may be located), water supply and food service. A plan submitted under this section is presumptively a danger to public health and safety if it violates, any rules promulgated by the Department of Health or other executive department pursuant

to F.S. Ch. 381 (Public Health), F.S. Ch. 386 (Sanitary Nuisances), F.S. Ch. 509 (Food Service), or similar laws.

- h. A plan for flood-lighting the special event and parking areas if any activities are to be offered during darkness.
- i. A plan for parking facilities and plans for transporting or conducting patrons from said facilities to the special event venue.
- j. A plan for the provision of security, on site and off site traffic control, communications, fire protection and emergency services, including ambulance service, and emergency vehicle access in and around the event venue, and the general background of the training and ability of the personnel to be used in implementing the plan.
 - (i) A traffic control plan submitted under this section is presumptively a danger to public health and safety if it does not provide for at least one (1) person professionally trained or experienced in vehicular traffic control for every five hundred (500) anticipated, maximum attendees to actively guide traffic during the event.
 - (ii) A security plan submitted under this section is presumptively a danger to public health and safety if it does not provide for the following on site security officers to work the event:
 - (a) for a "cooler event" at least five (5) persons on duty for every one thousand (1,000) attendees or portion thereof who shall be certified law enforcement officers, licensed security guards under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards;
 - (b) for an "alcohol sales event" at least three (3) persons on duty for every one thousand (1,000) attendees or portion thereof who shall be certified law enforcement officers, licensed security guards under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards;

- (c) for a "no alcohol event" at least one (1) person for every one thousand (1,000) attendees or portion thereof who shall be a certified law enforcement officer, a licensed security guard under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards.

The City Manager may approve a plan that does not meet this staffing criteria if it is reasonably shown that public health and safety can be secured through alternative means or that such staffing is not reasonably required for the proposed event, or alternatively the City Manager may require additional staffing reasonably shown to be required to secure the public health and safety during the proposed event.

A security plan submitted under this section is presumptively a danger to public health and safety if it does not prohibit security and traffic control personnel from working more than one (1) twelve-hour shift in any twenty-four-hour period.

- k. A plan for medical services to be provided at the special event. A medical services plan submitted under this section is presumptively a danger to public health and safety if it does not prohibit medical personnel from working more than one (1) twelve-hour shift in any twenty-four-hour period. A medical services plan presumptively presents a danger to public safety or health if it does not provide for the following on site professionals to work the event. **The event shall be staffed by sufficient Medical Aid Personnel as follows:**

<u>Attendance</u>	<u>Medical Aid Personnel</u>
<u>0-500</u>	<u>0</u>
<u>500-999</u>	<u>2</u>
<u>1,000-1,999</u>	<u>4</u>
<u>2,000-4,999</u>	<u>6</u>
<u>5,000-9,999</u>	<u>8</u>
<u>10,000-19,999</u>	<u>12</u>

20,000 and above

22 plus an additional
two for each
additional 2,000
anticipated maximum
attendees

- ~~(i) For a small event: none.~~
- ~~(ii) For or a medium event: two (2) Emergency Medical Technicians ("EMTs"), paramedics, or other professionals with equivalent (or higher) medical training.~~
- ~~(iii) For a large event: two (2) EMTs, paramedics or other professionals with equivalent (or higher) medical training, plus an additional two (2) such persons for each eight thousand (8,000) anticipated maximum attendees, or portion thereof, over five thousand (5,000) anticipated maximum attendees.~~

For the purposes of this section "Medical Aid Personnel" means a person licensed by the State of Florida as an Emergency Medical Technician, paramedic, or other professional with equivalent (or higher) medical training.

The City Manager may approve a plan that does not meet this staffing criteria if it is reasonably shown that public health and safety can be secured through alternative means or that such staffing is not reasonably required for the proposed event.

The foregoing presumption is intended to address an event presenting a moderate hazard. The staffing guidelines set forth above may be decreased or increased as may be reasonably required to secure the public health and safety during the event depending upon whether the event objectively presents a lower or higher hazard. By way of illustration, the staffing guidelines set forth above are intended for moderate hazard events which include, but are not limited to, concerts, carnivals and fairs. Similarly, low hazard events include, but are not limited to, car shows, flea markets, local festivals, craft shows, local sporting events, and organized sporting tournaments. High hazard events include, but are not limited to, an event with stunts or having the potential for special danger to participants or spectators, or the potential for sustained exposure to extreme ambient

temperatures. A low or moderate event may present a higher hazard due to extreme temperatures. Higher hazard events may be required to provide an Advanced Life Support Unit with transport capability. Staffing shall be equipped with customary supplies necessary to treat injuries and illnesses commonly associated with outdoor activities or similar events.

- l. A plan for assuring that all stages, booths, tents, scaffoldings or structures of any kind on, under or within which persons may congregate, will conform to applicable building and construction codes in effect within the City, and that any entertainment stage erected on the sandy beach in connection with a special event will be guarded by a certified law enforcement officer, a licensed security guard under F.S. Ch. 493 (Class "D" or better), or an in-house security professionally trained according to recognized standards and authorized and instructed to prevent unsafe, public use or activity on or about the stage twenty-four (24) hours a day, seven (7) days a week.
- m. A site plan showing the location and size of the event venue and all parking areas (including required handicap parking), and the location of all other features required by this section. For a sandy beach event, the site plan shall show a cleared east/west corridor on the sandy beach outside the event venue adequate to permit the one-way passage of an emergency vehicle, and a cleared east/west pedestrian corridor at and above the wet sand at the water's edge at least twenty-five (25) feet wide.
- n. A plan to provide and control safe pedestrian access between parking area(s) and the event venue which will minimize adverse impacts upon surrounding properties and businesses. For a sandy beach event a plan to keep the east/west emergency vehicle corridor and the waterfront pedestrian corridor open for traffic at all times must be provided.
- o. A plan to deal with persons congregating outside the event in public right of ways either seeking entry to the event or attracted to the event should the number of such numbers call for municipal services to a degree above that which the City routinely provided under ordinary, everyday circumstances.

- p. A plan to enclose, restrict or control access to all parking at the event venue and to limit the number of persons within the event venue to the maximum number anticipated, and a contingency plan to deal with persons in excess of that number to minimize adverse impacts upon surrounding properties and businesses.
- q. For a medium or large event held in any part on the sandy gulf beach, plans demonstrating that the event space on the sandy beach event venue will be enclosed on all sides by fences or other structures adequate to prevent access to the event at any point other than controlled access gates, and also demonstrating adequate egress facilities and routes to clear the event venue in case of an emergency. If any entertainment or activity is provided for the event which is reasonably likely to attract a crowd outside the event venue, the fences or other structures shall be opaque and a minimum of six (6) feet high so as to prevent persons standing on ground level outside the fence or event venue from viewing the entertainment; except that in lieu of a six (6) foot opaque fence on the gulf water side there may be substituted two (2) parallel fences each a minimum of four (4) feet high lying parallel to the gulf water's edge and no less than ten (10) feet apart.
- r. During sea turtle nesting season, a plan for the fences to be removed from the beach daily before 9:00 p.m. and not replaced until after the beach has been inspected for turtle nests the next morning.
- s. For a large event out of doors, a plan to provide sufficient elevated viewing platforms to permit event security and, upon request, City police to oversee the crowd and be able to identify and respond to a disturbance or unusual activity before it escalates.
- t. A list of all live animals to be used in connection with the event and a plan for the care and safe keeping of such animals.
- u. For medium events, a cash deposit in the amount of two thousand dollars (\$2,000.00) or one thousand dollars (\$1,000.00) per day, whichever is greater, but not to exceed five thousand dollars (\$5,000.00). For large events, a cash deposit

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in the amount of three thousand dollars (\$3,000.00) or one thousand five-hundred dollars (\$1,500.00) per day, whichever is greater, but not to exceed six thousand dollars (\$6,000.00). The return of such deposit, in whole or in part, shall be conditioned upon the applicant timely and completely performing all of the plans submitted with the application or reimbursing the City for all direct and indirect costs incurred to protect public or private health, safety or welfare in the absence of such performance or to pay the City any rent due the City for the use of city facilities in the event. In the event any such cost shall exceed the amount of the deposit, the applicant shall be liable to the City for such excess to the extent permitted by law.

- v. The plans required by this Article are designed to allow the City to evaluate and assure that the proposed event will not pose an unreasonable danger to public health and safety and will not excessively burden municipal resources without adequate planning so as to create such a danger. Any plan submitted hereunder is presumptively a danger to public health and safety if it does not (i) include evidence that the applicant is reasonably qualified, experienced and capable of executing the plan alone, or written commitments from one (1) or more qualified, experienced and capable third parties promising to execute or assist the applicant in executing the plan and acknowledging that the commitment is being made to induce the City to issue a permit for the event, and (ii) demonstrate that it is reasonably capable of being executed through the equipment, personnel and processes specified in it, and (iii) demonstrate that it will be reasonably effective to protect the public from the health or safety risks it is intended to address.
- w. The City Manager may waive any requirement herein if it is reasonably shown that public health and safety can be secured through alternative means or that such a plan is not reasonably required for the proposed event.

(Ord. No. 1379, § 3, 1-5-2016)

Sec. 4-21. - Application fee and municipal services fee.

- (1) Application for a special event permit shall be accompanied by one of the following applicable fees for administrative expenses incurred in evaluating and processing the application:
 - (i) For small event, \$50.00.
 - (ii) For a medium event, \$225.00
 - (iii) For a large event, \$350.00.

If an event permit for a large event wholly or partially on the sandy beach is not issued due to other such sandy beach event(s) occurring on the same calendar day the application fee shall be refunded. In the event the City Council shall find that the event will serve a charitable, public and non-religious purpose, it may by resolution waive or lower the application or City services fee, or both, by appropriating general revenue funds to be applied to the fee.

- (2) As part of the City's administrative review of an application for a large event permit, the City shall determine the municipal services needed as a direct result of the event and not as a duty to the public generally, together with any municipal services requested by the applicant, and their respective costs, and shall prepare an itemization of the services and their cost (the municipal services fee). The purpose of the municipal services fee is to place upon a large event the marginal cost of providing municipal services which are reasonably necessary to directly support the event.
- (3) The level of municipal services required shall be determined by an objective, reasonable examination of the totality of the circumstances, including but not limited to the following factors:
 - (i) The size of the event venue and the anticipated attendance.
 - (ii) The location of the event to determine the potential for pedestrian and vehicular congestion.
 - (iii) The nature of the event, the activities planned during it and the weather conditions of the season to evaluate the danger of harm to persons and property such as a fireworks explosion, a collision of participants or spectators, spectator or participant heatstroke, drowning, and the like.

- (iv) The historical density of visitors to the beaches during the annual season of the event and the type of activities, safe and unsafe, in which those visitors have historically engaged.
 - (v) Whether the event venue is specifically designed and staffed to handle the anticipated needs and effects of the anticipated number of attendees.
- (k) (4) The City Manager or his or her designee shall promptly provide the applicant a copy of the itemization and amount of the municipal services fee **based upon rates approved by the City Council** and attempt to schedule or arrange a pre-permit conference with the applicant, or other means of communication between the city and the applicant as may be suggested by the applicant, in order to discuss the conduct of the event, the coordination of public and private resources and the level of municipal services required and the amount of the municipal services fee. It shall be the Applicant's duty to attend the pre-permit meeting at a day and time convenient for City staff, or to request an alternative to the pre-permit meeting and the City Manager shall allow the request if it is reasonable and practical to do so. **Prior to the provision of Special Event Services, the City Manager and promoter shall execute a contract, in a form approved by the City Attorney, which delineates the specific services to be performed including the number and roster of personnel, schedule of work, and all rates, fees, and taxes to be provided by the City and paid by the promoter.**
- (5) If the applicant does not accept the type and extent of municipal services listed and the amount of the municipal services fee, the City shall nonetheless proceed in ordinary course to complete the application process and either deny the permit through the process contained in this Article without consideration of the applicant's objection to the fee, or if the applicant is entitled to the permit then grant the permit upon the condition that the municipal services fee be paid before the permit becomes valid or effective. The applicant shall have the right to appeal to the City Council the type and extent of services required and the amount of the fee by letter filed with the City Clerk within three (3) business days after the City shall provide the applicant the itemization and amount of the fee which

notice shall state that the applicant may appeal within three (3) business days. The City Council shall uphold or lessen the fee based upon information about the extent of services to be rendered by the City directly related to the event and the cost of those services as presented by City Manager or his designee and the applicant in a *de novo*, quasi-judicial hearing held as soon as may be practicable. The City Council's decision, including its reasons therefore, shall be announced at the conclusion of the hearing and entered onto the record thereof which shall constitute the Council's final order in any subsequent proceedings. The hearing may be continued from time to time in the sole discretion of the City Council. If the City Council is unable to timely conduct or conclude the hearing in time for the event to be held pursuant to an otherwise valid permit, the applicant may pay to the City the disputed fee under protest, and the permit shall become effective so that the event may be held, in which case the hearing shall be held and concluded after the event at a mutually convenient time. If the fee is upheld, it shall be accepted by the City; if it is reduced the reduction shall be refunded to the applicant.

(Ord. No. 1379, § 3, 1-5-2016)

Sec. 4-21.5 – Municipal Services Reservation and Availability

(a) Municipal services in support of a special event are available on a first-come-first-serve basis. The City is not obligated to provide or reserve any services prior to the execution of an agreement between the applicant and the City for the services rendered and any municipal services fee.

(b) Prior to the submittal of a complete permit application contemplated in section 4-20, the applicant may request a reservation of anticipated municipal services for the event.

(c) A municipal services reservation request must include:

- 1. The information listed in section 4-20 (a), (b), (e), (f), (i), (j), (k), and (m).**

2. The number of Police Department and Fire Department personnel requested.
3. A proposed schedule of work for each City employee requested based upon the applicant's need throughout the duration of the event.
4. Any additional or specialized equipment requested.

(d) Upon the receipt of a municipal services reservation request, the City Manager, the Chief of Police and the Fire Chief, or their respective designees, shall provide the applicant a copy of the itemization and amount of the municipal services fee based upon the rate then in effect as set by the City Council.

(e) The applicant may accept the itemization and fee by the execution of a municipal services reservation agreement or reject the fee which shall constitute a denial of the reservation request.

SECTION 3. REPEAL. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances, and unless a contrary ordinance is adopted within ninety (90) days following each such publication, each codification of this Ordinance shall become the final and official record of the matters herein ordained and there codified. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. SEVERABILITY. If any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the special meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____, 2019.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2019.

MAYOR

Published in the _____ on the ____ day of _____, 2019.

Posted on pcbgov.com on the ____ day of _____, 2019.

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AGENDA ITEM # 8

REGULAR ITEM

9



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
ADMINISTRATION/ MARIO GISBERT

2. MEETING DATE:
JULY 11, 2019

3. REQUESTED MOTION/ACTION:
EITHER REAPPOINT ROBERT KLEMEN TO THE EXAMINING BOARD OR DIRECT STAFF TO SOLICIT APPLICATIONS.

4. AGENDA	
PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input type="checkbox"/>
REGULAR	<input checked="" type="checkbox"/>

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)
THERE ARE CURRENTLY TWO SEATS ON THE CITY'S EXAMINING BOARD SET TO EXPIRE ON JULY 22, 2019.

ONE SEAT FILLED BY MR. ROBERT KLEMEN MUST BE HELD BY A MEMBER FROM THE FIELD OF GENERAL CONSTRUCTION. MR. KLEMEN HAS INDICATED HIS WILLINGNESS TO CONTINUE SERVICE FOR ANOTHER THREE (3) YEAR TERM.

ANOTHER SEAT TO BE FILLED BY A QUALIFIED ELECTOR OF THE CITY REMAINS OPEN AND ADVERTISED.

THE COUNCIL MAY REAPPOINT MR. KLEMEN TO ANOTHER TERM ON THE EXAMINING BOARD OR DIRECT STAFF TO ADVERTISE THE VACANCY. IF ADVERTISED, MR. KLEMEN WILL CONTINUE TO SERVE UNTIL THE SEAT IS FILLED.