

# 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: NOVEMBER 14, 2019

MEETING TIME: 6:00 P.M.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION – PASTOR GREG GEORGE, GULF BEACH BAPTIST CHURCH
- III. PLEDGE OF ALLEGIANCE – COUNCILMAN CASTO
- IV. COMMUNITY ANNOUNCEMENTS
- V. APPROVAL OF THE MINUTES  
REGULAR COUNCIL MEETING – SEPTEMBER 26, 2019  
REGULAR COUNCIL MEETING – OCTOBER 10, 2019  
CITY COUNCIL & PLANNING BOARD WORKSHOP – OCTOBER 24, 2019  
REGULAR COUNCIL MEETING – OCTOBER 24, 2019  
COUNTY COMMISSIONERS & COUNCIL MEETING – OCTOBER 24, 2019
- VI. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS
- VII. PRESENTATIONS – COUNCILMAN CASTO  
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 20-18, PCB MARATHON ROAD CLOSURE. “A Resolution of the City of Panama City Beach, Florida, related to the “Panama City Beach Marathon”; authorizing careful traffic control and extraordinary usage of portions of Front Beach Road (U.S. 98), South Thomas Drive, and Surf Drive on Saturday, December 7, 2019; and providing an immediately effective date.”*  
2 *RESOLUTION 20-19, BEACH HOME FOR THE HOLIDAYS ROAD CLOSURE. “A Resolution of the City of Panama City Beach, Florida, authorizing the temporary closure of a portion of West Pier Park Drive to vehicular traffic on November 29 and 30, 2019 to accommodate patrons attending the “Beach Home for the Holidays” event.”*  
3 *RESOLUTION 20-20, CHRISTMAS PARADE ROAD CLOSURE. “A Resolution of the City of Panama City Beach related to the annual Christmas Parade; authorizing closure of portions of Pier Park Drive, Starfish Street, Bluefish Drive, Stingray Drive, L.C. Hilton Drive, and Powell Adams Road between 3:00 p.m. and 7:00 p.m. on December 14, 2019, for the parade; and authorizing temporary usage of a portion of Front Beach Road (U.S. 98) between 3:00 p.m. and 7:00 p.m. on December 14, 2019 to permit the parade.”*  
4 *RESOLUTION 20-21, BID AWARD – MULTI-PRO 5800 G SPRAYER. “A Resolution of the City of Panama City Beach, Florida, approving an agreement with Jerry Pate Turf and Irrigation for the purchase of a dedicated sprayer vehicle in the amount of \$70,008.89.”*  
5 *RESOLUTION 20-22, BID AWARD – PTO 60 SPORTS TURF RENOVATOR. “A Resolution of the City of Panama City Beach, Florida, approving an*

*agreement with Power Turf Renovation for the purchase of a Sports Turf Renovator in the amount of \$12,995.”*

**6**        **RESOLUTION 20-08, AUTHORIZING RAFTELIS MID-CYCLE UTILITY RATE REVIEW.** “A resolution of the City of Panama City Beach, Florida, approving an agreement with Raftelis Financial Consultants, Inc., for a financial analysis of Water/Wastewater rates and revenue, in the amount of \$32,855.”

**7**        **RESOLUTION 20-27, APPROVING PEST CONTROL CONTRACT.** “A Resolution of the City of Panama City Beach, Florida, approving an agreement with Florida Pest Control for pest control services to city facilities in the annual amount of \$3,276.”

**X.**        **REGULAR AGENDA - DISCUSSION/ACTION**  
**NO.**      **OFFICIAL    ITEM**

**1**        **KJ      PLAT APPROVAL, EMERALD COVE – PUBLIC HEARING.**

**2**        **ML      ORDINANCE 1501, BUSINESS TAX REPORTING, 2<sup>ND</sup> READING, PUBLIC HEARING.**

**3**        **MG      ORDINANCE 1503, CHANGING COUNCIL MEETING PLACE, 1<sup>ST</sup> READING.**

**4**        **ML      ORDINANCE 1502, NEIGHBORHOOD PARKS, 1<sup>ST</sup> READING.**

**5**        **MG      ORDINANCE 1499, SETTING MAXIMUM RATES AND STANDARDIZING NOTICE PROCEDURES FOR NON-AD VALOREM ASSESSMENTS, 2<sup>ND</sup> READING, PUBLIC HEARING.**

**6**        **MG      RESOLUTION 20-28, ESTABLISHING AND PROVIDING UNIFORM MAXIMUM RATES FOR ASSESSMENTS.**

**7**        **DW      RESOLUTION 20-23, BUDGET AMENDMENT #4 EDWARD BYRNE MEMORIAL JUSTICE GRANT FOR PCBPD DIGITAL FORENSIC CAMERAS.**

**8**        **DW      RESOLUTION 20-24, BUDGET AMENDMENT #5 EDWARD BYRNE MEMORIAL JUSTICE GRANT AND PURCHASE OF TACTICAL RESPONSE EQUIPMENT.**

**9**        **MG      RESOLUTION 20-25, PAY STUDY UPDATE – DISCUSSION.**

**10**       **MG      RESOLUTION 20-16, RE-ADOPTING FIRST AMENDMENT TO FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN.**

**11**       **MG      APPROVAL OF AMENDED JOB DESCRIPTION – BEACH RESCUE DIVISION DIRECTOR.**

**12**       **MG      CIVIL SERVICE BOARD APPOINTMENT**

**13**       **MG      TDC BOARD VACANCY 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.

**\*Action items noted with an asterisk are taken both by the City Council and the Panama City Beach Redevelopment Agency jointly and concurrently.**

PAUL CASTO	<u>  X  </u>	PAUL CASTO	<u>  X  </u>
PHIL CHESTER	<u>  X  </u>	PHIL CHESTER	<u>  X  </u>
GEOFF MCCONNELL	<u>  X  </u>	GEOFF MCCONNELL	<u>  X  </u>
HECTOR SOLIS	<u>  X  </u>	HECTOR SOLIS	<u>  X  </u>
MIKE THOMAS	<u>  X  </u>	MIKE THOMAS	<u>  X  </u>

I certify that the Council members listed above have been contacted and given the opportunity to include items on this agenda.

I certify that the Council members listed above have been contacted and made aware of the items on this agenda.

 11/12/19  
 City Clerk Date

 11/12/19  
 City Clerk Date

**IN AN EFFORT TO CONDUCT YOUR COUNCIL MEETINGS IN AN ORDERLY AND EXPEDIENT MANNER, WE RESPECTFULLY REQUEST THAT YOU WAIT UNTIL THE CHAIR RECOGNIZES YOU TO SPEAK, THEN COME TO THE PODIUM AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.**

**E-mailed to interested parties and posted on the website on: 11/12/19 4 p.m.**

**NOTE; COPIES OF THE AGENDA ITEMS ARE POSTED ON THE CITY'S WEBSITE [WWW.PCBGOV.COM](http://WWW.PCBGOV.COM) . THIS MEETING WILL BE LIVE-STREAMED ON THE CITY WEBSITE AND CITY FACEBOOK PAGE "CITY OF PANAMA CITY BEACH-GOVERNMENT".**

**NOTE: ONE OF MORE MEMBERS OF OTHER CITY BOARDS MAY APPEAR AND SPEAK AT THIS MEETING.**

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding, and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Sec. 286.0105, FS (1995)

# 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 September 26, 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 Jason Williams of Woodstock Church gave the invocation and Councilman Chester led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events. He reminded everyone that the new sports complex is in the county, it is not run by the City. Mr. Gisbert announced the FSU Beach Volleyball Tournaments will be held in Panama City Beach in October.

The Minutes of the Special Meeting of August 8, 2019, the Regular Meeting of August 22, 2019 and the Budget Workshop of August 22, 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:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Mayor Thomas asked if there were any additions or deletions to the Agenda. Ms. Myers added a discussion to set a meeting date for a joint meeting with the County to discuss the Front Beach Road Development Area and Plan.

**Councilman McConnell made the motion to approve the addition to the agenda. Councilman Chester seconded the motion passed by unanimous roll call vote as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>

**PRESENTATIONS**

**1 PUBLIC INFORMATION OFFICER – COMMUNICATIONS DEPARTMENT UPDATE.** Ms. Debbie Ward, Public Information Officer, gave a brief overview of City Communications since her hiring as the City's first PIO in April 2018. She talked about internal and external communications, news coverage, special events, and public outreach. She provided stats and demographics for Facebook and website. She said several big events are coming up in 2020, such as a welcoming reception for a new City Manager, swearing-in of elected officials next April, a grand opening of the new City Hall and Fire Station, and the celebration of the City's 50th birthday in August.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:24 a.m. and invited comments.

**1** Griff Griffiths – 5422 Hopetown Lane. Mr. Griffiths thanked the Council for the work that they do. He asked to delay the vote on the CRA. He understands the joint meeting will be rescheduled.

With no further comments, Mayor Thomas closed the Delegations period at 9:25 a.m.

**CONSENT AGENDA**

Ms. Bossert read the Consent Agenda Item by title.

**1 RESOLUTION 19-136, "BREW N' BOO FESTIVAL" ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida related to the "Brew N' Boo Festival" authorizing road closures on portions of Pier Park Drive between L. C. Hilton Drive and Longboard Way, and of Sea Monkey Way on Saturday, October 26, 2019 for the event."

**2 RESOLUTION 19-141 "SPOOKTACULAR" ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida related to the "Pier Park Spooktacular" authorizing road closures on portions of Sea Monkey Way, Longboard Way, and Pier Park Drive between L. C. Hilton Drive and Front Beach Road on Thursday, October 31, 2019 for the event."

**3 RESOLUTION 19-142, SEAFOOD FESTIVAL ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida related to the "Pier Park Seafood Festival" authorizing road closures on portions of Pier Park Drive between Sea Monkey Way and Longboard Way on Saturday, November 9, 2019 for the event."

**4 RESOLUTION 19-143, NEW YEAR'S EVE BALL DROP AND ROAD CLOSURES.** "A Resolution of the City of Panama City Beach related to the New Year's Eve Beach Ball Drop; authorizing road closures within Pier Park on December 27, 28, 29, 30 and 31, 2019 and January 1, 2020 for the event; and providing an immediately effective date."

**5 REVISION OF THE MASTER AUDIT LIST TO REMOVE OBSOLETE ITEMS.** These items are to be removed from the Master Audit List. STAFF RECOMMENDS approval to remove these items. By approval of this matter in the Consent Agenda, the

*City Council makes a finding of surplus for these items and approves their removal from the Master Audit List.*

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

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

#### **REGULAR AGENDA**

**ITEM 1A SCHEDULE JOINT MEETING WITH THE COUNTY.** Ms. Myers explained an interlocal agreement with the County was established in 2005 that lays out the framework to have an annual joint meeting with the County regarding Front Beach Road Community Redevelopment Plan. She commented the County has requested to hold that meeting. She asked to schedule it, the date of Oct 22<sup>nd</sup> is not workable for the County. She explained Florida Statutes now require that each governing body pass a resolution that states the date, time and purpose of the meeting. She suggested the date of October 10<sup>th</sup>. Mayor Thomas asked Mr. Banks to approach the podium. Mr. Banks asked if the date works for the County. He stated the date does work. All Council agreed on October 10<sup>th</sup> at 4:30 p.m.

**ITEM 1 RESOLUTION 19-144, FLWARN MUTUAL AID AGREEMENT.** Ms. Myers read Resolution 19-144 by title. There were no comments. **Councilman Chester made the motion to approve Resolution 19-144. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 2 RESOLUTION 19-145, HGMP GRANT APPLICATION.** Ms. Myers read Resolution 19-145 by title. She explained one change is requested; staff recommends striking project number 64 – South Glades Drainage Improvements from the project list and Resolution.

**Councilman McConnell made the motion to approve Resolution 19-145 with the change. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 3 RESOLUTION 19-146, SPECIAL REVENUE FUNDS & BUDGET AMENDMENT #67.** Ms. Myers read Resolution 19-146 by title. There were no comments.

**Councilman Casto made the motion to approve Resolution 19-146. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 4 RESOLUTION 19-148, RETIREMENT CONSULTANT RANKING.** Ms. Myers read Resolution 19-148 by title. Councilman Casto inquired on how the consultant would be paid. Ms. Myers explained the consultant will be paid out of the general fund. Councilman McConnell asked if the new plan will only affect new employees. Ms. Myers confirmed that was correct. Ms. White explained the retirement plans.

**Councilman Solis made the motion to approve Resolution 19-148. Second was made by Councilman McConnell and the motion passed by majority roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Nay</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 5 RESOLUTION 19-149, FORM OF CRA ASSESSMENT NOTICE.** Ms. Myers read Resolution 19-149 by title. She explained the purpose of the Resolution. There were no comments.

**Councilman Solis made the motion to approve Resolution 19-149. Second was made by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 6 RESOLUTION 19-147, CIGP GRANT FOR BAY PARKWAY PHASE 2.** Ms. Myers read Resolution 19-147 by title. There were no comments.

**Councilman McConnell made the motion to approve Resolution 19-147. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 7\* RESOLUTION 19-140, FIRST AMENDMENT TO FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN, PUBLIC HEARING.** Ms. Myers read Resolution 19-140 by title. The Mayor asked if there were any questions by the Council Members; there were none. He opened the Public Hearing at 9:40 a.m.



1 Mark Lawson, Miccosukee, Florida. Mr. Lawson encouraged the Council to include the report from Owen Beitsch that substantiates both the reasoning and the theory behind the law in Florida on how Community Redevelopment is achieved and done over time, so that becomes part of the record as evidence and testimony.

2 Amy Myers, City Attorney. Ms. Myers commented the statutes are clear on the process to amend or modify a plan. She explained all notices have been sent and the amendment itself only to extend the duration to 30 years, which is the maximum allowed. She suggested submitting Owen Beitsch's report, as an independent analysis into the record.

3 Don Banks, County Attorney. Mr. Banks requested the letter written from the County to the Council be placed in the record as a part of this Public Hearing.

4 David Campbell, CRA Manager. Mr. Campbell commented that this is one of the most important projects the City has ever undertaken. He explained this project is vital for economic and transportation reasons. He explained the long-term plan for Front Beach Road is to make it multi-modal, which will encourage people to use other modes of transportation. He explained he has seen a tremendous amount of people walking and using their bicycles instead of driving. The full potential will be felt after the Front Beach Road and Richard Jackson area is finished. He commented as the City continues to grow, the roads will need to be four-lane. He explained projected to 2031, right now the CRA revenue is \$12,600,000 with a debt obligation of \$3.4 million dollars and operational expenses of \$1 million, leaving roughly 8 million for road work. He commented Alf Coleman needs to be raised out of the flood plain, Hills Road is two lanes and it is vital this road be improved; Nautilus Street is another door to Front Beach Road that needs improvement. He explained the CRA expires in 2031 and needs to be extended in order to complete the plan. He commented this extension will benefit the City and also greatly benefit the County in the long run.

Councilman Solis commented Mr. Campbell viewed the assessment optimistically; he stated it is extremely optimistic to say the schedule will be done on time when setbacks such as storms and recessions have happened in the past to slow down progress.

5 Genese Hatcher, 601 Gardenia. Ms. Hatcher explained Mr. Campbell is doing a great job. She explained the cost of projects is increasing and adding additional roads will cost more money. She commented the Council needs to look at beautifying the entire city and adding funds from the public instead of just one area.

6 Brian Leebrick, County Attorney's office reiterated to place the letter written from the County to the Council be placed in the record as part of the Public Hearing.

With no further comments, Mayor Thomas closed the Public Hearing at 10:01 a.m.

Mayor Thomas commented the County has requested the City delay the vote, but it is the job of the Council to take care of the City of Panama City Beach. He explained the beach is important to the entire County. He commented property values are booming. He stated he served twelve years on the Board of County Commissioners. The City had a \$250,000 agreement with the County and the County did not hold up their end of the

agreement. He commented he is very proud of the CRA and should move forward and vote to meet with the County. He commented the Council has done a great job moving forward with projects and the CRA extension will help the County.

Councilman Solis commented the City made a commitment and in the last three years, we have done what has been done in the last fifteen years. He commented the CRA benefits everyone. He explained the City needs to move forward because the State Legislature tries to take the CRA every year. He commented all will benefit from the extension.

Councilman McConnell explained he does not agree with the length of time for completion of the CRA project, he does agree it is one of the most important projects the City has ever done. He stated the Council should honor the County's request and hold off on a vote until after the joint meeting.

Mayor Thomas suggested to come up with a percentage or additional revenue from the CRA to give to the County.

Councilman Chester commented there was a commitment with thirteen years remaining, the commitment should be honored. He commented the CRA has not been a top priority, he suggested a monthly update at the 9 a.m. Council Meetings.

Councilman Solis commented the CRA project has been a top priority since he has been on the Council. Councilman Chester disagreed. He commented if it is extended and time is given, more items will be on the backburner.

**Councilman McConnell made the motion to continue the Public Hearing until the October 24<sup>th</sup> council meeting. The motion was seconded by Councilman Chester and the motion failed by majority roll call vote as recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Nay</b>
<b>Councilman Casto</b>	<b>Nay</b>
<b>Mayor Thomas</b>	<b>Nay</b>

**Councilman Solis made the motion to move forward with the Public Hearing, Item 7, Resolution 19-140, First Amendment to Front Beach Road Community Redevelopment Plan. The motion was seconded by Councilman Casto and the motion passed by majority roll call vote as recorded as follows:**

<b>Councilman Chester</b>	<b>Nay</b>
<b>Councilman McConnell</b>	<b>Nay</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Ms. Myers explained she drafted a Resolution setting the joint meeting with the County on October 10, 2019, at 4:30 p.m. Ms. Myers read the Resolution 19-154 by title.

**Councilman Chester made the motion to approve Resolution 19-154. The motion was seconded by Councilman McConnell. The motion passed by unanimous roll call vote as recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
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**Councilman McConnell    Aye**  
**Councilman Solis         Aye**  
**Councilman Casto         Aye**  
**Mayor Thomas             Aye**

Mayor Thomas thanked the County and explained everything that has been done in the past is to help the entire Bay County.

**DELEGATIONS**

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 10:32 a.m.

1        Genese Hatcher, 601 Gardenia. Ms. Hatcher commented the City has put limitations on building new homes, whereas the County has no limits. She commented homes within the City are old and new homes need to be built. She commented Councilman Solis has been after her and not allowing her the three feet she has requested. She commented Councilman Solis has not only limited her but the entire City. She commented the County is building the more expensive homes.

Mayor Thomas called Mr. Leonard to the podium. He asked Mr. Leonard if there has been a downturn in building permits in the City. Mr. Leonard stated no.

2        Cherie Crim, 17680 Front Beach Road. Ms. Crim stated Mayor Thomas made a sexist statement against Ms. Hatcher. She commented she agreed with a lot the Mayor stated today.

3        Burnie Thompson, 17292 Front Beach Road. Mr. Thompson made a verbal public records request for the legal letter that was reference from the County to the City. He commented on the ongoing litigation and inquired on how the City awards contracts. He stated rumor has it that Mr. David Scruggs, currently a Planning Board Member will be the next City Manager. He asked if Councilman McConnell is going to apply for City Manager. Councilman McConnell denied the allegation.

With no further comments, Mayor Thomas closed the Delegations period at 10:39 a.m.

With nothing further, the meeting was adjourned at 10:40 a.m.

READ AND APPROVED this 14th of November 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

DRAFT

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 October 10, 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 6:00 p.m. with Councilman Casto, Councilman Chester, Councilman McConnell, the City Manager, City Clerk, and City Attorney present.

Councilman McConnell gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events. He announced that Mr. Ed Offley, reported from the News Herald, was retiring. The Mayor commended his efforts reporting on the City and wished him well on his new endeavors.

The Minutes of the Regular Council Meeting of September 12, 2019 were read. **Councilman Chester made the motion to approve the Minutes as written. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Mayor Thomas asked if there were any additions or deletions to the Agenda. Councilman Casto requested to add a discussion on the public-private lifeguard partnerships to the agenda.

**Councilman McConnell made the motion to approve the addition to the agenda. Councilman Chester seconded the motion passed by unanimous roll call vote as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

## PRESENTATIONS

**1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD.** Councilman McConnell introduced Jazelle Foster and presented her with the Civic Achievement Award for exemplary service to the Boys and Girls Club. Ms. Latina Reed, Club Representative, spoke of Jazelle's contributions to the Club. The audience responded with applause.

**2 HURRICANE MICHAEL 1 YEAR ANNIVERSARY PROCLAMATION AND PRESENTATION.** Councilman McConnell read the proclamation remembering October 10, 2019, as the One-Year anniversary of Hurricane Michael. He expressed his gratitude to the City Staff and First Responders for all their support.

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

Mayor Thomas opened the Public Comments section of the meeting at 6:08 p.m. and invited comments. There were none. He closed the Public Comments at 6:08 p.m.

## CONSENT AGENDA

Ms. Bossert read the Consent Agenda Item by title.

**1 RESOLUTION 20-01, SHADDAI SHRINERS PARADE ROAD USAGE.** *"A Resolution of the City of Panama City Beach, Florida, authorizing careful traffic control and extraordinary usage of a portion of Front Beach Road (U.S. 98) to permit the Shaddai Shrine Temple Fall Ceremonial Parade on the morning of Saturday, October 12, 2019; and providing an immediately effective date."*

**2 RESOLUTION 20-02, ROAD CLOSURE J.R. ARNOLD HIGH SCHOOL HOMECOMING PARADE.** *"A Resolution of the City of Panama City Beach, Florida, authorizing the temporary closure of certain sections of North Alf Coleman Road, Market Street, and North Richard Jackson Boulevard to permit the J.R. Arnold High School Homecoming Parade on Friday, October 11, 2019."*

**3 RESOLUTION 20-03, AUTHORIZING JOINT MEETING WITH BAY COUNTY BOARD OF COUNTY COMMISSIONERS.** *"A Resolution of the City of Panama City Beach, Florida, authorizing the City Council to participate in a joint meeting with the Bay County Board of Commissioners to discuss matters of mutual interest related to the redevelopment of the Front Beach Road Corridor."*

**4 RESOLUTION 20-09, LETTER OF SUPPORT – FDOT SAFE ROUTES TO SCHOOL GRANT APPLICATION.** *"A Resolution of the City of Panama City Beach, Florida, indicating its support of the City's pursuit of a "Safe Routes To School" Grant; authorizing the City Manager to provide a letter of support and any other documents necessary to satisfy the requirements of the application for the grant; and providing an immediately effective date."*

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

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

## REGULAR AGENDA

**ITEM 1 RESOLUTION 20-04, AGGRESSIVE DRIVING GRANT, BUDGET AMENDMENT #1.** Ms. Myers read Resolution 20-04 by title. Mayor Thomas asked Chief Whitman for clarification of the Resolution. Chief Whitman explained the grant will be used for overtime salaries and the benefits for patrols; which are designed to enhance public awareness and compliance of safe driving practices to reduce traffic crashes and fatalities. He explained the officers look for those weaving in and out of traffic, road rage, and those texting and driving.

**Councilman Solis made the motion to approve Resolution 20-04. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 2 RESOLUTION 20-05, PURCHASE OF REAL PROPERTY FROM GULF POWER FOR BAY PARKWAY PHASE II.** Ms. Myers read Resolution 20-05 by title. She explained the City is working to design and construct the Bay Parkway Segment 2 Roadway Project. She explained the design necessitates the acquisition of certain real property currently held by the Gulf Power Company. She explained staff has negotiated and drafted an agreement for the purchase and sale of this property in the amount of \$15,000.00. She explained Gulf Power has reserved uses in the agreement that are inconsistent with Bay Parkway. She requested Council to approve the Resolution with the dollar amount and the anticipated closing date of October 30<sup>th</sup>. She requested authority to strike the use provision or at least negotiate it and state that the agreement is for a road.

**Councilman Solis made the motion to approve Resolution 20-05 with the change. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 3 PLAT APPROVAL MIDDLE BEACH ROAD, PUBLIC HEARING.** Ms. Myers explained the commercial property is generally located on the northwest corner of Hutchison Boulevard and Richard Jackson Boulevard. She explained this is a proposed four lot commercial subdivision with existing improvements on all the parcels. She commented at this time there have been no plans submitted to contemplate any future changes of the current development.

Councilman Solis, Councilman McConnell, Councilman Casto, and Councilman Chester commented they each know where the property is located and has had no contact from anyone regarding this property. Mayor Thomas disclosed he found out this morning that his son's employer is financing the loan on this property.

Mayor Thomas opened the Public Hearing at 6:15 p.m. and invited comments.

1 Fred Gleason, 223 Emerald Coast Club Blvd. Mr. Gleason asked if the plat was for the undeveloped property Mayor Thomas explained it is for the shopping center.

With nothing further, Mayor Thomas closed the Public Hearing at 6:18 p.m.

**Councilman McConnell made the motion to approve the Middle Beach Road Plat. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 4 RESOLUTION 20-10, CITY MANAGER RECRUITMENT EXPENSES, BUDGET AMENDMENT #2.** Ms. Myers read Resolution 20-10 by title.

**Councilman Casto made the motion to approve Resolution 20-10. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 5 PRIVATE PUBLIC AGREEMENT FOR LIFEGUARDS DISCUSSION.**

Councilman Casto explained this was a bad year on drownings. He explained several property owners have approached him for these services. He suggested the City not wait another year to start this program. He requested to start in the Spring. He commented each year the City grows. Councilman Solis agreed with Councilman Casto. He commented the City needs to move as quickly as possible. He commented the biggest discussion item has been cost. He explained he has been contracted by private entities also. Councilman McConnell suggested starting the program at the beginning of the year. Discussion ensued.

#### **DELEGATIONS**

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 6:26 p.m.

1 Jim Dalton, 246 S Glades Trail. Mr. Dalton presented the council with a handout. He explained his desired outcome is to improve safety on South Glades Trail by reducing the speed of traffic. He commented several trash services run twice a week in the subdivision and the trucks are destroying the streets.

With no further comments, Mayor Thomas closed the Delegations period at 6:32 p.m.

#### **ATTORNEY REPORT**

Ms. Myers had no report.

#### **CITY MANAGER REPORT**



Mr. Gisbert read the open bids and available jobs.

**COUNCIL COMMENTS**

Councilman Casto had no comments.

Councilman Chester had no comments.

Councilman McConnell had no comments.

Councilman Solis echoed Councilman McConnell with his appreciation of the city staff, first responders, and community efforts during Hurricane Michael.

Mayor Thomas commented it was a humbling experience and we should keep everyone in their prayers.

With nothing further, the meeting was adjourned at 6:35 p.m.

READ AND APPROVED this 14th of November, 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

The Special Meeting and Workshop of the City Council of the City of Panama City Beach, Florida, and Planning Board held on October 24, 2019.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

HECTOR SOLIS

CITY MANAGER:

MARIO GISBERT

CITY CLERK:

MARY JAN BOSSERT

CITY ATTORNEYS

AMY E. MYERS/COLE DAVIS

Mayor Thomas called the Special Meeting to order at 8 a.m. with Councilman Casto, Councilman Chester, Councilman McConnell, Councilman Solis, and the City Manager, City Clerk, and City Attorneys present. The Planning Board members in attendance were Chairman Mark Sheldon, Mr. Mark Caron, Mr. Patrick Hodges, Mr. Jason Morehouse, Mr. David Scruggs, Mr. Paul Turner, and Mr. Josh Wakstein. Staff included Mr. Mel Leonard.

Councilman Solis gave the invocation and led the Pledge of Allegiance.

- 1. New Temporary Use for Inflatables on Beach.** Chairman Sheldon stated the Planning Board spent a lot of time on this drafted Ordinance. He explained the purpose of this Ordinance is to keep inflatable amusements on the sandy beach under control. He commented Code Enforcement conducted research on other cities and their procedures for inflatables. He stated they molded a package that is similar to others but does not make it 100% restricted, like most. He commented this is a fair deal with a \$500 per day permit, that has a true permitting process that includes inspection logs. He stated insurance companies were involved and put in good numbers for liability. He asked for Council questions, ideas, and thoughts of any possible changes that need to be made. Councilman Casto asked if this Ordinance applies for private property or public beach. City Attorney Myers stated it applies to anywhere on the sandy beach. Chairman Sheldon explained daily safety logs are required that states the operator of the inflatable. Councilman Solis stated the inflatables do not need to block traffic on the Beach. He questioned if there were a charge currently for inflatables. Chairman Sheldon stated there are no charges at this time. Mayor Thomas commented he does not want this to keep families from not having parties, he suggested lowering the price for single-family properties. He suggested distinguishing the difference between commercial and residential in the Ordinance. Councilman Solis stated \$500 per day seemed high. Chairman Sheldon stated people are doing it currently without restrictions or concerns. The members discussed how to secure the inflatables properly due to winds on the Beach.

Mr. Leonard stated with a temporary use permit, conditions can be noted. Councilman Solis suggested having wind monitors. Mayor Thomas reiterated he does not want locals limited. Chairman Sheldon stated there is a four-day limit for the inflatable permits. Councilman Chester suggested inflatables be 200 feet from turtle nests. Discussion ensued.

2. **Neighborhood Parks for Residential Subdivisions.** Chairman Sheldon explained this is a draft Ordinance for neighborhood parks that have been discussed in length. He explained this applies to any new development or subdivision that is three acres or more, will be required to have a community park the size of 5% of the acreage. He commented this will enhance the Beach. Discussion ensued.
3. **Community Meetings as Pre-Condition to Master Plan Approval.** Chairman Sheldon suggested the need to have pre-meetings with developers and residents if any major changes are made. He emphasized that lack of communication between developers and residents causes friction which may be resolved through enhanced communication early in the process. He explained this Ordinance states if a developer wants to make a major change, the community will need to be notified and be given a chance to attend a pre-meeting. Discussion ensued.
4. **Small Cell Regulation Updates.** Ms. Myers explained this is a housekeeping Ordinance due to the State Legislature changing earlier this year. She explained the application process needs to be removed from the LDC and put into the code that complies with the new Legislature. She explained it changes the spacing limitations from poles to house and will come before the Council in November or December. Councilman McConnell asked about the aesthetics of the poles outside of the CRA. He commented his community does not want concrete poles. Mayor Thomas asked if it could be a requirement to be underground, if the neighborhood already has underground utilities. Ms. Myers believes they already require that. Discussion ensued.
5. **Undergrounding Utilities in Old Subdivisions.** Chairman Sheldon explained this pertains to all existing subdivisions. He explained we are trying to make the City look aesthetically better. Discussion ensued.
6. **Comprehensive Plan Review - Status.** Chairman Sheldon commented they have taken their time going through the Comp Plan. He explained the Board has completed chapters one through five and asked if the Council would like to review them. The Council agreed to the review. Discussion ensued.

Mayor Thomas commended the Planning Board on a job well done. Chairman Sheldon commented the population basis is projected to grow 67% by 2040 in Panama City Beach. Mayor Thomas stated rules need to be made where they can be enforced. Mayor Thomas commented that he spoke to another City and they stated their worst issue is rental small electric scooters. He stated they are dangerous and are laid everywhere making cities unattractive. Councilman Solis commented the Legislature needs to pay attention to the cities doing away with them.

Chairman Sheldon inquired about blue tarps on properties. Mr. Leonard explained they are not citing anyone at this time. Chairman Sheldon commented that the pylons have been working and are needed in a few other areas of the City. Councilman McConnell stated where they are needed are on state roads, and it is up to the State to allow them. Councilman Solis gave a brief update on the TPO. He stated next summer the City will be getting a 10-mile bike path on the south side and sidewalks on the north side along with the improved intersections.

Mayor Thomas explained raking the sandy beach makes a difference. He stated if the rental chairs are brought in every night and the sand is turned it makes a huge difference. Mayor Thomas stated it would be nice for aesthetics to bleach out the sand.

With nothing further, the meeting was adjourned at 8:49 a.m.

READ AND APPROVED this 14<sup>th</sup> of November, 2019.

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

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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 October 24, 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.

Councilman Solis gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Special Meeting of September 23, 2019 were read. **Councilman Chester made the motion to approve the Minutes as written. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Mayor Thomas asked if there were any additions or deletions to the Agenda. Ms. Myers requested to add a multimodal site discussion, Councilman Solis requested to add a TPO discussion and Councilman Casto requested to add a trolley discussion. **Councilman Chester made the motion to approve the Agenda with the additions. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**PRESENTATIONS**

- 1 **KESIA MILNER, U.S. CENSUS BUREAU.** Ms. Milner commented she is a PCB local and a partnership specialist for the U.S. Census Bureau. She explained in March,

invitations to participate in the 2020 census will be mailed out to residences. She explained the decennial census happens every ten years. She explained 675 billion dollars in annual funds from the Federal Government will be distributed depending on community participation. She explained these funds are spent on schools, hospitals, roads, and different infrastructure and that the census is a vital program for the community. She continued that this year, for the first time, residences will be invited to complete their census online. She encouraged the community to participate to complete their census. She explained the goal of the 2020 census is to count everyone only once and in the right place as of April 1<sup>st</sup>. She also explained the U.S. Census Bureau will be hiring temporary positions. She thanked the Council for their time.

Mayor Thomas explained the importance of community participation due to the distribution of government money.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:10 a.m. and invited comments.

1 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson spoke against Ordinance 1501 as improperly targeting short term rentals in violation of the 14<sup>th</sup> Amendment. Mr. Thompson also opposed approving the Gulf Coast Jam Facility Use Agreement Agenda item, stating it is a conflict of interest. He asserted that the contract is improperly preferential because Mark Sheldon is the Chair of the Planning Board, the Chief Operating Officer for Gulf Coast Jam, and expected Mayoral candidate for the City of Panama City Beach.

2 Tony Horton, 17292 Front Beach Road. Mr. Horton questioned Councilman Solis' residential address. Mayor Thomas instructed him to reserve those comments for the Delegations portion of the meeting.

The Mayor closed the Public Comments at 9:14 a.m.

### **CONSENT AGENDA**

Ms. Bossert read the Consent Agenda Items by title.

**ITEM 1 RESOLUTION 20-07, APPROVING TASK ORDER WITH DEWBERRY ENGINEERS, INC. FOR PERFORMANCE OF RISK AND RESILIENCY STUDY OF CITY WATER SYSTEM.** *"A Resolution of the City of Panama City Beach, Florida, approving Task Order #2020-01 to the Master Services Agreement for Water Utility Engineering Services with Dewberry Engineers, Inc., related to risk resiliency assessment and emergency response plan in the amount of \$45,150; authorizing execution and providing an immediately effective date."*

**ITEM 2 RESOLUTION 20-11, AUTHORIZING PURCHASE OF POLICE FLEET VEHICLES FROM GARBER FLEET SALES.** *"A Resolution of the City of Panama City Beach, Florida, authorizing the purchase of eleven Ford Explorer Police Interceptors and one Chevy Tahoe from Garber Fleet Sales in the total amount of \$404,206; and providing an immediately effective date."*

**ITEM 3 RESOLUTION 20-12, APPROVING LICENSE AND INDEMNIFICATION AGREEMENT WITH THE ST. JOE COMPANY FOR GAYLE'S TRAILS EXTENSION.**

*"A Resolution of the City of Panama City Beach, Florida, accepting a license agreement from the St. Joe Company related to the use of land for an extension of Gayle's Trails east of the Breakfast Point subdivision."*

Councilman Chester asked if the department is piggybacking on the Police Fleet Vehicles. Ms. Myers stated no, the Police Department independently bid.

**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:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

#### **REGULAR AGENDA**

**ITEM 1A MULTIMODAL SITE DISCUSSION.** Ms. Myers informed the Council her office received a timely cancellation of the purchase sale agreement regarding the multimodal site facility. She commented they are still interested in purchasing the property but need more time to do so. The Council gave Ms. Myers direction to accept the cancellation.

**ITEM 1B TROLLEY DISCUSSION.** Councilman Casto suggested having a discussion on how the trolley system will be handled. He suggested trolley companies come and speak to the Council to see what is expected. Councilman Solis commented trolleys operate off advertisements. He stated the red asphalt is estimated to be done around December 1<sup>st</sup>. Councilman McConnell commented it is premature to talk to companies before more sections of the CRA are completed. He suggested to remove the cyclist lane when adding more traffic, as it is no longer safe for cyclists. Mr. Gisbert commented whoever operates in the trolley lane will be a professional driver that is aware the lane is dedicated and shared with bicycles. Councilman McConnell commented less density will lead to more speeders. Discussion ensued.

**Councilman Casto made a motion directing the City Manager to contact trolley companies to provide presentations, at no cost to the City. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 1 PLAT APPROVAL, EMERALD COVE, PUBLIC HEARING.** Ms. Myers requested to continue the Public Hearing until November 14<sup>th</sup>. Mayor Thomas commented this Hearing will be continued.

**ITEM 2 ORDINANCE 1499, SETTING MAXIMUM RATES AND STANDARDIZING NOTICE PROCEDURES FOR NON AD VALOREM ASSESSMENTS, 1ST READING.** Ms. Myers read Ordinance 1499 by title. There were no comments.

**Councilman Casto made the motion to approve Ordinance 1499. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 3 ORDINANCE 1501, BUSINESS TAX REPORTING, 1ST READING.** Ms. Myers read Ordinance 1501 by title. She explained the difficulties with gaining business tax compliance from transient residential property rentals. This Ordinance requires hosting platforms to post their business license tax number on their rental listings. She explained the penalty schedule. Councilman Solis asked if passed, how are people informed. Ms. Myers explained the enforcement will begin on March 1<sup>st</sup>, so there is an opportunity to notice the affected parties.

Councilman Solis encouraged citizens to sign up for e-notify for the information posted by the City.

**Councilman McConnell made the motion to approve Ordinance 1501. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 4 RESOLUTION 20-03, UPDATING RECREATIONAL USER FEES AND USE POLICIES.** Ms. Myers read Resolution 20-03 by title. She explained as stated in the body of the Resolution, it will be effective January 1, 2020. There were no comments. **Councilman Chester made the motion to approve Resolution 20-03. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 5 RESOLUTION 20-13, BUDGET AMENDMENT #3 REAPPROPRIATING FUNDS UNSPENT IN FY 2019 TO FY 2020.** Ms. Myers read Resolution 20-13 by title. There were no comments.

**Councilman McConnell made the motion to approve Resolution 20-13. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>



**Mayor Thomas**

**Aye**

**ITEM 6 RESOLUTION 20-14, APPROVING EARLY SICK LEAVE PAYOUT TO DROP PARTICIPANTS.** Ms. Myers read Resolution 20-14 by title. Councilman McConnell stated this is a great benefit for DROP employees.

**Councilman McConnell made the motion to approve Resolution 20-14. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 7 RESOLUTION 20-15, APPROVING FACILITY USE AGREEMENT WITH GULF COAST JAM FOR 2021-2025.** Ms. Myers read Resolution 20-15 by title. She clarified that approval of the agreement created no conflict of interest. Mr. Sheldon does not have the authority to approve contracts, he is not selling his services to the City, he is renting out the facilities as a private person. She stated this agreement does not conflict with ethics laws.

Councilman Casto commented he would like to approve the agreement for three years instead of five years. He asked why the agreement is for five years.

Mark Sheldon, 104 Twilight Bay Drive – Mr. Sheldon explained it is crucial to lock in a location for their business plan and future advertisements. Councilman McConnell stated a standardized strategic business plan starts with a five-year budget.

**Councilman Solis made the motion to approve Resolution 20-15 if it does not lock in a rate on the fee schedule. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 8 TPO DISCUSSION.** Councilman Solis gave a brief overview of the Transportation Plan Organization update. He explained repaving and cut-ins will be completed on detected high accident areas. He invited everyone to the public meeting next week at Woodstock Church. He commented there is a rumor that a traffic light will be installed at Ashley Drive, and he has confirmed with FDOT that it will not be happening. He suggested it be placed on Griffin Drive. He commented good things are coming from the TPO. Discussion ensued.

### **DELEGATIONS**

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 9:50 a.m.

1 JoAnn Weatherford, 6220 Thomas Drive – Ms. Weatherford stated she is with Keep PCB Beautiful. She updated the Council on all the nice things they have done for

the Beach. She stated they donated 6,676 volunteer hours to the Beach at the cost of \$39,830.44. They have saved the Beach \$206,471.76 and have held 47 events with 1,165 volunteers and collected 9,910 pounds of litter and debris. She explained they have cleaned 48 miles of shoreline, 17 miles of parks, and 19 miles of streets. They have planted 15 trees, 555 plants, and recently done a cleanup at Arnold High School, as well as created a beautiful garden at the Senior Center with recycled benches. She commented they have placed 54 cigarette litter receptacles throughout the Beach and have kept 30 pounds of cigarette butts out of the Gulf. The audience responded with applause.

2 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson asked Councilman Solis to state his address for the record. He explained he has seen his residence advertised for long term rental. He expressed several verbal public records requests. He requested any and all documents related to indictments given to the Council or the City. He requested all emails between Mr. Robert Estes and Councilman Solis and all emails between Mr. Robert Estes and Councilman McConnell.

3 Tammy Taylor, 134 Bid-a-Wee Lane – Ms. Taylor commented she appreciates the Council and all decisions they make. She requested the City leave the roads in her neighborhood concrete, instead of changing to asphalt. Councilman Chester asked Ms. Jenkins to approach the podium. Ms. Jenkins explained this area is one of the last two concrete roads. The concrete roads take five to ten times more maintenance than asphalt. This road has been an “F” grade road and it will be significantly cheaper to change to asphalt.

4 Tony Horton, 17292 Front Beach Road. Mr. Horton stated it looks like Councilman Solis is vacating his seat and asked for clarification about his residence.

5 Tammy Taylor, 134 Bid-a-Wee Lane – Ms. Taylor thanked Councilman Chester for coming out to speak to her and her neighbors when called about the issue. She thanked the Council for their consideration.

6 Kim Lepore, 143 Bid-a-Wee Lane – Ms. Lepore explained she walked the neighborhood and spoke to all residences and it was unanimous to keep the concrete roads. She explained her road has been there for 30 years, and that concrete roads have a longer life than asphalt. She stated it will have a detrimental impact on home values.

With no further comments, Mayor Thomas closed the Delegations period at 10:05 a.m.

#### **ATTORNEY REPORT**

Ms. Myers explained there are several vacancies on various City Boards that will be advertised soon so the vacancies can be appointed at the next City Council Meeting. She requested the Council to look at the calendar to pick a good time for the Special December 2<sup>nd</sup> meeting to narrow down candidates for City Manager.

#### **CITY MANAGER REPORT**

Mr. Gisbert reminded everyone the Ironman event will be held on November 2<sup>nd</sup>. He read the open bids and available jobs.

#### **COUNCIL COMMENTS**

Councilman Casto inquired on the date for the groundbreaking for Bay Parkway. Mr. Gisbert explained due to Hurricane Michael the groundbreaking has been pushed back. Ms. Jenkins explained the project will go out to bid in December. She explained the 90% plan approval has been completed and is waiting on FDOT for approval.

Councilman McConnell requested to meet with Ms. Jenkins and Mr. Gisbert for an update next week.

Councilman Solis stated he plans to fulfill the residency requirements of his position and he plans ahead for all of his property sales.

With nothing further, the meeting was adjourned at 10:13 a.m.

READ AND APPROVED this 14<sup>th</sup> of November, 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

DRAFT

The Special Joint Meeting and Workshop of the City Council of the City of Panama City Beach, Florida, and the Board of County Commissioners for Bay County, Florida, held on October 24, 2019.

**SPECIAL JOINT MEETING AND WORKSHOP WITH BAY COUNTY BOARD OF COUNTY COMMISSIONERS RELATED TO THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN**

**ATTENDEES:**

**CITY PANAMA CITY BEACH:**

**MAYOR MIKE THOMAS**

**COUNCILORS:**

**PHIL CHESTER**

**PAUL CASTO**

**GEOFF MCCONNELL**

**HECTOR SOLIS**

**BAY COUNTY BOARD OF COMMISSIONERS:**

**PHILIP GRIFFITTS, III, CHAIRMAN**

**ROBERT CARROLL**

**TOMMY HAMM**

**WILLIAM T. DOZIER**

**KEITH BAKER**

Mayor Thomas called the Special Joint Meeting to order at 3 p.m. with all Councilmen and Commissioners present.

Councilman Solis gave the invocation and led the Pledge of Allegiance.

The Clerks of each Board called the roll, which is reflected above.

Chairman Griffiths opened the discussion by thanking the Council for the opportunity to sit down and talk about where we've been, and we're were going. He indicated that the work and meeting of the staffs have been helpful to move ideas along and asked the County Manager, Bob Majka, to summarize a conceptual solution.

The County Manager indicated their goal is to find a formula for a TIF contribution that allows the CRA to get its projects completed but also pay for a portion of the burden that is put on the County's General Fund for the services that the County provides to the CRA properties. City and County staffs discussed caps at the bottom and top end—the bottom driven by the costs necessary to cover the projects, debt service, operating costs, together with reserve dollars in case of a downturn so the rate of construction isn't slowed; and the top number being the total amount of revenue the City needs to complete the projects over the entire life of the CRA, however long that ends up being. He emphasized that the critical thing is determining the tipping point when the City no longer needs all the TIF, and how much can be returned to the County. He said staff also discussed revisiting the numbers and making adjustments for all the things that can't be known now.

The City Manager thanked the County staff for the opportunity to meet and confirmed that City staff is still working with our consultants to forecast the numbers

Special Meeting  
Front Beach Road  
Community Redevelopment Plan  
October 24, 2019

needed to complete the projects as quickly as possible. He said the City needed more time to get to those numbers, but that we are all working in the same direction of finding a way to build the CRA—because the quicker it is built the quicker there can be a return on monies not needed to build.

The County Manager suggested that if the Boards could agree to the concept, then staff could go forward and work. He said he understood the City needed more time to get their modeling done, and that the County wanted to confirm on its side the cost of services provided so that both staffs could have an informed conversation about those numbers. If there is agreement, then the interlocal could be amended by each Board to reflect those amended numbers.

Mayor Thomas confirmed that the City is willing to help and that he's ok with the concept of capping the TIF and returning a portion back to the County, but said he felt less certain after talking to his staff what those numbers could be. He said because there are so many things outside of the City's control, and he doesn't know how to project them because it is complicated. He said construction prices are going up, and local preference has hurt, too. He reiterated that he was fine with the concept but said if there is going to be a calculation of what we get based on our population, then that's how he wants to give it back, too.

The County Manager said he didn't think anybody was ready to talk about a specific number. Chairman Griffiths said the City needs to have faith in whatever our consultants bring to the table. He said this year's [County] budget is set, so there is time. He suggested the Boards each delegate authority to their staffs to come up with a solution.

Councilman McConnell said he would hate to set a hard number and would prefer to revisit the numbers every year based on needs. Chairman Griffiths said an in-depth meeting may not be necessary every year. But if there is some unforeseen event, such as a 20 percent loss in Ad Valorem, we all sit down together and figure it out.

Mayor Thomas said the City needs to bond to move the projects forward, and we need to cover the costs of those bonds. He said he wants staff to look into that. He said he thinks the City can do its job and still give the County some money back. Councilman Solis agreed, indicating that a bond will accelerate the pace of construction instead of being pay as you go, which means returning money back to the County even quicker. He liked the concept of a good bottom number and then a percentage of everything above it going to the County.

Commissioner Dozier said he liked the concept of a long-term cap along with the flexibility to come back and revisit it. He said it was a win-win for both sides. Discussion followed about the need and process to review the formula every year. Commissioner Hamm voiced concerns about how the numbers would be determined but indicated a percentage returned to the County might be workable. Commissioner Carroll thanked the Council for the meeting.

Chairman Griffiths reiterated that staffs should be able to come up with some formulas. The County Manager said that if we can come up with the incremental bottom end curve on how costs are increasing and some ratio of what the CRA could contribute to offset that, and then come up with the top end number once the modeling is done, we can all review it and run the variables. He said it would be an arbitrary number because we're setting something twenty to thirty years out, but the value of coming together regularly will help if that number turns out not to be legitimate. The City Manager said the model needs to be a live model that can be adjusted each year.

Chairman Griffiths said the County's goal is not to raise its Ad Valorem taxes. The goal at the City is to complete the CRA to its finest. Mayor Thomas agreed we had the same goals.

The County Manager said he assumed the City would not be bonding until the model is done, and the City Manager said the model will take into account the bonds. He said without the bond none of this works because it is the key to finishing the project and allowing for returns to the County. Discussion followed among the elected officials about a timeline to finish the models, and the complexity of the models and its modifiers. Discussion included possible amounts that might be bonded.

The Chairman said staff should work together over the next month to develop a simple Interlocal Agreement to bring back before the Boards.

With nothing further, the meeting was adjourned at 3:28 p.m.

READ AND APPROVED by the City Council this 14th of November, 2019.

READ AND APPROVED by the Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**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

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Chairman

ATTEST:

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County Clerk

DRAFT

# PRESENTATION

1



CITY OF PANAMA CITY BEACH

# CIVIC ACHIEVEMENT AWARD

*Be It Known That*

**Haleigh Trimnel**

**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 14th of November, 2019**



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**MAYOR MIKE THOMAS**

# CONSENT ITEM

1



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
November 14, 2019

3. REQUESTED MOTION/ACTION:  
Consideration of Resolution 20-18 for extraordinary traffic control on portions of Front Beach Road, South Thomas Drive, Thomas Drive, Surf Drive, and Pier Park Drive on Saturday, December 7, 2019.

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 Panama City Beach Chamber is hosting the Panama City Beach Marathon which will be held on December 7, 2019.

The event necessitates careful traffic control and extraordinary usage of Front Beach Road, South Thomas Drive, Thomas Drive and Surf Drive within the corporate limits of Panama City Beach.

Staff recommends approval.

**RESOLUTION 20-18**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATED TO THE "PANAMA CITY BEACH MARATHON"; AUTHORIZING CAREFUL TRAFFIC CONTROL AND EXTRAORDINARY USAGE OF PORTIONS OF FRONT BEACH ROAD (U.S. 98) , SOUTH THOMAS DRIVE, AND SURF DRIVE ON SATURDAY, DECEMBER 7, 2019; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

WHEREAS, the Panama City Beach Chamber is hosting the Panama City Beach Marathon (the "Event") which is scheduled to be held on Saturday, December 7, 2019 in Panama City Beach; and

WHEREAS, the Event necessitates careful traffic control and extraordinary usage of Front Beach Road (U.S. Highway 98A), South Thomas Drive, Thomas Drive and Surf Drive within the corporate limits of Panama City Beach.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL** of Panama City Beach that during the hours of 7:00 A.M. and 1:00 P.M., on Saturday, December 7, 2019, all vehicular traffic shall be rerouted or otherwise controlled on the eastbound lane of Front Beach Road, South Thomas Drive, Thomas Drive and Surf Drive east within the City limits, in accordance with the attached maps which accompany this Resolution to accommodate the Event.

**PASSED, APPROVED AND ADOPTED** in regular session of the Panama City Beach City Council this 14th day of November, 2019.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

ATTEST:

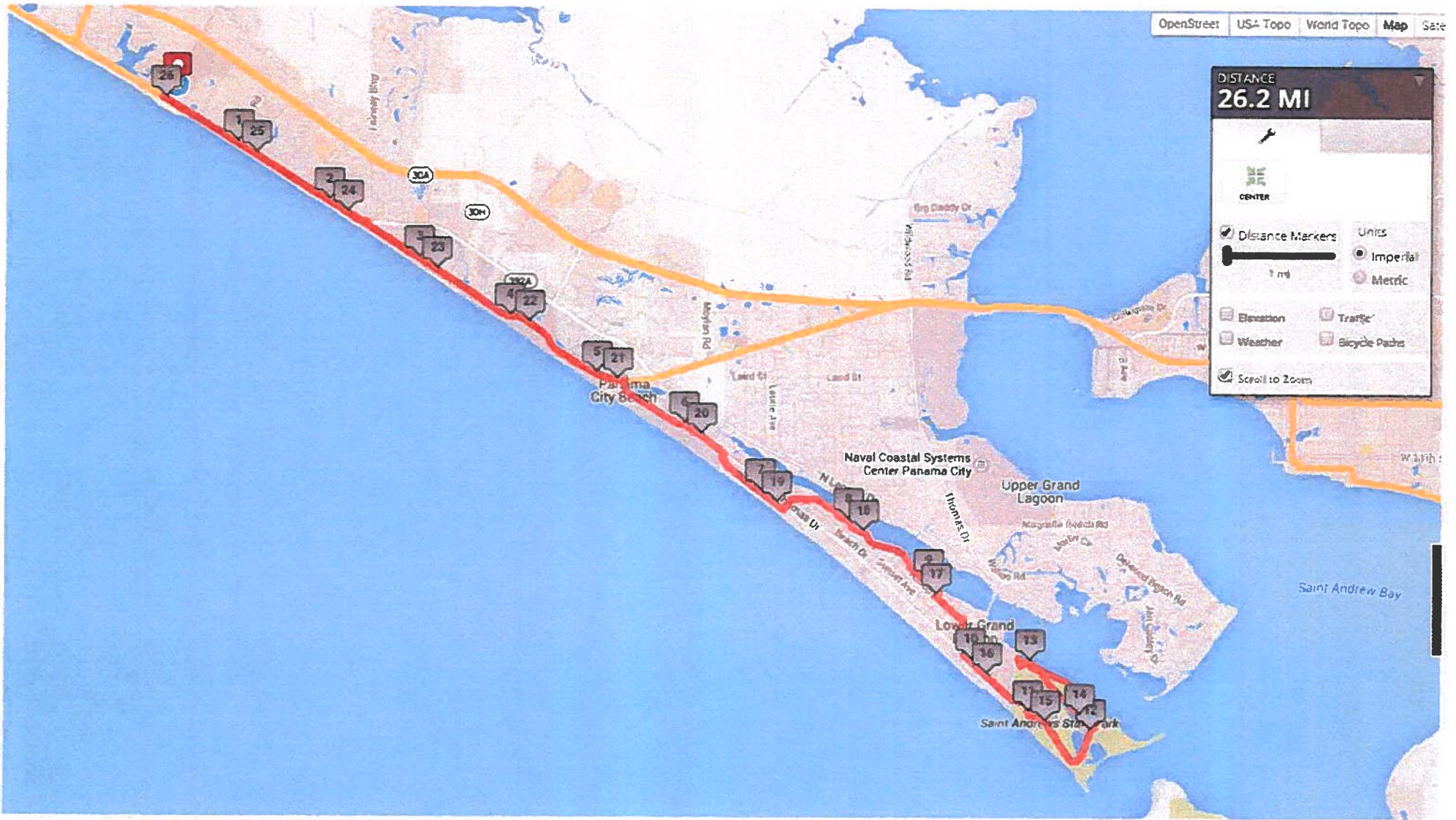
\_\_\_\_\_  
Mary Jan Bossert, City Clerk

Resolution 20-18

CONSENT  
AGENDA ITEM # 1



CONSENT  
AGENDA ITEM # 1



# CONSENT ITEM

2



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
November 14, 2019

3. REQUESTED MOTION/ACTION:  
Consideration of Resolution 20-19 for extraordinary traffic control on portions of West Pier Park Drive between Pier Park Drive and Hilton Drive on November 29 and 20, 2019.

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 Beach Homes for the Holidays event will be held on Friday, November 29, and Saturday, November 30, 2019.

While the event will take place entirely within Aaron Bessant Park, Visit Panama City Beach has requested the road closure of of West Pier Park Drive between Pier Park Drive and Hilton Drive, within the corporate limits of Panama City Beach to allow for the safe movement of pedestrians from the parking lot to the event site.

Staff recommends approval.



**RESOLUTION 20-19**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF WEST PIER PARK DRIVE TO VEHICULAR TRAFFIC ON NOVEMBER 29 and 30, 2019 TO ACCOMMODATE PATRONS ATTENDING THE "BEACH HOME FOR THE HOLIDAYS" EVENT.**

**BE IT RESOLVED** by the City Council of the City of Panama City Beach that during the hours of 3:00 and 8:30pm on November 29<sup>th</sup> and 30<sup>th</sup>, 2019 West Pier Park Drive between Pier Park Drive and Hilton Drive shall be closed and all vehicular traffic shall be controlled in accordance with the attached map which accompanies this Resolution.

**THIS RESOLUTION** shall be effective immediately upon passage.

**PASSED** in regular session this \_\_\_\_ day of \_\_\_\_\_, 2019.

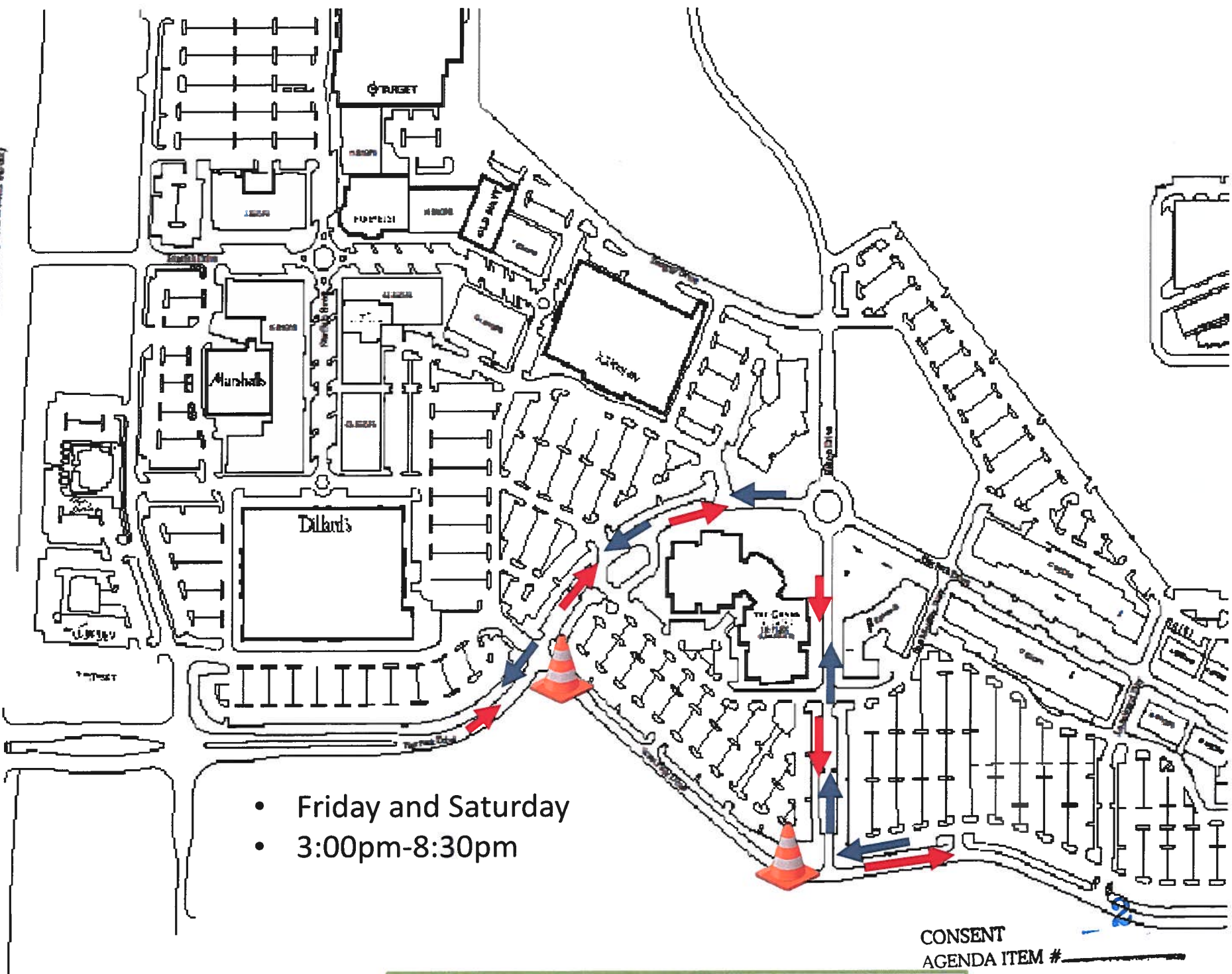
**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Jan Bossert, City Clerk

US Highway 98 (Chick Deen's Road)



- Friday and Saturday
- 3:00pm-8:30pm

CONSENT  
AGENDA ITEM # \_\_\_\_\_

# Aaron Bessant Park

**CONSENT ITEM**

**3**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:

Consider Resolution to close portions of roads in Pier Park on December 14, 2019, for extraordinary usage of Front Beach Road and other city roads within and around Pier Park for the parade.

4. AGENDA

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input checked="" type="checkbox"/>
REGULAR	<input 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)

The Christmas parade will be held on Saturday, December 14, 2019.

The event necessitates careful traffic control and extraordinary usage of portions of roads within Pier Park, on Powell Adams Road and on Front Beach Road from Powell Adams to Pier Park Drive for the parade.

Staff recommends approval.

**RESOLUTION NO. 20-20**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH RELATED TO THE ANNUAL CHRISTMAS PARADE; AUTHORIZING CLOSURE OF PORTIONS OF PIER PARK DRIVE, STARFISH STREET, BLUEFISH DRIVE, STINGRAY DRIVE, L.C. HILTON DRIVE AND POWELL ADAMS ROAD BETWEEN 3:00 P.M. AND 7:00 P.M. ON DECEMBER 14, 2019 FOR THE PARADE; AND AUTHORIZING TEMPORARY USAGE OF A PORTION OF FRONT BEACH ROAD (U.S. 98) BETWEEN 3:00 P.M. AND 7:00 P.M. ON DECEMBER 14, 2019 TO PERMIT THE PARADE.**

WHEREAS, the annual Christmas Parade at Panama City Beach will be conducted on Saturday, December 14, 2019; and

WHEREAS, the occasion necessitates careful traffic control and extraordinary usage of certain sections of Front Beach Road (U.S. Highway 98) within the corporate limits of Panama City Beach.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of Panama City Beach that:**

1. During the hours of 3:00 P.M. and 7:00 P.M. on December 14, 2019, portions of Pier Park Drive, Starfish Street, Bluefish Drive, Stingray Drive, L.C. Hilton Drive and Powell Adams Road shall be closed and all vehicular traffic shall be rerouted or otherwise controlled rerouted in accordance with the map which accompanies this Resolution.

2. During the hours of 3:00 P.M. and 7:00 P.M., on December 14, 2019, all vehicular traffic on Front Beach Road from Powell Adams Road to Pier Park Drive shall be rerouted in accordance with the attached map which accompanies this Resolution.

This Resolution shall take effect immediately upon its passage.

**PASSED, APPROVED AND ADOPTED** in regular session this 14<sup>th</sup> day of November, 2019.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

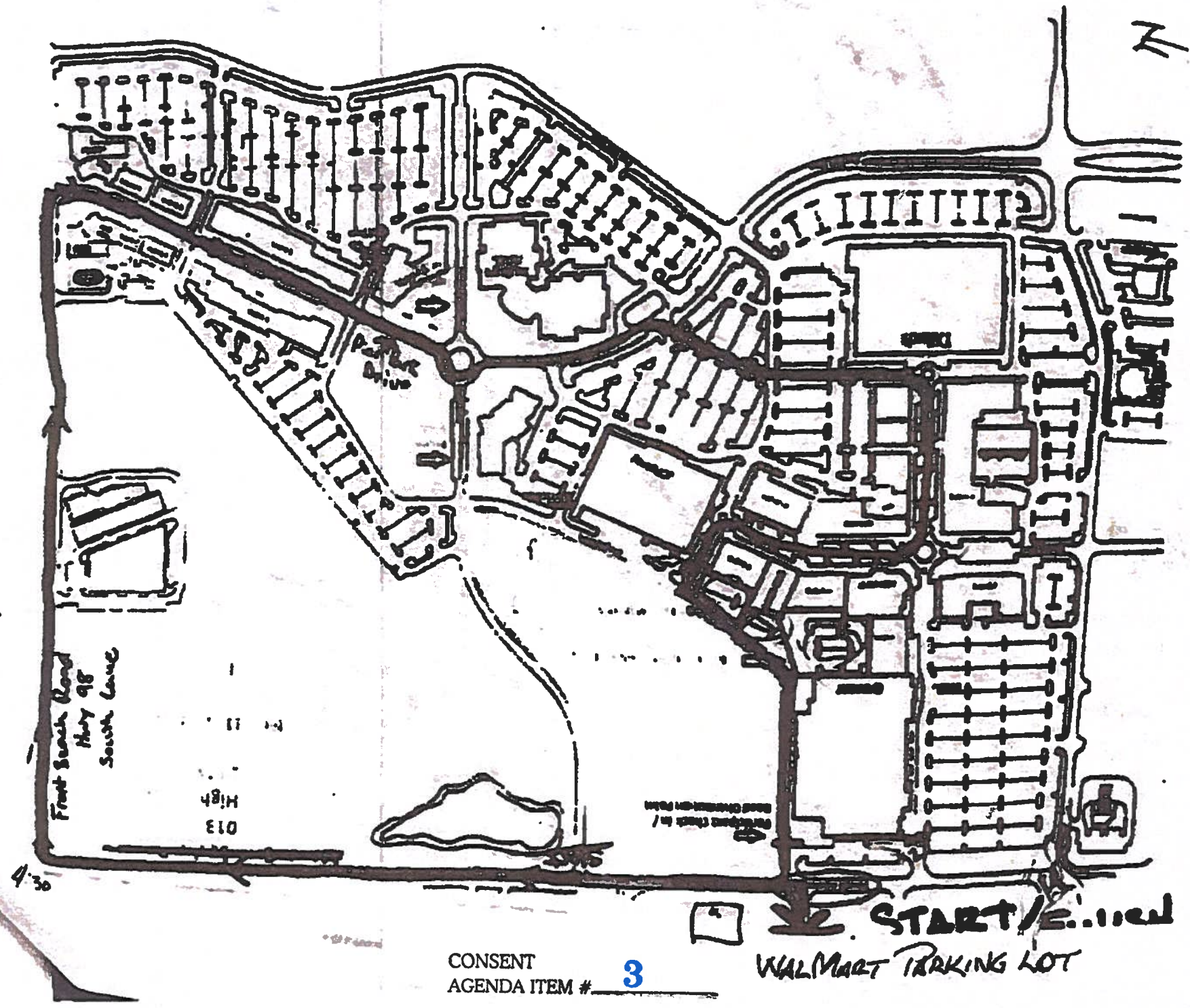
ATTEST:

\_\_\_\_\_  
Mary Jan Bossert, City Clerk

Resolution 20-20

CONSENT  
AGENDA ITEM # 3

PRR  
PAC  
Sec.  
ADAM. buff @ USA.845.com  
850 358-6553



**CONSENT ITEM**

**4**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

**1. DEPARTMENT MAKING REQUEST/NAME:**

**2. MEETING DATE:**

Parks and Recreation

November 14, 2019

**3. REQUESTED MOTION/ACTION:**

The Parks and Recreation staff recommends that the council authorize the City to contract with the only responsive bidder, Jerry Pate Turf & Irrigation in the amount of \$70,008.89 for the purchase of a Multi-Pro 5800 G Sprayer.

**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 November 5, 2019 the Parks and Recreation Department received two sealed bids for a "Multi Pro 5800-G." The only responsive bid was from Jerry Pate Turf & Irrigation in the amount of \$70,008.89.

Beard Equipment did not meet the specifications required.

This purchase was planned for in the adopted 2019-2020 budget.



**RESOLUTION 20-21**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH JERRY PATE TURF & IRRIGATION FOR THE PURCHASE OF A DEDICATED SPRAYER VEHICLE IN THE AMOUNT OF \$70,008.89.**

**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 Jerry Pate Turf & Irrigation, relating to the purchase of a Multi-Pro 5800-G Dedicated Sprayer for the Parks and Recreation Department, in the basic amount of Seventy Thousand, Eight Dollars, Eighty nine Cents (\$70,008.89), in substantially the form attached and presented to the Council today, draft dated October 28, 2019, 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 regular session this \_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Jan Bossert, City Clerk

Resolution 20-21

CONSENT

AGENDA ITEM # 4

**BID PROPOSAL FORM**

TO: City of Panama City Beach, Florida

SUBMITTED: 10/28, 2019.

**Multi Pro 5800-G Sprayer**

The Undersigned, as Bidder, hereby declares that they have examined the bid specifications and informed themselves fully in regard to all conditions pertaining to the proposal submitted.

The Bidder proposes and agrees, if this proposal is accepted, to provide the listed equipment to the **City of Panama City Beach** for the proposed amount, in full and complete accordance with the shown, noted, described and reasonably intended requirements of the specifications to the full and entire satisfaction of the City of Panama City Beach, Florida.

BID AMOUNT: 70,008.<sup>89</sup>

BY: SCOTT G. PATE TITLE: SR. VICE PRESIDENT

ADDRESS: 301 Schubert Drive CITY: Pensacola STATE: FL ZIP: 32504

EMAIL ADDRESS: procurement@jerry.pate.com

PHONE: 800-700-7001 61217

SIGNATURE – (Confirming all information above is correct)





# Jerry Pate Turf & Irrigation

Jerry Pate Turf & Irrigation  
301 Schubert Drive  
Pensacola, FL 32504  
Ph# (800) 700-7001  
Fax# (850) 484-8596  
www.jerrypate.com

DATE: October 28, 2019  
EXPIRATION DATE: Valid 30 Days

Exclusively For: City of Panama City Beach FB Park  
Attn: Joe Creeden  
110 S Arnold Road  
Panama City, FL 32413

Proposed Order  
National IPA Discount  
NIPA 14101

Prepared By: Jake Holbrook Ext. 1217  
[jholbrook@jerrypate.com](mailto:jholbrook@jerrypate.com)

Account Executive: Tony Morris 850-393-4556 cell  
[tmorris@jerrypate.com](mailto:tmorris@jerrypate.com)

[Ph#]  
[Fax#]  
[Customer Acct#] 219730  
[Email]

Per your request, I am pleased to submit a proposal on the following equipment:

Qty	Model #	Description	MSRP	NIPA Unit \$	Extension
1	41394	Multi Pro 5800-G with ExcelsaRate	\$71,521.31	\$ 55,929.66	\$ 55,929.66
24	120-8570	Cap and Gasket for AI Turbo TwinJet			
12	121-5062	Cap and Gasket for AI Turbo TwinJet			
12	120-0708	Red 0.40 gpm nozzle @ 40 PSI			
12	120-0710	Gray 0.60 gpm nozzle @ 40 PSI			
12	120-0712	Light Blue 1.00 gpm nozzle @ 40 PSI			
1	41249	Foam Marker Kit			
1	41621	Pivoting Electric Hose Reel Kit, MP5800			
1	41622	Chemical Pre-Mix Kit - MP5800 (KZ Valve)			
1	92-2641	Block Fuse			
1	127-9826	Lance Suction Assembly			
1	136-0458	Finish Kit, Foam Marker			
<u>Cab Accessories</u>					
1	A-11836	Cozy Cab Fully Enclosed Cab	\$	8,664.00	\$ 8,664.00
1	A-12235	Air Conditioner	\$	3,480.00	\$ 3,480.00
1	A-11838	Wiper Kit	\$	257.33	\$ 257.33
				Dealer Prep & Delivery	\$ 1,677.89
				<b>Total</b>	<b>\$ 70,008.89</b>

"Jerry Pate Company offers service agreements for your turf equipment, utility vehicles, irrigation, and pump stations. Ask your Account Executive for more information today!"  
**Prices Do Not Include Sales Tax or Applicable Documentation Fees**

This is a proposal on the goods named, subject to the following conditions: The prices and terms on this proposal are not subject to verbal changes or other agreements unless approved in writing by the Home Office of the Seller. All proposals and agreements are contingent on availability of product from the manufacturer. Prices are based on costs and conditions existing on date of proposal and are subject to change without notice. Typographical errors are subject to correction.

To accept this proposal, sign here and return: \_\_\_\_\_ Date: \_\_\_\_\_

*Thank you, we appreciate your business!*

800-700-7001 • Atlanta • Birmingham • Memphis • Pensacola • [www.jerrypate.com](http://www.jerrypate.com)



CONSENT  
AGENDA ITEM # 4

# Multi Pro 5800 Specifications

MULTI PRO 5800, MODEL AT24	
<b>ENGINE</b>	Kubota® WG1605, rated output: 50 hp (37.3 kW), 1.6 L, 4-cylinder liquid-cooled electronic fuel injection, throttle control, three-way catalytic converter, gear-driven valve train, and a diagnostic port.
<b>COOLING SYSTEM</b>	Mid-mounted 3.3 (3.12 L) quart radiator with oil cooler mounted in front.
<b>FUEL SYSTEM</b>	12 gallon (45 L) polyethylene/nylon low-permeation fuel tank with 1.5" (38 mm) opening on the passenger side for fueling. 3.5 psi vented fuel cap with electronic fuel gauge on the console, in-tank fuel replacement filter, (unleaded gasoline).
<b>TRACTION SYSTEM</b>	Hydrostatic system driving double planetary gear reduction rear wheel drives; foot pedal control of forward/reverse ground speed.
<b>GROUND SPEED/CLEARANCE</b>	Forward: 0-10 mph (0-16.1 km/h). Reverse: 0-4 mph (0-6.4 km/h).
<b>TIRES</b>	Front: 23" diameter rounded profile, 4-ply rated tire with smooth tread pattern; wheel has 5-hole bolt pattern for lugs. Rear: 26.5" diameter rounded profile, 6-ply rated tire with turf tread pattern; wheel has 8-hole bolt pattern for lugs.
<b>BRAKES</b>	2-wheel mechanical cable operated multi disc wet brakes with additional hydrostatic braking through drive train.
<b>MAIN FRAME</b>	Welded high strength steel tubular construction.
<b>SUSPENSION</b>	Front: straight axle with twin independent leaf springs and dual shock absorbers. Rear: rigid with high flotation rear tires.
<b>STEERING</b>	Fully hydraulic with dedicated power source 48° steering angle.
<b>GAUGES/INDICATORS</b>	Ignition key switch; analog spray system pressure gauge; fuel gauge; battery voltage lamp; oil pressure warning lamp; coolant temperature warning lamp; InfoCenter display console.
<b>CONTROLS</b>	Throttle control; spray pump switch; tank agitation switch; individual boom section switches; master boom switch; speed-lock switch; manual/automatic spray mode switch; boom lift/lower switches; manual application rate control (pressure) switch; USB port; 12V power socket; Excelsior™ automatic spray rate control (via InfoCenter).
<b>SEATS</b>	Bucket seats with easy tilt forward bracket; removable bolts allow for adjustment for various seat positions; seats are interchangeable from left to right.
<b>ELECTRICAL FEATURES</b>	12 volt, 690 cold cranking amps at 0° F (-18° C). 12 volt, 60 Amp alternator. Dash mounted ignition switch, with glow plug timing circuit.
<b>LIGHTS</b>	Rectangular 12 volt, 37.5 watt halogen sealed beam headlights.
<b>SOUND LEVEL</b>	90 dB(A) at operator ear under normal operation
<b>WEIGHT</b>	Drive-on weight: 2,882 lbs. (1,307 kg), Shipping weight: 2,882 lbs. (1,307 kg), Empty vehicle: 2,882 lbs. (1,307 kg), Full w/ Operator: 5,692 lbs. (2,582 kg), MGWV: 6,692 lbs. (3,035 kg).
<b>DIMENSIONS</b>	Measurements with spray system— Overall Length: 154" (391 cm) booms forward. Turning Diameter: 15'-7" (4.7 m) front tire inside Overall Width: 88" (224 cm) booms forward. 26'-7" (8.1 m) front tire outside Height: 57.5" (146 cm)
<b>WARRANTY</b>	Two-year limited warranty. Refer to the Operator's Manual for further details.
<b>CERTIFICATION</b>	SAE 2258 Dec. 2003 and EU 98/37EC Machinery Directive. 2014/108/EC (EMC).

SOLUTION TANK	
<b>SOLUTION TANK</b>	Elliptical, high-density, impact-resistant polyethylene with large 16" (41 cm) fill well.
<b>RATED CAPACITY</b>	300 gallon (1,136 liter).
<b>SPRAY PUMP</b>	Handi 364 / 10.0 6-diaphragm positive displacement; flow rate 45 gpm (170.3 lpm), 220 psi (1500 kpa) maximums.
<b>AGITATOR</b>	4, side-mounted jet agitation nozzles for full tank agitation.
<b>BOOM ASSEMBLY</b>	20.5' (6.25 m), 4 nozzles per selection, triangular truss-style open boom. 12 total triple-turret nozzle mounts with diaphragm check valves.

**A Safety Reminder:** Prior to any application, know the chemical content and the manufacturer's recommendation for protective clothing. Always wear proper clothing and mask when applying chemicals.

\*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.





# Multi Pro 5800 Accessories

MULTI PRO 5800 ACCESSORIES	
<b>GEOLINK® PRECISION SPRAY SYSTEM</b>	Base Model GeoLink Precision Spray System kit, WAAS, EGNOS, MSAS.
<b>RTK MODEM KIT - COMA</b>	COMA RTK cellular correction modem kit for GeoLink spray system.
<b>RTK MODEM KIT - GSM</b>	GSM RTK cellular correction modem kit for GeoLink spray system.
<b>REFERENCE ANTENNA KIT</b>	GeoLink Precision Spray System reference antenna kit.
<b>CLEANLOAD EDUCATOR KIT</b>	This on-board mixing station allows rapid and safe loading of any chemical without the need to first mix into a slurry. Incorporates a built-in bottle wash feature and has an optional suction lance to draw liquid or powder products from their container. Stores within the width of the spray vehicle for transport.
<b>FRESH WATER RINSE KIT</b>	30 Gallons (114 L). Nesting inconspicuously behind the main tank, this system includes a separate electric diaphragm pump, dedicated plumbing and dual rinse nozzles. At 10 gallons (38 l) per cycle, it has on-board capacity to complete a triple rinse process, saving precious time.
<b>ELECTRIC HOSE REEL KIT</b>	150' (45.7 m) of 0.5" (13 mm) hose for hand or walk spraying applications. Convenient electric powered rewind. Spray gun has an adjustable nozzle from stream to fan.
<b>PRO FOAM MARKING KIT</b>	Foam dollops ensure accurate parallel path tracking. Select foam for either boom or both.
<b>PRO FOAM</b>	1 gallon (3.8 L) bottle of Pro Foam Concentrate.
<b>HAND SPRAY WAND KIT</b>	Spray manually using handheld device for precision and accuracy.
<b>ULTRA SONIC BOOM LEVELING KIT</b>	Sonar sensors automatically maintain proper boom height over undulating turf for consistent and proper spray pattern.
<b>DRIFT REDUCTION BOOM SHROUD</b>	Extends 12" (30.5 cm) below the boom to minimize chemical drift in breezy conditions while retaining full boom system functionality.
<b>SUNSHADE</b>	Hard shell sunshade canopy w/windshield option. (From Custom Products of Litchfield, 1-800-CAB-LINE, www.cozycab.com/cabs).
<b>FULLY ENCLOSED CAB</b>	Full-view operator safety cab with AC, wiper and mirror options. (From Custom Products of Litchfield, 1-800-CAB-LINE, www.cozycab.com/cabs).
<b>AIR CONDITIONER</b>	Custom Products of Litchfield, 1-800-CAB-LINE, www.cozycab.com/cabs.
<b>CONTACT &amp; SYSTEMIC NOZZLES</b>	Select the right nozzle for your application by using the <b>Toro Nozzle Selector</b> - available via Toro.com

A Safety Reminder: Prior to any application, know the chemical content and the manufacturer's recommendation for protective clothing. Always wear proper clothing and mask when applying chemicals.

\*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.

CONSENT  
AGENDA ITEM # 4

# CONSENT ITEM

5



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Parks and Recreation

2. MEETING DATE:

November 14, 2019

3. REQUESTED MOTION/ACTION:

Authorize the purchase of a Sports Turf Renovator from Power Turf Renovation in the amount of \$12,995.00.

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)

Staff advertised for the procurement of a Sports Turf Renovator, and timely received one sealed bid from Power Turf Renovation in the amount of \$12,995.00. Staff has determined the bid to be responsive to the bid solicitation, and recommends approval.

This purchase was planned for in the adopted 2019-2020 budget.

**RESOLUTION 20-22**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH,  
FLORIDA, APPROVING AN AGREEMENT WITH POWER  
TURF RENOVATION FOR THE PURCHASE OF A SPORTS  
TURF RENOVATOR IN THE AMOUNT OF \$12,995.**

**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 Power Turf Renovation relating to the purchase of a PTO Sports Turf Renovator for the Parks and Recreation Department, in the basic amount of Twelve Thousand, Nine Hundred Ninety Five Dollars (\$12,995.00), in substantially the form attached and presented to the Council today, draft dated October 16, 2019, 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 regular session this \_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Jan Bossert, City Clerk

Resolution 20-22

CONSENT  
AGENDA ITEM # 5



**BID PROPOSAL FORM**

TO: City of Panama City Beach, Florida

SUBMITTED: October 16, 2019.

**PTO-60 Sports Turf  
Renovator**

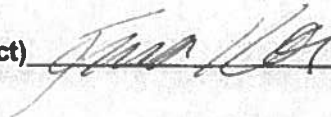
The Undersigned, as Bidder, hereby declares that they have examined the bid specifications and informed themselves fully in regard to all conditions pertaining to the proposal submitted.

The Bidder proposes and agrees, if this proposal is accepted, to provide the listed equipment to the **City of Panama City Beach** for the proposed amount, in full and complete accordance with the shown, noted, described and reasonably intended requirements of the specifications to the full and entire satisfaction of the City of Panama City Beach, Florida.

**BID AMOUNT:** \$12,995.00

BY: Frank Klopping TITLE: Owner  
ADDRESS: 7509 N. 183rd Ave CITY: Waddell STATE: AZ ZIP: 8535  
EMAIL ADDRESS: power.turfrenovation@gmail.com  
PHONE: 623-670-3411

SIGNATURE – (Confirming all information above is correct)



CONSENT  
AGENDA ITEM # 5



**Power Turf Renovation**  
**7509 N. 183<sup>Rd</sup> Ave**  
**Waddell, AZ 85355**  
**Phone 623-670-3411**  
**www.powerturfrenovation.com**  
**powerturfrenovation@gmail.com**

October 16, 2019

City of Panama City Beach, Florida  
Attn: Mr. Joe Creeden  
Email: jcreeden@pcbgov.com

Dear Mr. Creeden,

Here is a current price quotation on our Power Turf Renovation 60" Sports Turf Resurfacing Machine, your quote is as follows:

1 EA. Power Turf Renovation Turf 60" Sports Turf Resurfacing Machine	Net	\$12,995.00
	Freight	No Charge
	Sub-Total	\$12,995.00
	Sales Tax	\$0
	Total	\$12,995.00

Machines include PTO shaft, safety clutch, blade changing tool and they are serviced and ready for operation at time of delivery. Payment terms, Net 30 days. All machines carry a one-year unconditional warranty. Frames are guaranteed to last the life of the machine. Warranty does not include consumables like blades and blade retainer bolts. This quotation is good through November 30, 2019. Delivery is usually 30 days or less. Machines are manufactured in Waddell, AZ.

We are the manufacturer of this machine and we have no dealers or distributors. All orders are taken on a factory direct basis. I am not aware of any product on the market that is similar in the results produced.

Thank you, Frank Klopping.

CONSENT  
AGENDA ITEM # 5



**Power Turf Renovation**  
**7509 N. 183<sup>Rd</sup> Ave**  
**Waddell, AZ 85355**  
**Phone 623-670-3411**  
**www.powerturfrenovation.com**  
**powerturfrenovation@gmail.com**

### **PTO-60 Sports Turf Renovator Specs**

- The reel has 100 blades made from flexible knife steel that are spaced at 5/8"
- The reel turns at 1440 RPM
- The reduction gearbox is manufactured by Curtis Machine in Kansas
- The swath of the renovator is 60"
- Double row chains and sprockets
- The depth of the cut is infinitely adjustable from 0-2" with a ratchet jack
- It weighs 1110 pounds
- The machine has a 52" roller on the rear for leveling
- Floating top link
- Built in safety clutch to protect tractor and machine

Thanks again for the opportunity. Frank Klopping

# CONSENT ITEM

6



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

**1. DEPARTMENT MAKING REQUEST/NAME:**

Utilities Department - Al Shortt, Utilities Director

**2. MEETING DATE:**

November 14, 2019

**3. REQUESTED MOTION/ACTION:**

Approve a mid-cycle water/wastewater revenue and rate review by Raftelis for the City Utility system.

**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 a proposal from its utility rate consultant, Raftelis (formerly PRMG), to provide a financial analysis to verify our current water and sewer rates are sufficient to cover planned operating and capital expenditures. An analysis was last performed in 2016. Based on the current rate recommendations from Raftelis, no annual increase in water rates and 2% annual increases in sewer rates are planned for the next 2 years of the study period. While the City typically has rate studies performed every 5 years, significant changes in our operating conditions and cost increases have occurred since Hurricane Michael struck the area in October 2018. Staff believes it is prudent to have an independent mid-cycle financial review performed to ensure the Utility system remains financially positioned with rates that adequately fund operations.

Staff has reviewed the proposal, finds the requested fee is in line with the proposed work effort, and recommends that the City Council approve the professional services work in the amount of \$32,855. The Utility Department has budgeted funds available to complete the revenue review this fiscal year.

**RESOLUTION 20-08**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC., FOR A FINANCIAL ANALYSIS OF WATER/WASTEWATER RATES AND REVENUE, IN THE AMOUNT OF \$32,855.**

**BE IT RESOLVED** that the appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Task Order No. 2019-1 between the City and Raftelis Financial Consultants, Inc., relating to professional services associated with a revenue sufficiency study of the City's water and wastewater systems, in the basic amount of Thirty Two Thousand, Eight Hundred, Fifty Five Dollars (\$32,855.00), in substantially the form attached and presented to the Council today, draft dated October 22, 2019, 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 regular session this \_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Jan Bossert, City Clerk

Resolution 20-08

CONSENT

6



IS NOW  
PART OF



RAFTELIS

October 22, 2019

Mr. Albert Short, P.E.  
City Engineer / Utilities Director  
City of Panama City Beach  
110 S. Arnold Road  
Panama City Beach, Florida 32413

**Subject: Water and Wastewater Utility Revenue Sufficiency Study**

Dear Mr. Short:

Per your request, Raftelis Financial Consultants, Inc. ("Raftelis") is pleased to submit this proposal to provide consulting services to the City of Panama City Beach, Florida (the "City" or "Client") associated with a revenue sufficiency study for the City's water and wastewater systems.

**SCOPE OF SERVICES**

The scope of services to be performed by Raftelis is included in Attachment A. The Project is anticipated to be completed within one hundred and twenty (120) days from receipt of the authorization to proceed.

**PROJECT TEAM AND BILLING RATES**

With respect to the performance of this engagement, Mr. Henry L. Thomas will be the Project Director and Shawn A. Ocasio will be the Project Manager and primary contact with the City. Other staff consultants, analysts and administrative personnel will be utilized during the engagement as needed. The services covered by this Agreement shall be billed based on the direct labor rates set out in Attachment B.

**COMPENSATION AND BILLING**

Based on the Scope of Services as summarized herein in Attachment A and the direct hourly labor billing rates as identified on Attachment B, we propose to establish a not-to-exceed contract budget of \$32,855 to provide consulting services associated with the performance of the Water and Wastewater Utility Revenue Sufficiency Study. Attachment C provides a detailed breakdown of the proposed budget by task.

This project budget amount includes the direct cost of personnel anticipated to be assigned to the project as well as any other direct costs such as travel, telephone, and copying, printing and shipping charges. The costs incurred by Raftelis for such other direct costs, if any, will be billed to the City based on the standard unit costs or reimbursement schedule as reflected on Attachment B. It is proposed that Raftelis will bill monthly for services relative to this engagement based on the hourly amount of time spent by the project team members, the other direct costs incurred and the pass-through of any sub-consulting costs that may be required for the engagement. No additional services above the cost estimate will be performed without the prior written authorization of the City.

**TERM OF AGREEMENT**

The terms of this proposed agreement and the associated direct hourly labor billing rates for Raftelis personnel shall be in effect and continue for twelve (12) months after the date of execution of this agreement.

341 N. Maitland Avenue, Suite 300  
Maitland, FL 32751  
[www.raftelis.com](http://www.raftelis.com)

**ADDITIONAL TERMS AND CONDITIONS**

Additional standard terms and conditions, that are made part of this proposed agreement, are set forth in Attachment D which is made a part of this proposal.

We appreciate the opportunity to be of service to the City.

Sincerely,



**Henry L. Thomas**  
*Vice President*  
407-628-2600  
[hthomas@raftelis.com](mailto:hthomas@raftelis.com)

Accepted By:

**City of Panama City Beach**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



**ATTACHMENT A  
CITY OF PANAMA CITY BEACH, FLORIDA  
WATER AND WASTEWATER UTILITY REVENUE SUFFICIENCY STUDY**

**SCOPE OF SERVICES**

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The scope of service to be performed by Raftelis is related to the preparation of a water and wastewater utility revenue sufficiency study. The study will include updating the City's financial forecast in order to project Water and Wastewater System financial operations over the five-year period beginning with the fiscal year ending September 30, 2020. The activities associated with the Water and Wastewater Utility Revenue Study are summarized below by major task:

1. Data Request, Data Gathering, and Project Kickoff Call – Raftelis will prepare a written data request for the collection of financial, customer billing, operating, engineering, and planning data necessary to conduct the annual rate review. Information requested will include, but is not limited to, financial statements, existing rate schedules, operating budgets and capital work plans, existing debt service schedules, and customer billing data. The initial data request will be as comprehensive as possible; however, based on review the City's initial response it is contemplated that follow up data requests will be required during the course of the review. Once the City has responded to the initial data request, the data provided will be reviewed and incorporated into the City's utility rate and financial planning model. Raftelis will also attend, via conference call, a working group teleconference call in order to discuss study objectives, concerns and goals for the study.
2. Customer, Sales, and Revenue Forecast – Raftelis will prepare a forecast of customer and usage requirements based on detailed customer account information provided by the City. This task will include review of the most recent historical customer and usage statistics by rate classification and development of a forecast of customers and sales based on the best available information about future growth. This task also includes preparing a detailed profile of billing determinants to be included in the financial forecast. The task will involve the development of bill frequency reports based on detailed billing records. The first step of this task will be to work with City staff to specify the billing data to be provided. Once the customer billing data is provided it will be summarized and assembled for use in the financial forecast model and rate sufficiency review. A forecast of utility rate revenue will be developed based on applying the currently adopted rates to the customer and sales forecast and detailed profile of water and wastewater billing determinants.
3. Review of Capital Improvements Program – This task will involve the development of a capital finance plan to identify the funding sources for the City's Water and Wastewater System Five Year Capital Improvements Program (CIP). In addition to reviewing the City's current CIP, this activity will also include identification of available funding sources and fund balances and development of an updated capital funding strategy based on project timing and proposed funding sources.
4. Development of Projected Revenue Requirements – Raftelis will prepare a five-year financial forecast and revenue requirements analysis based on the City's adopted FY 2020 and Operating Budget and Capital Improvement Program. This task will include analysis of operations and maintenance expenses, capital expenditures and funding criteria, and other non-operating costs such as debt service, renewal and replacement funding requirements and general fund transfers. This task will also include the development of a forecast of revenues and income including utility rate revenues, other operating revenues from miscellaneous service charges and other income such as interest income on fund balances. The forecast of utility rate revenue will be based on applying the currently adopted rates to the customer and sales forecast and detailed profile of water and wastewater billing determinants described in Task 2. The final step in this task will be to compare the projected revenues from existing rates with the projected revenue requirements in order to estimate the adequacy of current and future rate levels. Based on this summary of the adequacy of rates, Raftelis will

recommend overall Water and Wastewater System rate adjustments in conjunction with the City staff. Raftelis will attend one on site meeting with City staff to review and discuss study assumptions, results, and recommendations.

5. *Develop Proposed Water and Wastewater Rates* – Raftelis will recommend proposed monthly rates for Water and Wastewater Service including monthly base charges and metered usage charges based on the proposed rate adjustments associated with the costs of providing service identified in Task 4. This task will include a comparison of existing and proposed rates with the rates of neighboring utilities.
6. *Present Study Results* – Raftelis will attend one on site meeting to present the results of the Water and Wastewater Utility Revenue Sufficiency Study to the City Council. This task will also include preparation of a briefing document and letter report to summarize the study results.

### **LIST OF DELIVERABLES**

The deliverables to be provided in this engagement include the following items:

- Data Request
- Five Year Financial Forecast
- Proposed Water and Wastewater Rates
- Rate Comparison with Other Jurisdictions
- Briefing Document to Summarize the Study
- Letter Report Summarizing Study

### **ADDITIONAL SERVICES**

During the course of the study, the Client may request additional services from Raftelis. Such services may include: 1) assisting in the gathering of detailed billing information; 2) developing additional rate designs or significantly updating the financial analysis with revised assumptions after the City's review and subsequent to completion of the draft letter report; 3) preparing documentation associated with future debt issuance; 4) project delays that require updated analyses that are not the fault of Raftelis; and 5) additional onsite meetings above the two (2) included in this scope of services. The Client will be billed for such additional services based on the direct labor rates as set forth herein and any direct out of pocket expenses associated with such additional work.

**ATTACHMENT B**

**RAFTELIS FINANCIAL CONSULTANTS, INC.**

**SCHEDULE OF DIRECT LABOR HOURLY RATES AND STANDARD COST RATES**

**DIRECT LABOR HOURLY RATES**

Project Team Title	Direct Labor Hourly Rates [*]
Principal	\$225.00
Associate	\$200.00
Managing Consultant	\$185.00
Supervising Consultant	\$170.00
Senior Consultant	\$160.00
Rate Consultant	\$150.00
Consultant	\$140.00
Senior Rate Analyst	\$125.00
Rate Analyst	\$110.00
Analyst	\$100.00
Assistant Analyst	\$ 90.00
Administrative	\$ 80.00

[\*] Direct labor hourly rates effective twelve months after the date of execution of the Agreement; rates will be adjusted by not more than the net percentage change (but not less than 0%) in the Consumer Price Index – Urban Consumers per annum (rounded to the nearest dollar) or as mutually agreed between parties for invoices rendered after each anniversary date of each year thereafter until project completion or termination of the Agreement between the parties.

**STANDARD COST RATES**

Expense Description	Standard Rates [*]
Mileage Allowance – Personal Car Use Only	IRS Standard Mileage Rate
Reproduction (Black and White) (In-House)	\$0.05 per Page
Reproduction (Color) (In-House)	\$0.25 per Page
Reproduction (Contracted)	Actual Cost
Computer Time	\$0.00 per Hour
Telephone Charges	Actual Cost
Delivery Charges	Actual Cost
Lodging/Other Travel Costs	Actual Cost
Meals	Not-to-Exceed per Raftelis Employee: \$8.00 – Breakfast \$12.00 – Lunch \$25.00 – Dinner
Subconsultant Services	Actual Cost plus 5.0%
Other Costs for Services Rendered	Actual Cost

[\*] Standard cost rates effective twelve months after the date of execution of the Agreement; where applicable, rates will be adjusted by not more than the net percentage change (but not less than 0%) in the Consumer Price Index – Urban Consumers per annum (rounded to the nearest dollar) or as mutually agreed between parties for invoices rendered after each anniversary date of each year thereafter until project completion or termination of the Agreement between the parties. Any Standard Rate adopted by policy by Client will be substituted for the rates shown above.

Attachment C  
 City of Panama City Beach, Florida  
Project Cost Estimate for Water and Wastewater Utility Revenue Sufficiency Study

Line No.		Project Director / Principal-in-Charge	Project Manager / Senior Consultant	Senior Rate Analyst	Admin.	Totals
	<b>Project Billing Rates (\$/Hr.)</b>	\$225.00	\$160.00	\$125.00	\$80.00	
1	Task 1 - Data Request and Data Gathering	0	4	8	1	13
2	Project Kickoff Call	2	2	0	0	4
3	Task 2 - Customer, Sales, and Revenue Forecast	1	8	16	0	25
4	Task 3 - Review of Capital Improvements Program	1	4	16	0	21
5	Task 4 - Development of Projected Revenue Requirements					
5	Projection of Operating and Maintenance Expenses	1	2	12	0	15
6	Existing and Proposed Debt Service Analysis	1	4	8	0	13
7	Projection of Other Operating Revenues	1	1	4	0	6
8	Projection of Other Revenue Requirements	1	2	4	0	7
9	Review Adequacy of Existing Rates	1	4	0	0	5
10	Debt Service Coverage Compliance Review	1	4	0	0	5
11	Project Meeting to Review Results	10	10	0	0	20
12	Task 5 - Develop Proposed Water and Wastewater Rates	1	2	0	0	3
13	Preparation of Rate Comparison	0	1	8	0	9
	Task 6 - Present Study Results					
14	Preparation of Presentation Briefing Documents	1	2	8	2	13
15	Preparation of Letter Report	2	16	4	8	30
16	Presentation to City Council	10	10	0	0	20
17	Project Management	2	0	0	2	4
18	Total Hours	36	76	88	13	213
19	Direct Labor Cost	\$8,100	\$12,160	\$11,000	\$1,040	\$32,300
	<u>Allowance for Indirect Costs</u>					
20	Miscellaneous (Phone/Postage/Reproduction/Other)					\$105
21	Travel Expenses (Car Rental, Gas, Tolls, etc.)					450
22	Total Allowance for Indirect Costs					\$555
23	<b>Total Project Cost (Rounded)</b>					<b>\$32,855</b>

CONSENT  
 AGENDA ITEM # 6

**I. SCOPE**

Raftelis Financial Consultants, Inc. ("Raftelis") agrees to perform the professional consulting services described in the agreement (the "Work") that incorporates these standard terms and conditions. Unless modified in writing by the parties hereto, the duties of Raftelis shall not be construed to exceed those services specifically set forth in the agreement. These terms and conditions and the agreement, when executed by the Client, shall constitute a binding agreement on both parties (hereinafter the "Agreement").

**II. COMPENSATION**

The Client, as defined in the agreement, agrees to pay for the services as billed within thirty (30) days of receiving the invoice. Amounts paid after thirty (30) days may be subject to interest charges, not to exceed a monthly compound rate of one percent (1.0%) applied to the delinquent unpaid balance.

Time-related charges will be made in accordance with the billing rate referenced in the agreement. Other indirect expenses and subcontractor services, if any, will be billed in accordance with the standard unit cost rates as referenced in the agreement or, if no reference is provided, at the actual cost as incurred by Raftelis.

**III. RESPONSIBILITY**

Raftelis is employed to render a professional service only, and any payments made by Client are compensation solely for such services rendered and recommendations made in carrying out the Work. Raftelis shall perform analyses, provide opinions, make factual presentations, and provide professional advice and recommendations. Raftelis does not expressly warrant or guarantee its services.

**IV. RELIANCE UPON INFORMATION PROVIDED BY OTHERS**

If Raftelis' performance of services hereunder requires Raftelis to rely on information provided by other parties (excepting Raftelis' subcontractors), Raftelis shall not independently verify the validity, completeness or accuracy of such information unless otherwise expressly engaged to do so in writing by Client.

**V. INSURANCE**

Raftelis shall maintain during the life of the agreement the following minimum insurance:

1. Commercial general liability insurance, including hired and non-owned automobiles, with the following limits:

Each Occurrence	\$1,000,000
Damage to Rented Premises (Each Occurrence)	\$500,000
Medical Expense (Any one person)	\$15,000
Personal and Advertising Injury	\$1,000,000
General Aggregate	\$2,000,000
Products – Completed/Operation General Aggregate	\$2,000,000

2. Statutory worker's compensation and employers' liability insurance as required by state law.
3. Professional liability insurance at a limit of liability of not less than \$5,000,000 aggregate.

**VI. SUBCONTRACTS**

Unless specifically specified in the Agreement, Raftelis shall be entitled, to the extent determined to be appropriate by Raftelis, to subcontract any portion of the Work to be performed under this Agreement.

**VII. ASSIGNMENT**

These terms and conditions and the agreement to which they are attached are binding on the heirs, successors, and assigns of the parties hereto. This agreement may not be assigned by Client or Raftelis without prior, written consent of the other.

**VIII. INTEGRATION**

These terms and conditions and the agreement to which they are attached represent the entire understanding of Client and Raftelis as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The agreement may not be modified or altered except in writing signed by both parties.

**IX. JURISDICTION**

This agreement shall be administered and interpreted under the laws of the State of Florida. Jurisdiction of litigation arising from the agreement shall be in that state.

**X. SEVERABILITY**

If any part of the Agreement is found unenforceable under applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said laws, but the remainder of the Agreement shall be in full force and effect.

**XI. FORCE MAJEURE**

Raftelis shall not be responsible for delays in performing the scope of services that may result from causes beyond the reasonable control or contemplation of Raftelis. Raftelis will take reasonable steps to mitigate the impact of any force majeure.

**XII. NO BENEFIT FOR THIRD PARTIES**

The services to be performed by Raftelis hereunder are intended solely for the benefit of Client, and neither right nor benefit is conferred on, nor any contractual relationship intended or established with any person or entity not a party to this Agreement. No such person or entity shall be entitled to rely on Raftelis' performance of its services hereunder.

**XIII. WORK PRODUCT**

Raftelis and Client recognize that Raftelis' Work product submitted in performance of this Agreement is intended only for the Client's benefit and use. Change, alteration, or reuse on another project by Client shall be at Client's sole risk, and Client shall hold harmless and indemnify Raftelis against all losses, damages, costs, and expenses, including attorneys' fees, arising out of or related to any such unauthorized change, alteration, or reuse.

**XIV. SUSPENSION OF WORK**

Client may suspend, in writing, all or a portion of the Work under the agreement in the event unforeseen circumstances beyond Client's control make normal progress of the Work impossible. Raftelis may request that the Work be suspended by notifying

Client, in writing, of circumstances that are interfering with the normal progress of Work. Raftelis may suspend Work on the project in the event Client does not pay invoices when due. Raftelis shall be compensated for its reasonable expenses resulting from such suspension including mobilization and de-mobilization. The time for completion of the Work shall be extended by the number of days Work is suspended. In the event that the period of suspension exceeds 90 days, the terms of the agreement are subject to renegotiation and both parties are granted the option to terminate Work on the suspended portion of the project.

**XV. TERMINATION OF WORK**

Client may terminate all or a portion of the Work covered by the agreement for its convenience. Either party may terminate Work if the other party fails to perform in accordance with the provisions of the agreement. Termination of the agreement is accomplished by 15 days prior written notice from the party initiating termination to the other. Notice of termination shall be delivered by certified mail with receipt for delivery returned to the sender.

This agreement may be terminated by Raftelis: a) for cause, if Client breaches this Agreement through no fault of Raftelis and Client neither cures such material breach nor makes reasonable progress toward cure within 15 days after Raftelis has given written notice of the alleged breach to Client; or b) upon five days' notice if Work under this Agreement has been suspended by either Client or Raftelis in the aggregate for more than ninety (90) days.

In the event of termination, Raftelis shall perform such additional Work as is necessary for the orderly filing of documents and closing of the project. The time spent on such additional Work shall not exceed five percent (5%) of the time expended on the terminated portion of the project prior to the effective date of termination. Raftelis shall be compensated by the client for Work actually performed prior to the effective date of termination plus the Work required for filing and closing as described in this Article.

**XVI. NOTICES**

All notices required under this Agreement shall be by personal delivery, facsimile or mail to the Raftelis Project Manager and to the person signing the

Agreement on behalf of the Client and shall be effective upon delivery to the address stated in the Agreement.

**XVII. PUBLIC RECORDS**

The City is a public agency subject to the Florida Public Records Law expressed in Chapter 119, Florida Statutes. Accordingly, to the extent that it is determined that Raftelis is acting on behalf of City as provided under Section 119.011(2), Raftelis agrees to also comply with that law, specifically including to:

A. Keep and maintain public records that ordinarily and necessarily would be required by the City in order to perform the service.

B. Upon request of the City, provide the public with access to public records on the same terms and conditions that the City would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law, or provide the City with a copy of the requested records.

C. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Consultant does not transfer the records to the City.

D. Meet all requirements for retaining public records and transfer, at no cost, to the City all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City in a format that is compatible with the information technology systems of the City.

IF RAFTELIS HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO RAFTELIS'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 850.233.5100, [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov), 110 S. Arnold Road, Panama City Beach, FL 32413.

**CONSENT ITEM**

**7**





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Public Works/Kelly Jenkins

2. MEETING DATE:

11/14/2019

3. REQUESTED MOTION/ACTION:

Pest Control Contract for City Facilities

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 current Pest Control Contract for City Facilities expires November 23, 2019. A solicitation for bids was publicly advertised and three (3) bidders responded. The Contract is for a two (2) year frame with an option for a third year (3) year. Staff has reviewed the bids, and the lowest bidder was Florida Pest Control in the amount of \$3,276.00 per year.

Staff recommends Council award the contract to Florida Pest Control in the amount of \$3,276.00 per year. This project is budgeted and will be funded by multiple Departmental funds.

CONSENT

AGENDA ITEM #

7

**RESOLUTION 20-27**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH FLORIDA PEST CONTROL FOR PEST CONTROL SERVICES TO CITY FACILITIES IN THE ANNUAL AMOUNT OF \$3,276.**

**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 Florida Pest Control, relating to the provision of monthly pest control services to City facilities, in the basic annual amount of Three Thousand, Two Hundred, Seventy Six Dollars (\$3,276.00), 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.

**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

Resolution 20-27

CONSENT  
AGENDA ITEM # 7

Florida Pest Control  
**SECTION 00030 BID FORM & SPECIFICATIONS**

**BID FORM AND SPECIFICATIONS FOR  
PEST CONTROL CONTRACT**

The City of Panama City Beach is requesting bids for a contract to provide monthly pest control service on the buildings listed below which would also include ant removal and rodent control. Pest Control Services will begin by December 1, 2019. Contract fees will be good for a period of two (2) years with the option of an extension for a 3rd year. List a fee schedule to service each building monthly and a monthly total at the bottom.

Each Bidder shall be Florida State Certified, provide copies of a Certificate of Insurance and Workman's Compensation.

Each bidder shall be required to use only chemicals approved by Environmental Control, Health Department of Bay County and the State of Florida Health Department.

Each bidder shall also be required to keep fully informed of all federal, state and local regulations associated with this type of work.

Bidder will be required to document on an annual basis the type and amounts of pesticides used and provide this information to the City by end of each calendar year.

SOME FACILITIES MAY BE LOCKED AND REQUIRE A CITY EMPLOYEE TO OPEN THE FACILITY. A LISTS OF CITY CONTACTS WILL BE PROVIDED FOR EACH LOCATION.

	Per Month
City Hall (17007 Panama City Beach Parkway)	\$ <u>10.50</u>
Police Station (17115 Panama City Beach Parkway)	\$ <u>10.50</u>
Fire Station #1 (17121 PCB Pkwy)	\$ <u>10.50</u>
Fire Station #2 (10015 Middle Beach Road)	\$ <u>10.50</u>
Public Service Building (116 S. Arnold Rd.)	\$ <u>10.50</u>
McElvey WTP (7120 McElvey St.)	\$ <u>10.50</u>
Reclaim Building (205 N. Gulf Blvd.)	\$ <u>10.50</u>
West Bay WTP (15001 School Dr. West Bay)	\$ <u>10.50</u>

00030-1

CONSENT  
AGENDA ITEM # 7

Underground Utilities (200 N. Gulf Blvd)	\$ <u>10.50</u>
Underground Utilities Shop (200 N. Gulf Blvd)	\$ <u>10.50</u>
Wastewater Plant Operations Building (206 N. Gulf Blvd)	\$ <u>10.50</u>
Aaron Bessant Park Amphitheater Stage Area & Bathrooms (Pier Park Drive)	\$ <u>10.50</u>
Community Center Frank Brown Park (FBP) (16200 PCB Pkwy)	\$ <u>10.50</u>
Large Concession Stand FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Small Concession Stand FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Park Maintenance Trailers (2) FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Bathroom Festival Site FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Bathroom Soccer Field FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Senior Center Building (1) (423 Lyndell Lane)	\$ <u>10.50</u>
Fire Department (When complete)	\$ <u>10.50</u>
Library (Lyndell Road)	\$ <u>10.50</u>
Oatfield Building (423 Lyndell Lane)	\$ <u>10.50</u>
Aquatic Center Building FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Aquatic Center Concession FBP (16200 PCB Pkwy)	\$ <u>10.50</u>
Conservation Park Operations Bldg. (100 Conservation Drive)	\$ <u>10.50</u>
Pier Ticket Booth (16201D Front Beach Road)	\$ <u>10.50</u>

00030-2

CONSENT  
AGENDA ITEM # 7

**Total Monthly Pest Control Service:**

\$ 273.<sup>00</sup>

**Total Yearly Pest Control Service**

\$ 3276.<sup>00</sup>

**The City reserves the right to reject any and all bids.**

00030-3

CONSENT  
AGENDA ITEM # 7

**REGULAR ITEM**

**1**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Public Works/Kelly Jenkins

2. MEETING DATE:

11/14/2019

3. REQUESTED MOTION/ACTION:

Approve the Plat for the Emerald Cove Development

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)

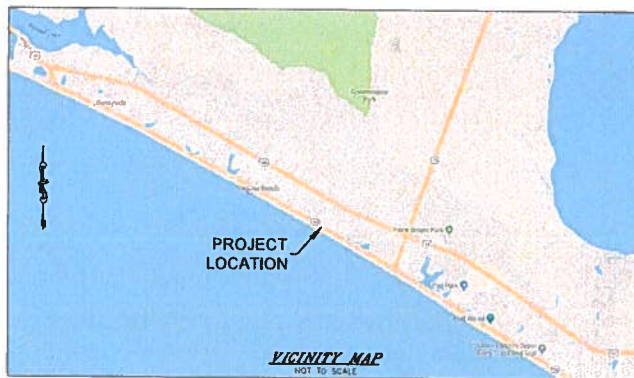
The City's Land Development Code requires most subdivisions of land to be platted in order to confirm compliance with the Code. The subject property currently has the address of 17653 Front Beach Road, which is located on the south side of Front Beach Road east of Sands Street. This is a proposed 4 lot residential subdivision with the future access remaining private. The October 24 public hearing to consider this plat has been publicly advertised and continued to November 14 to permit the Developer additional time to deliver an updated title opinion, which has now been received.

Staff has reviewed the subject plat and determined that it meets applicable requirements.

# EMERALD COVE

## A SUBDIVISION IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, CITY OF PANAMA CITY BEACH, BAY COUNTY, FLORIDA

PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_



**TITLE OPINION**  
STATE OF FLORIDA  
COUNTY OF BAY

IT IS THE OPINION OF THE UNDERSIGNED ATTORNEY AT LAW, THAT TITLE TO LAND DESCRIBED HEREON IS IN THE NAME OF THE DEDICATORS, AS SHOWN HEREON AND THERE ARE NO FURTHER ENCUMBRANCES OR UNSATISFIED MORTGAGES ON THE LAND, EXCEPT AS RECORDED IN OFFICIAL RECORDS BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ BAY COUNTY, FLORIDA.

SCOTT M. CAMPBELL  
ATTORNEY AT LAW  
ATTORNEY BAR NUMBER 633240

**TAX COLLECTOR'S STATEMENT**  
STATE OF FLORIDA  
COUNTY OF BAY

I, CHUCK PERDUE, DO HEREBY CERTIFY THAT TAXES HAVE BEEN PAID THROUGH TAX YEAR \_\_\_\_\_ FOR THE PROPERTY DESCRIBED HEREON TO THE BEST OF MY KNOWLEDGE, AS OF THIS \_\_\_\_\_ 2019.

CHUCK PERDUE, BAY COUNTY TAX COLLECTOR

**CITY ENGINEER'S CERTIFICATE**  
STATE OF FLORIDA  
COUNTY OF BAY

THIS IS TO CERTIFY THAT I, KELLY P. JENKINS, P.E., CITY ENGINEER FOR THE CITY OF PANAMA CITY BEACH, FLORIDA, HAVE EXAMINED THIS PLAT, "EMERALD COVE," AND FIND THAT IT CONFORMS TO APPLICABLE REGULATIONS FOR THE SUBDIVISIONS IN THE CITY OF PANAMA CITY BEACH, FLORIDA.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019

By: \_\_\_\_\_  
KELLY P. JENKINS, P.E./CITY ENGINEER  
CITY OF PANAMA CITY BEACH, FLORIDA  
FLORIDA LICENSE NUMBER 59702

**CITY SURVEYOR'S APPROVAL**  
STATE OF FLORIDA  
COUNTY OF BAY

I, FREDERICK C. RANKIN, P.S.M., UNDER CONTRACT WITH THE CITY OF PANAMA CITY BEACH, FLORIDA, HAVE REVIEWED THIS PLAT AND FIND THAT IT CONFORMS TO CHAPTER 177, PART I, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019

FREDERICK C. RANKIN P.S.M.  
FLORIDA LICENSE NUMBER 156585

**DESCRIPTION (AS WRITTEN)**

A PORTION OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4101 PAGE 2264 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF BLOCK 6, L.M. WELLS GOLF BEACH ESTATES AND THE SOUTHERLY RIGHT OF WAY LINE OF FRONT BEACH ROAD; THENCE PROCEED SOUTH 59 DEGREES 36 MINUTES 35 SECONDS EAST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF FRONT BEACH ROAD, A DISTANCE OF 4.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 59 DEGREES 36 MINUTES 35 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 188.10 FEET; THENCE, DEPARTING SAID RIGHT OF WAY LINE, PROCEED SOUTH 01 DEGREES 32 MINUTES 13 SECONDS WEST, A DISTANCE OF 179.47 FEET TO A POINT ON THE EROSION CONTROL LINE FOR BAY COUNTY (BOOK 1, PAGES 1-35); THENCE PROCEED NORTH 55 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 132.05 FEET; THENCE NORTH 59 DEGREES 57 MINUTES 02 SECONDS WEST, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 86.00 FEET; THENCE, DEPARTING SAID EROSION CONTROL LINE, PROCEED NORTH 01 DEGREES 32 MINUTES 13 SECONDS EAST, A DISTANCE OF 159.59 FEET; THENCE PROCEED NORTH 30 DEGREES 23 MINUTES 25 SECONDS EAST, A DISTANCE OF 8.17 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL LYING AND BEING IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, BAY COUNTY FLORIDA AND CONTAINING 0.67 ACRES, MORE OR LESS.

**NOTICE:**

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**NOTE:**

PURSUANT TO FLORIDA STATUTE 177.091 (PARAGRAPHS 8 AND 9), PERMANENT CONTROL POINTS WERE SET, AND MONUMENTS WERE PLACED AT ALL LOT CORNERS SHOWN HEREON, PRIOR TO THE RECORDING OF THIS PLAT OF EMERALD COVE.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE PLAT WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS SHOWN AND THAT THIS PLAT COMPLES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, OF THE FLORIDA STATUTES.

DARYL E. WURDICK, P.L.S.  
EMERALD COAST ASSOCIATES, INC.  
327 COUNTY HIGHWAY 393 SOUTH  
SANTA ROSA BEACH, FLORIDA 32459

FLORIDA REGISTRATION #1985  
L.S. NO. 3724

**DEDICATION:**  
STATE OF FLORIDA  
COUNTY OF BAY

KNOW ALL MEN BY THESE PRESENTS THAT I & M DEVELOPMENT, LLC, A GEORGIA LIMITED LIABILITY COMPANY, UNDER LAWS OF THE STATE OF FLORIDA AND AS OWNER OF THE LANDS HEREON PLATTED AS EMERALD COVE, DOES DECLARE THAT IT HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT AND IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 177.081 (3) THIS DEDICATION SHALL NOT CREATE ANY RIGHTS OF THE PUBLIC IN THE PROPERTY SHOWN ON THE PLAT. MAINTENANCE RESPONSIBILITY OF ALL DRAINAGE, ACCESS AND UTILITY EASEMENTS IS HEREBY DEDICATED TO THE EMERALD COVE HOMEOWNERS' ASSOCIATION, INC. I & M DEVELOPMENT, LLC DOES HEREBY REQUEST THAT SAID PLAT OF EMERALD COVE FIRST BE RECORDED IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

THE DEVELOPER HAS EXECUTED THIS DEDICATION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

WITNESS \_\_\_\_\_ BY: BOB DUBINSKY, WITNESS

WITNESS \_\_\_\_\_

**ACKNOWLEDGMENT TO DEDICATION**  
STATE OF FLORIDA  
COUNTY OF BAY

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN THE FOREGOING DEDICATION AND WHO ACKNOWLEDGED BEFORE ME THAT HE EXECUTED THE SAME FOR THE PURPOSES SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

ROTARY PUBLIC  
By commission expires \_\_\_\_\_

**JOINER AND CONSENT TO DEDICATION:**  
STATE OF FLORIDA  
COUNTY OF BAY

MEASURANT NAME: THE HOLDER OF MORTGAGES ON THE HEREON DESCRIBED PROPERTY AS RECORDED IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, DO HEREBY CONSENT TO AND JOIN IN THE DEDICATION AND PLATING AS SET FORTH HEREON.

WITNESS \_\_\_\_\_ BY: AUTHORIZED REPRESENTATIVE \_\_\_\_\_

WITNESS \_\_\_\_\_ PRINT NAME \_\_\_\_\_

**ACKNOWLEDGMENT TO JOINER AND CONSENT TO DEDICATION**  
STATE OF FLORIDA  
COUNTY OF BAY

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN THE FOREGOING JOINER AND CONSENT TO DEDICATION, AND WHO ACKNOWLEDGED BEFORE ME THAT HE EXECUTED THE SAME FOR THE USES AND PURPOSES SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

ROTARY PUBLIC  
By commission expires \_\_\_\_\_

**CITY COUNCIL APPROVAL:**  
STATE OF FLORIDA  
COUNTY OF BAY

WE HEREBY CERTIFY THAT THIS PLAT AND DEDICATION, TOGETHER WITH ALL CERTIFICATES SHOWN HEREON HAS BEEN EXAMINED IN REGULAR SESSION AND DULY APPROVED BY A MAJORITY OF THE COUNCIL AND IS HEREBY ORDERED FILED FOR PERMANENT RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

PRES. THOMAS - MAYOR \_\_\_\_\_ PRES. CASTRO - COUNCIL MEMBER, WARD 1 \_\_\_\_\_

PRES. CHESTER - COUNCIL MEMBER, WARD 2 \_\_\_\_\_ GERTY MCCONNELL - COUNCIL MEMBER, WARD 3 \_\_\_\_\_

RECTOR SOLIS - COUNCIL MEMBER, WARD 4 \_\_\_\_\_

**CITY MANAGER'S APPROVAL:**  
STATE OF FLORIDA  
COUNTY OF BAY

THIS IS TO CERTIFY THAT I, MARIO OSBERT, CITY MANAGER FOR THE CITY OF PANAMA CITY BEACH, FLORIDA, HAVE EXAMINED THIS PLAT, "EMERALD COVE," AND FIND THAT IT CONFORMS TO APPLICABLE REGULATIONS FOR SUBDIVISIONS IN THE CITY OF PANAMA CITY BEACH, FLORIDA.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019

By: \_\_\_\_\_ MARIO OSBERT/CITY MANAGER  
CITY OF PANAMA CITY BEACH, FLORIDA

**COUNTY CLERK'S CERTIFICATE**  
STATE OF FLORIDA  
COUNTY OF BAY

I, BEL WINSAIL, CLERK OF THE CIRCUIT COURT OF BAY COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT IS IN COMPLIANCE WITH THE APPLICABLE LAWS OF BAY COUNTY, FLORIDA AND THAT SAID PLAT IS HEREBY FILED FOR RECORD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019, IN PLAT BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_.

BEL WINSAIL, CLERK OF THE CIRCUIT COURT  
BAY COUNTY, FLORIDA.

**EMERALD COVE**  
SHEET 1 of 2

www.eca-fl.com  
327 COUNTY HIGHWAY 393 SOUTH  
SANTA ROSA BEACH, FLORIDA 32459  
PH: (904) 267-0073 FAX: (904) 267-0979

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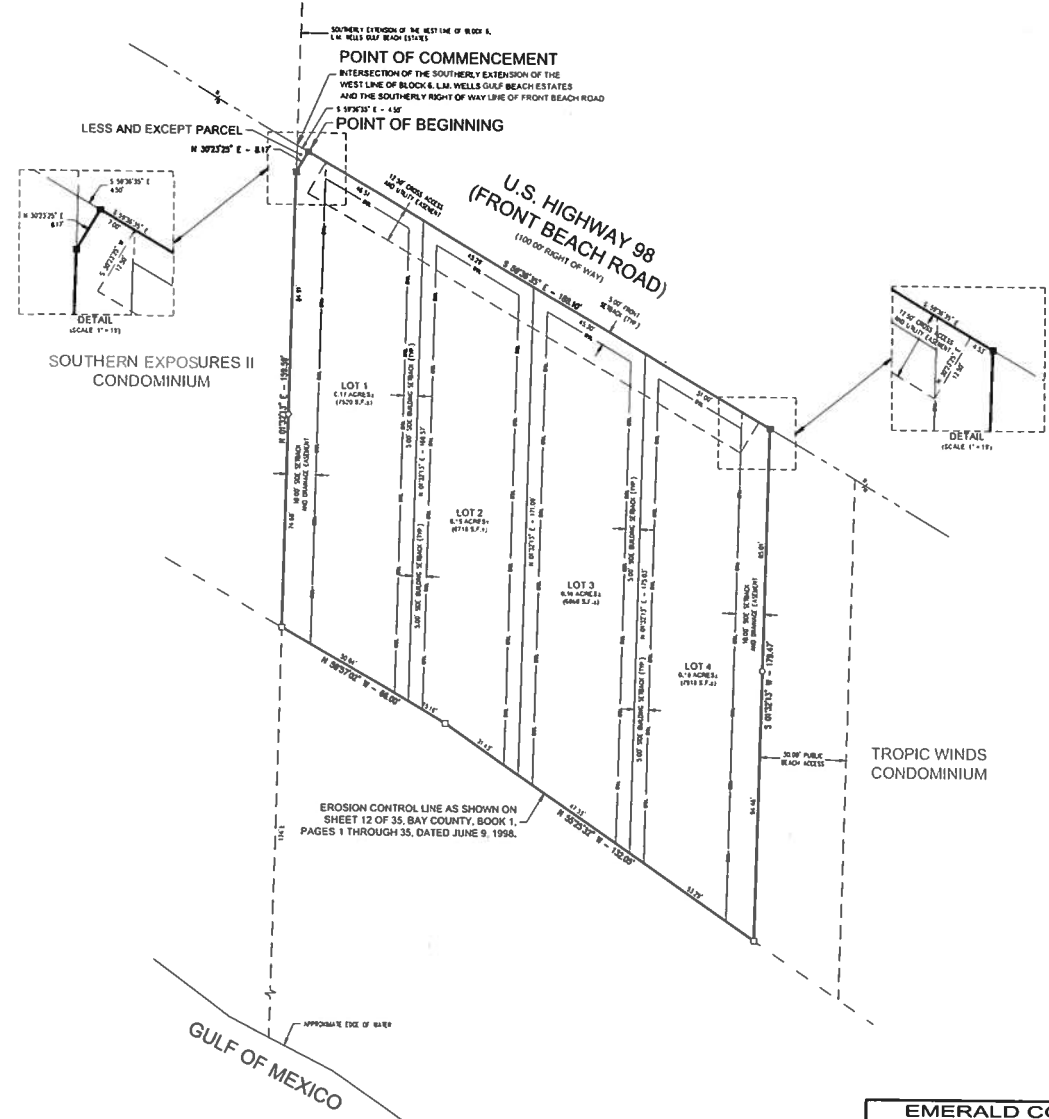
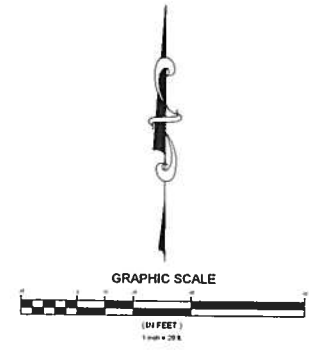
PREPARED BY: DARYL E. WURDICK, P.L.S. #4980  
PROJECT/ORDER NUMBER: 19-247/19-0909

FEE: 19-247PL.dwg, October 16, 2019 - 11:20:34 AM



# EMERALD COVE

## A SUBDIVISION IN SECTION 13, TOWNSHIP 3 SOUTH, RANGE 17 WEST, CITY OF PANAMA CITY BEACH, BAY COUNTY, FLORIDA



**GENERAL NOTES:**

1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 98 AS BEING SOUTH 59 DEGREES 36 MINUTES 35 SECONDS EAST.
2. NO ENVIRONMENTAL JURISDICTION LINES HAVE BEEN DETERMINED BY EMERALD COAST ASSOCIATES, INC.
3. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.
4. GRAPHIC SYMBOLISM OF CORNER MONUMENTATION, UTILITIES, SIGNS, ETCETERA, ARE EXAGGERATED FOR CLARITY AND ARE NOT TO SCALE. THE CENTER POINT OF WHICH IS ACCURATELY PLOTTED TO SCALE AND/OR DIMENSIONED THERE TO.
5. NO UNDERGROUND UTILITIES OR UTILITY LINES WERE LOCATED.
6. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES PROVIDED HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.

**LEGEND:**

■ = FOUND 4" BY 4" CONCRETE MONUMENT - L.B. #3361	NO = NUMBER
□ = SET 4"x4" CONCRETE MONUMENT - L.B. #3724 P.P.M.	# = NUMBER
○ = SET 1/2" CAPED IRON ROD - L.B. #3724	± = MORE OR LESS
L.B. = LICENSED BUSINESS	R/W = RIGHT OF WAY
L.S. = LICENSED SURVEYOR	OR = OFFICIAL RECORDS
P.S.M. = PROFESSIONAL SURVEYOR AND NUMBER	DWG. = DRAWING
P.L.S. = PROFESSIONAL LAND SURVEYOR	N = NORTH
CORP. = CORPORATION	S = SOUTH
INC. = INCORPORATED	E = EAST
DWG. = DRAWING	W = WEST
P.E. = PROFESSIONAL ENGINEER	' = DEGREES
L.L.C. = LIMITED LIABILITY CORPORATION	' = MINUTES AND FEET
ID = IDENTIFICATION	" = SECONDS
P.C.P. = PERMANENT CONTROL POINT	(TYP) = TYPICAL
P.P.M. = PERMANENT REFERENCE MONUMENT	— = DISTANCE NOT TO SCALE
F.D.E.P. = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION	

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PANAMA CITY BEACH, FLORIDA 32418  
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PREPARED BY: DARYL E.W. BURGESS, P.L.S. #1980  
PROJECT/ORDER NUMBER: 19-247/19-0509

FILE: 19-247PL.dwg, October 18, 2019 - 11:20:41 AM

**REGULAR ITEM**

**2**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

LEGAL / AMY MYERS

2. MEETING DATE:

NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:

APPROVE SECOND READING OF ORDINANCE 1501 REQUIRING THAT TRANSIENT RENTAL HOSTING PLATFORMS DISPLAY EACH PROPERTY'S CITY BUSINESS TAX RECEIPT NUMBER.

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)

WITH CHANGES IN TECHNOLOGY AND THE TYPES OF ACCOMMODATIONS AVAILABLE TO VISITORS, MORE AND MORE PROPERTY OWNERS AND VISITORS USE ONLINE PLATFORMS TO STAY IN TRANSIENT RESIDENTIAL RENTALS. THESE TRANSIENT RENTALS ARE SUBJECT TO THE CITY'S BUSINESS TAX AND PROPERTY OWNERS MUST PURCHASE A BUSINESS TAX RECEIPT IN CONNECTION WITH THE RENTAL.

ORDINANCE 1501 ENSURES COMPLIANCE WITH THE CITY'S EXISTING REGULATIONS BY REQUIRING THAT HOSTING PLATFORMS, SUCH AS VRBO, HOME AWAY OR AIR BNB, DISPLAY THE BUSINESS TAX RECEIPT NUMBER FOR EACH PROPERTY RENTED WITHIN THE CITY LIMITS. THIS WILL REQUIRE PROPERTY OWNERS TO ENTER THIS INFORMATION WHEN LISTING THEIR PROPERTY ON THESE PLATFORMS. THE ORDINANCE HAS BEEN REVIEWED BY THE INDUSTRY, WHO HAS REQUESTED THE REMOVAL OF PROVISIONS RELATED TO GEOFENCING. STAFF HAS REMOVED THAT LANGUAGE FROM THIS PROPOSED ORDINANCE, FINDING THAT ITS REMOVAL DOES NOT CHANGE THE PRIMARY PURPOSE AND INTENT OF THIS ORDINANCE.

STAFF BELIEVES THIS ORDINANCE WILL AIDE ENFORCEMENT OF THE CITY'S CURRENT REGULATIONS AND ENHANCE EDUCATION TO TRANSIENT RESIDENTIAL RENTAL OWNERS. STAFF RECOMMENDS APPROVAL.

NOTICE OF THE PUBLIC HEARING AND SECOND READING FOR THIS ORDINANCE WAS PUBLISHED ON NOVEMBER 1, 2019.

ORDINANCE 1501

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY'S CODE OF ORDINANCES RELATING TO BUSINESS TAX RECEIPTS; REQUIRING THAT HOSTING PLATFORMS INCLUDE THE BUSINESS TAX RECEIPT NUMBER IN ITS TRANSIENT RESIDENTIAL RENTAL LISTINGS; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR EXCEPTIONS TO PENALTIES FOR VIOLATION UNDER CERTAIN CIRCUMSTANCES; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Panama City Beach is a premier tourist destination which hosts millions of visitors each year; and

WHEREAS, many visitors choose to stay in transient residential rentals and book those rentals through online hosting platforms; and

WHEREAS, the City allows these rentals within designated zoning codes while prohibiting them in certain single family residential areas; and

WHEREAS, owners of residential properties or units seeking to engage in transient residential rentals within the City are required under the City's Code of Ordinances to obtain a business tax receipt; and

WHEREAS, the City has a substantial interest in maintaining the character, aesthetic and tranquility of its residential neighborhoods while also ensuring that visitors are staying in legally compliant accommodations; and

WHEREAS, the City finds that allowing hosting platforms to display the business tax receipt number will promote compliance, provide guests with peace of mind, and further the public health, safety, and welfare of the City.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this Ordinance, Section 14-1 of the City's Code of Ordinances is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 14-1. - Definitions.**

Ordinance 1501  
Page 1 of 5

*Artisans* shall mean any person engaged in the business of creating, decorating or assembling any merchandise for sale to the consumer at the same location as such creation, decoration or assembly, including by way of example and not limitation, air brush artists, sketch artists, painters, potters, turners, joiners, carpenters, carvers, wood workers, weavers, knitters, toolers, jewelers, metal smiths, glass blowers or other craft persons.

*Gross sale* shall mean the gross sale price at which all sales were made, whether for cash or on time or for credit, and shall not contemplate any deductions for any purpose not specifically provided for in this chapter; and shall mean all sales regardless of the ultimate distribution, place of delivery or purpose of use of any such merchandise. Any merchant having cash and credit sales may, if he desires, report any such cash sales only and he shall thereafter include in each monthly report all credit collections made during the month preceding and shall pay the tax thereon at the time of filing the report.

**Hosting platform means an internet-enabled application, mobile application, or any other digital platform that is used to connect guests with a transient residential rental provider for the purpose of renting a transient residential rental.**

*Merchandise* shall mean any goods, wares or commodities bought or sold in the usual course of trade.

*Merchant* shall mean any person engaged in the business of selling, merchandise at retail or wholesale or the business of renting sleeping or living quarters to transients, or the business of operating, maintaining or conducting amusement rides or devices or amusement parks, or attractions, or the business of an artisan, and when used in this chapter shall include but not in any way be limited to manufacturers and distributors of bottled soft drinks, ice cream and bakery products, job printers, undertakers, dealers in motor vehicles and house trailers, blacksmith shops, retail butcher shops, distributors of tobacco products, manufacturers of building material blocks, dairy products and milk distributors, dealers in automobile accessories and parts, vendors of electric or gas machinery and equipment, dealers in selling engines and supplies, dealers in gravel and sand, operators of soda fountains, lumber dealers whether operating a sawmill, planing mill, novelty works or not, newsstands where papers and periodicals are sold, dealers in pianos or organs, dealers in secondhand merchandise, dealers in sewing machines and transit-mix concrete plants, and other service establishments whose gross receipts include the sale of merchandise as defined herein. However, that part of the gross receipts accounted for as services rendered shall not be used in calculating the amount of tax due measured by sales. The term "merchant," when used in this chapter, shall further include but not in any way be limited to operators of motels, hotels, apartments, rooming houses, houses rented to transients, tourists and trailer courts and camps and any other such quarters.

*Resale* shall mean a second sale; a sale of what was before sold. To constitute a resale, the second sale must be of the identical article or thing before sold in its original form and shape. Any article or thing sold, where incorporated into or joined with another or other articles or things and then sold together as a new or different article or product, shall not be considered an article or thing sold for resale; provided that nothing in this chapter concerning the definition of the word "resale" shall be deemed or held to apply to manufacturers of building material blocks or transit-mix concrete plants, such manufacturers and plants being hereby defined as "wholesale merchants."

*Retail merchant* shall mean any merchant who sells to the consumer or for any purpose other than resale, including renting of accommodations and the operating, maintenance or conduct of amusements or amusement parks and including artisans, except that sales to manufacturers and sales to the state, the federal government or any political division of either of them shall be considered wholesale sales.

*Sale* shall mean any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever of tangible personal property for a consideration, and shall include the rental of motel or hotel rooms, apartments, rooming houses, tourist trailer courts or camps, houses rented to transients and any other such quarters.

*Transient* shall mean any person staying, sleeping or living in quarters not owned by him for a consideration, until such person shall have so stayed, slept or lived for an uninterrupted period exceeding three (3) months.

**Transient Residential Rental – A dwelling unit, sleeping or living quarters that is provided for temporary rental to transient individuals, tourists, or groups for a duration of less than six (6) months.**

*Wholesale merchant* shall mean any merchant who sells to another for the purpose of resale.

SECTION 2. From and after the effective date of this Ordinance, Section 14-31 of the City's Code of Ordinances is created to read as follows:

**Sec. 14-31. - Requirements for operating a Transient Residential Rental; requirements for publishing property listings on Hosting platforms; requiring business tax receipt number.**

(a) No property owner or operator shall offer as a Transient Residential Rental, or allow any person to rent or occupy as a transient residential rental, any property in whole or in part, unless a business tax receipt has first been obtained in accordance with the provisions of this section. A property may be offered as a Transient Residential immediately upon submission of an application for Business Tax Receipt.

(b) Each Hosting platform under this section will not list, or permit any person to list, any Transient Residential Rental on its Hosting platform, unless the hosting platform:

(1) Posts a notice, in a conspicuous place on its website, advising transient residential rental providers, operators, and property owners that such providers are required under this section to obtain a City-issued business tax receipt in order to list a rental property on its hosting platform; and

(2) Requires the property owner or operator to display a City-issued business tax receipt number for each listing that appears on a Hosting platform.

(c) Penalties and enforcement.

(1) A violation of this section shall be subject to the following fines:

a. If the violation is the first offense, a person or business shall receive a civil fine of \$1,000.00;

b. If the violation is the second violation within the preceding six months, a person or business shall receive a civil fine of \$2,000.00;

c. If the violation is the third violation within the preceding six months, a person or business shall receive a civil fine of \$3,000.00; and

d. If the violation is the fourth or subsequent violation within the preceding six months, a person or business shall receive a civil fine of \$5,000.00.

(2) Enforcement. In addition to any other penalty provided by law, compliance with this Section 14-31 may be enforced by the remedies and procedures set forth in Chapter 25 of this Code (the Code Enforcement Hearing Officer System). This shall not preclude other law enforcement agencies from any action to assure compliance with this section and all applicable laws.

(d) Exceptions. Penalties listed in subsection (c)(1) shall not apply to Hosting platforms which post or display user-inputted City-issued business tax receipt numbers but fail to verify the validity of user-inputted data. Upon receipt of notice that the Platform has displayed invalid business tax receipt numbers for any property, the Platform shall remove the listing or correct the listing within ten (10) days of the notice.

(e) Compliance with Exceptions. A Hosting platform will not be held in violation of this section in an event of a property owner providing a false address that falls within a zoning district that allows Transient Residential Rentals and after booking, personally directing the guest to a different property located within a zoning district that prohibits Transient Residential Rentals. However, in an event that a Hosting platform discovers the falsity of the provided property address, it must disclose the falsity and the identity of the property owner to the City within 15 days of the discovery. Should the Hosting platform fail to disclose property owner's misconduct, the Hosting platform shall be punished in accordance with section 1-12 of the City Code.

(1) Any person or property owner who knowingly commits the act described in subsection 14-31(e) or any other act done to bypass the provisions outlined in this section in order to list properties within a zoning district that prohibits Transient Residential Rentals, shall be punished in accordance with section 1-12 of this Code.

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

SECTION 4. 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, 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 5. This Ordinance shall take effect on March 1, 2020.

PASSED, APPROVED AND ADOPTED at the regular 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



**REGULAR ITEM**

**3**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINSTRATION

2. MEETING DATE:  
NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:  
APPROVE FIRST READING OF ORDINANCE REVISING THE CITY CODE TO PROVIDE FOR REGULAR MEETINGS OF THE COUNCIL AND EXAMINING BOARD BE HELD AT CITY HALL

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'S CODE OF ORDINANCES HAVE LONG PROVIDED THAT REGULAR MEETINGS OF THE CITY COUNCIL, AND ALSO OF THE EXAMINING BOARD, BE HELD AT THE GEORGE C. COWGILL ANNEX. THIS IS THE FORMAL NAME OF THE BUILDING WHERE THE CITY COUNCIL CHAMBERS ARE LOCATED, AND WHERE THE MEETINGS OF MOST IF NOT ALL CITY BOARDS AND COMMITTEES TAKE PLACE. WITH THE OPENING OF THE NEW CITY HALL LOCATED AT 17007 PANAMA CITY BEACH PARKWAY AND THE SUBSEQUENT DEMOLITION OF THE ANNEX, STAFF RECOMMENDS THE COUNCIL REVISE ITS ORDINANCES TO REFLECT THE NEW MEETING PLACE.

IF THE COUNCIL APPROVES THE FIRST READING OF THIS ORDINANCE, STAFF WILL PREPARE AND PUBLISH NOTICE OF A SECOND READING AND PUBLIC HEARING FOR DECEMBER 12.

STAFF RECOMMENDS APPROVAL.

ORDINANCE NO. 1503

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO COUNCIL MEETINGS; PROVIDING THAT THE REGULAR MEETINGS OF THE CITY COUNCIL AND EXAMINING BOARD SHALL BE HELD AT CITY HALL; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

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 Section 2-16 of the Code of Ordinances of the City of Panama City Beach, related to Council Meetings is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 2-16. Meetings.**

The regular meetings of the City Council shall be held on the second Thursday of each month beginning at 6:00 p.m. and the fourth Thursday of each month beginning at 9:00 a.m. in the ~~George C. Cowgill Annex adjacent to~~ City Hall, provided however, that the regular meeting of the City Council scheduled for the fourth Thursday in November and December may be cancelled or rescheduled by the City Council.

SECTION 2. From and after the effective date of this ordinance Section 8-49 of the Code of Ordinances of the City of Panama City Beach, related to Council Meetings is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 8-49. - Meetings.**

Regular meetings of the examining board shall be held at City Hall ~~the George C. Cowgill Annex~~ at least once each month at such times as the board may by rule, from time to time, establish. Special meetings of the board may be called by the chairman or three (3) members of the board at other times and places.

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

SECTION 4. 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, 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 5. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular 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.

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MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Posted on pcbgov.com on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**REGULAR ITEM**

**4**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
PLANNING

2. MEETING DATE:  
NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:  
CONSIDER FIRST READING OF ORDINANCE 1502 REQUIRING NEIGHBORHOOD PARK SPACE IN RESIDENTIAL SUBDIVISIONS INVOLVING THREE OR MORE ACRES OF LAND

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's Planning Board finds that the community would benefit from the creation of passive, walk to neighborhood parks. Neighborhoods with parks have been shown to have an increase in property values as prospective buyers value such amenities, and neighborhood parks facilitate physical activity which provides health benefits to the entire community.

The City's Planning Board proposes that residential subdivisions involving 3 or more acres provide at least 5% of the subdivided acreage as dedicated neighborhood park land, which shall be privately owned and maintained for the benefit of the neighborhood.

The Planning Board considered this Ordinance at their October 9, 2019 meeting and recommended approval. This ordinance was also discussed by the Planning Board and the City Council at their joint workshop on October 24, 2019.

If Council approves the first reading of this Ordinance, staff will publish notice of a public hearing and second reading of the Ordinance.

ORDINANCE 1502

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATING TO SUBDIVISIONS; PROVIDING THAT SUBDIVISIONS OF LAND INVOLVING 3 OR MORE ACRES OF LAND UPON WHICH A MAJORITY OF THE PROPOSED LOTS ARE INTENDED FOR RESIDENTIAL USE SHALL INCLUDE A NEIGHBORHOOD PARK SPACE; SETTING STANDARDS FOR NEIGHBORHOOD PARKS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City finds that the community would benefit from the creation of passive, walk to neighborhood parks; and

WHEREAS, neighborhoods with parks have been shown to have an increase in property values as prospective buyers value such amenities; and

WHEREAS, neighborhood parks facilitate physical activity which provides health benefits to the entire community; and

WHEREAS, the City finds and determines that increasing the number of neighborhood parks in the City implements a legitimate public purpose.

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, Section 4.03.00 of the Land Development Code of the City of Panama City Beach related to Subdivision Design and Layout, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):



## 4.03.00 SUBDIVISION DESIGN AND LAYOUT

### 4.03.01 Generally

- A. Any division of land shall be subject to the design requirements of this section. Procedures for approval of preliminary *Plats*, final *Plats*, *Lot Splits* and improvement plans are set forth in Chapter 10.
- B. All *New Development* shall be located on a recorded, *Platted Lot* or on a *Lot* resulting from a lawful *Lot Split*.
- C. An existing *Lot* located within a *Subdivision* that has been approved prior to July 26, 2012 by the City Council in the form of a *Plat*, shall be allowed to be developed with a *Single Family Dwelling Unit* subject to satisfaction of *Setback* and *Building* requirements as well as all other applicable regulations.
- D. In Bid-A-Wee 1<sup>st</sup> Addition, *Lots* less than the required minimum *Lot* size and not meeting the dimensions as approved on the adopted *Plat*, may still receive approval for a *Building Permit* provided the Planning Board finds the following conditions are satisfied:
  - 1. The *Lot* must be of a similar size and width as other *Lots* in the *Subdivision*; and
  - 2. All other applicable regulations must be satisfied.

(Ord. # 1253, 12-13-12)

### 4.03.02 Design Requirements

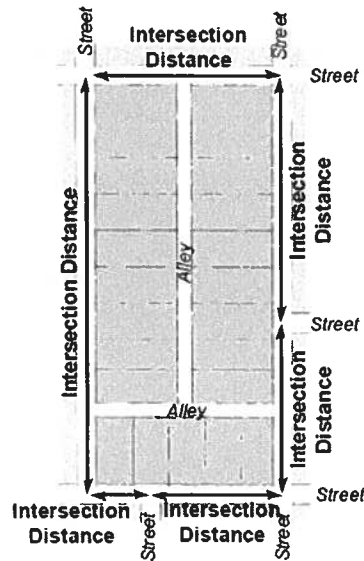
- A. Blocks and *Lots*
  - 1. Block Dimensions. Excepting locations where the City Manager determines that natural or built features preclude compliance, block length shall be regulated by intersection distance according to the requirements of Table 4.03.02.A and the following provisions:
    - (a) Intersection distance shall be the distance between two consecutive *Street* intersections as illustrated in Figure 4.03.02.A. Intersection distance shall be measured between the center lines of *Streets*. Alleys and *Driveways* shall not be considered *Streets* for the purposes of this standard. Maximum intersection distances shall not apply along *Arterial Streets*.
    - (b) For any block exceeding 500 feet in length, the Board may require one or more cross block connections for pedestrians to reduce the effective block length to 330 feet or less. Connections shall be located in public access easements

measuring at least fifteen (15) feet in width and shall have paved walkways measuring at least five (5) feet in width.

**Table 4.03.02.A: Block Size Standards**

Zoning District	Maximum Intersection Distance
R-1a	1,200 feet
R-1b	1,200 feet
R-1c-T	1,200 feet
RO	1,200 feet
RTH	1,200 feet
R-2	1,200 feet
R-3	1,200 feet
CL	1,200 feet
CM	1,200 feet
CH	1,200 feet
TNOD	400 feet
FBO-1	660 feet
FBO-2	660 feet
FBO-3	660 feet
FBO-4	No maximum

Figure 4.03.02.A: Intersection Distance



2. *Lots* shall meet the *Lot* design requirements for the zoning district in which the *Subdivision* is proposed.
  3. *Corner Lots* for *Subdivisions* in *Residential* zoning districts shall be large enough to provide for *Front Setbacks* and side *Street Setbacks*.
  4. Each *Lot* shall have *Frontage* on and *Access* to an existing or proposed public or private *Street* or *Alley*.
  5. Double-Frontage Lots and Flag Lots shall not be allowed.
  6. *Lot Lines* shall be at right angles to *Street* lines to the maximum extent possible.
  7. No *Lot* shall be divided by a *City* boundary line.
  8. The finished grade of all *habitable space* at the *Building* location shall be a minimum of one (1) foot above the crown of the adjacent *Street* or back of curb, whichever is higher.
  9. Dead-end *Streets* (cul-de-sacs) shall be limited to forty-five (45) *Residential Lots*.
- B. Improvements**
1. The proposed *Subdivision* shall include a *Street* system consistent with the *Traffic Circulation Map* of the Comprehensive Plan, the transportation system standards set forth in section 4.04.04 and the *Street* pattern in the surrounding area.

- (a) **Streets**, sidewalks meeting the applicable requirements of section 4.04.03, curbs and gutters, streetlights and **Street** signs shall meet the minimum design and construction specifications of the Engineering Technical Manual and the provisions of this section.
- (b) The maximum pavement width shall be twenty-four (24) feet, between the valleys of the curbs unless the City Manager approves and increase to a width of up to thirty-six (36) feet.
- (c) Rights-of-way and **Street** design shall meet the requirements of section 4.04.04 and be dedicated to the **City** unless the City approves the use of private **Streets**.
- (d) Curbs and gutters shall be required for all **Streets**.
- (e) Streetlights shall be required in locations established by the **Engineering Technical Manual**.
- (f) **Street** name signs shall be required in locations established by the **Engineering Technical Manual**.
- (g) Grass or sod shall be required between the curb and sidewalk or property line. Landscaping may be used in conjunction with or as an alternative to, grass or sod provided that such landscaping complies with applicable site distance standards.
- (h) Minimum centerline radius for midblock curves shall be as follows:

Posted Speed (MPH)	Design Speed (MPH)	Centerline Radius (Feet)
25	30	250
20	25	150
15	20	80

- (i) The minimum cul-de-sac radius shall be 40 feet.
2. The proposed **Subdivision** shall provide for infrastructure improvements as set forth in Chapter 6. Each **Lot** in the **Subdivision** shall have the following services:
- (a) A source of electric power;
  - (b) A telephone service cable;
  - (c) Central potable water;
  - (d) Central sanitary sewer;
  - (e) Central reclaimed water, where such service is available within one thousand (1,000) feet and with sufficient capacity to serve the subdivision; and

- (f) Fire hydrants or fire protection, as required by the national Fire Prevention Code.
3. Equipment shall meet the following requirements for location and screening:
    - (a) Utility equipment, such as pumps, valve boxes, switching boxes, back-flow devices, but not including light poles, shall be fully screened by a wall or fence of **Solid Face** construction or by **Native Vegetation** creating a continuous screen; and
    - (b) All electric, telephone, cable television or other communication lines shall be placed underground within the right-of-way or within a recorded easement.
  4. The **Subdivision** design shall include provisions for resource protection as set forth in Chapter 3.
  5. The design of the **Subdivision** shall include provisions for utility lines within easements or the right-of-way. Such easements shall be a minimum of fifteen (15) feet for potable and reclaimed water force mains and twenty (20) feet for gravity sewer and storm drainage mains.
  6. In areas zoned for **Residential Uses**, a **Subdivision** may contain a structure that is temporarily used as a model home and for conducting business directly related to the sale and promotion of **Lots** and houses within such **Subdivision**. Such operations must cease when sales in said **Subdivision** have been completed, but not longer than two (2) years. Additional time may be granted through the conditional use process after considering the history of nuisances, structure condition and compatibility with the neighborhood.
  7. The design and layout of a subdivision may, on occasion, be adversely impacted by the presence of protected natural features such as wetlands or plant and animal species habitat. Such impact shall be considered a hardship that is eligible for a variance request when such request is the minimum necessary to overcome the identified impact of the protected natural feature.
  8. **A proposed Subdivision involving 3 or more acres of land, in which a majority of the lots are intended for the development of residential dwelling units, shall include land dedicated for a neighborhood park. Land dedicated for use as a neighborhood park shall comprise at least 5% of the acreage to be subdivided. Neighborhood parks may include, but are not limited to, sports fields, tennis courts, basketball courts, hiking and biking trails, playgrounds and other areas where members of the Subdivision may congregate for recreational uses.**
    - (a) **The land dedicated for use as a neighborhood park shall be developable uplands exclusive of required setbacks from wetland or environmental areas and shall not contain any restrictions or encumbrances that prevent its use as a**

neighborhood park. The following uses shall be excluded from the calculation of land required for the neighborhood park acreage:

- i. Clubhouses;
- ii. Floodplain mitigation areas;
- iii. Drainage/stormwater detention areas (except for drainage/stormwater detention areas used solely for required neighborhood park amenities); and
- iv. Parking areas (except for parking areas required to satisfy minimum parking requirements for neighborhood park amenities);
- v. Landscape easements;
- vi. Sidewalks; and
- vii. Pools.

(b) Land dedicated as a neighborhood park may be retained in private ownership for public use, and shall be subject to such conditions as the City may establish concerning access, use and maintenance of such lands, as deemed necessary to assure the preservation of such lands in perpetuity for their intended purposes. The owner shall execute any and all documents necessary to effect the intended purposes. Neighborhood parks may be offered to the City as a gift, and at the discretion of the City Council may be accepted upon recommendation by the Planning Board.

(c) Neighborhood parks must be continuously maintained in a safe manner. If the park is to be maintained by an association, trust or community development district, the owner shall provide documentation acceptable to the City demonstrating that such organization is governed according to the following:

1. The organization is organized by the owner and operating with the financial subsidization of the owner, if necessary, before the sale of any lots within the development.
2. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
3. The organization shall be responsible for maintenance of and insurance and taxes on the neighborhood parks.
4. The members of the organization shall share equitably the costs of maintaining and developing the neighborhood park in accordance with the procedures established by them.

(d) The city shall not issue any certificate of occupancy in a Subdivision to which this section applies until the Owner complies fully with this section.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. 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 Land Development Code, 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 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular 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

Ord. 1502  
Page 8 of 9

AGENDA ITEM # 4

Published in the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Posted on pcbgov.com on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.



**REGULAR ITEM**

**5**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATIVE/LEGAL

2. MEETING DATE:  
NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:  
APPROVE SECOND READING OF ORDINANCE 1499 SETTING MAXIMUM RATES FOR NON AD VALOREM ASSESSMENTS AND STANDARDIZING PROCEDURES ASSOCIATED THEREWITH

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)

In developing the City budget this Summer — and being mindful of the balance between City General Fund revenue, non-ad valorem assessment revenue, other limited legally available revenue, and continuing Council efforts to avoid the use and imposition of property taxes by the City — the need to fairly, efficiently and smartly balance and adjust annually for inflation and other economic impacts on both property owners and the City’s annual budget process became apparent. The home-rule use of an independent index or reference, based on growth in personal income in Florida, to annually adjust assessment rates, was used in our CRA NAV assessment program and the concept and index was drawn from similar use by the Legislature in Florida Statutes.

These procedural ordinance amendments mirror that in our recent CRA-ROW ordinance, and will serve to standardize the approach for fire protection and stormwater assessments, and be in conformance with the CRA-ROW ordinance provisions recently placed before the Circuit Court as a part of the validation to rely on such increases, among other things, to repay modest capital equipment leasing debt. Modifying and updating these ordinances will provide for standardization, transparency and better financial stewardship.

Council approved first reading of this Ordinance on October 24. Notice of a public hearing and second reading was published on November 1. If Council adopts this Ordinance following the public hearing, staff will present a Resolution directing notice and implementation of the maximum rate schedule authorized by this Ordinance for the 2021 stormwater and fire NAV assessments.

ORDINANCE 1499

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATED TO SETTING AND NOTICING MAXIMUM RATES FOR SPECIAL OR NON-AD VALOREM ASSESSMENTS AND STANDARDIZED PROCEDURES ASSOCIATED THEREWITH; 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. AMENDING CHAPTER 28. From and after the effective date of this ordinance, Sections 2.08 and 3.02, Chapter 28 of the Code of Ordinances of the City of Panama City Beach, as amended, related to Capital Improvement and Essential Services Assessments, are hereby amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

SECTION 2.08. - ANNUAL ASSESSMENT RESOLUTION shall be modified and amended as follows:

**(A)** The Council shall adopt an Annual Assessment Resolution during its budget adoption process for each Fiscal Year in which Assessments will be imposed to approve the Assessment Roll for such Fiscal Year. The Final Assessment Resolution shall constitute the Annual Assessment Resolution for the initial Fiscal Year. The Assessment Roll, as prepared in accordance with the Initial Assessment Resolution and confirmed or amended by the Final Assessment Resolution, shall be confirmed or amended by the Annual Assessment Resolution to reflect the then applicable portion of the cost of the Capital Improvements or Essential Services, or both, to be paid by Assessments. If the proposed Assessment for any parcel of property exceeds the maximum amount established in

the notice provided pursuant to Section 2.05 hereof or if an Assessment is imposed against property not previously subject thereto, the Council shall provide notice to the owner of such property in accordance with Sections 2.05 and 2.06 hereof and conduct a public hearing prior to adoption of the Annual Assessment Resolution.

**(B) The Council may also establish by resolution or directive such reasonable procedures or directions to confirm and comply with the Uniform Assessment Collection Act as may be practicable and necessary.**

**(C) Nothing herein shall preclude the Council from establishing by resolution a maximum rate of assessment provided that notice of such maximum assessment rate is provided pursuant to the Uniform Assessment Collection Act. In the event that the uniform method of collection provided for in the Uniform Assessment Collection Act is used and (1) the proposed Assessment for any Fiscal Year exceeds the maximum rate of assessment adopted by the Council and included in notice previously provided to the owners of Assessed Property by law and pursuant to the Uniform Assessment Collection Act, or, (2) the method of apportionment is changed or the purpose for which the Assessment is imposed is substantially changed from that represented by notice previously provided to the owners of Assessed Property pursuant to the Uniform Assessment Collection Act, notice and opportunity to be heard shall be provided to the owners of such Assessed Property. Such notice shall substantially conform to the notice requirements set forth in the Uniform Assessment Collection Act and inform the owner of the time, date and place for adoption of the Annual Assessment Resolution. The failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the Assessment Roll nor release or discharge any obligation for payment of an Assessment imposed by the Council pursuant to this Chapter.**

**(D) Without additional individual notice the maximum rate of assessment established by resolution may include and be expressed by a cognizable independent indexing feature or reference as the maximum annual increase from year to year, and shall be deemed the maximum rate of assessment authorized herein by law at the time of the initial imposition or subsequent mailed notice of the Assessment.**

**(E) No subsequent additional individual notice shall be required or necessary where the method of apportionment at the time of initial imposition or subsequent mailed notice remains unchanged and was otherwise previously noticed where the attributes of any individual tax parcel may change**

**from year to year. Provided, however, implementation of any annual increases in accord with any established maximum rate of assessment shall be noticed by publication in conformance with Section 2.05 hereof.**

SECTION 3.02. - ALTERNATIVE METHOD OF COLLECTION shall be modified and amended as follows:

In lieu of using the Uniform Assessment Collection Act, the City may elect to collect the Assessment by any other method which is authorized by law or provided by this Section 3.02 as follows:

(A) The City shall provide Assessment bills by first class mail to the owner of each affected parcel of property, other than Government Property. The bill or accompanying explanatory material shall include (1) a brief explanation of the Assessment, (2) a description of the method or Assessment Units used to determine the amount of the Assessment, (3) the number of Assessment Units attributable to the parcel, (4) **the rate or rates applied to the unit of measurement or method and** the total amount of the parcel's Assessment for the appropriate period, (5) the location at which payment will be accepted, (6) the date on which the Assessment is due, and (7) a statement that the Assessment constitutes 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. **Such direct bills may also include any other information or notices for a subsequent year.**

(B) A general notice of the lien resulting from imposition of the Assessments shall be recorded in the Official Records of Bay County, Florida. Nothing herein shall be construed to require that individual liens or releases be filed in the Official Records.

(C) The City shall have the right to appoint or retain an agent to **collect and** foreclose ~~and collect~~ Assessments **including all delinquent Assessments** in the manner provided by law. An Assessment shall become delinquent if it is not paid within thirty (30) days from the due date. The City or its agent shall notify any property owner who is **or may become** delinquent in payment of an Assessment within sixty (60) days from the date such Assessment was due. Such notice shall state in effect that the City or its agent will initiate a foreclosure action and cause the foreclosure of such property subject to a delinquent Assessment in a method now or hereafter provided by law for foreclosure of mortgages on real estate **property, or otherwise as provided by law; or (2) cause an amount equivalent to the delinquent Assessment, not previously subject to collection using the uniform method**

**under the Uniform Assessment Collection Act, to be collected on the tax bill for a subsequent year.**

(D) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the City may be the purchaser to the same extent as an individual person or corporation. The City may join in one foreclosure action the collection of Assessments against any or all property assessed in accordance with the provisions hereof. All delinquent property owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City and its agents, including reasonable attorney fees, in collection of such delinquent Assessments and any other costs incurred by the City as a result of such delinquent Assessments including, but not limited to, costs paid for draws on a credit facility and the same shall be collectible as a part of or in addition to, the costs of the action.

(E) In lieu of foreclosure, any delinquent Assessment and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided however, that (1) notice is provided to the owner in the manner required by law and this Ordinance, and (2) any existing lien of record on the affected parcel for the delinquent Assessment is supplanted by the lien resulting from certification of the Assessment Roll or to the Tax Collector.

SECTION 2. AMENDING ORDINANCE NO. 1444. From and after this effective date of this ordinance, Section 2.08, procedural Ordinance No. 1444, as amended, of the City of Panama City Beach related to the Provision and Funding of Fire Protection by Fire Service Assessments, is hereby amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

SECTION 2.08 ALTERNATIVE USE OF UNIFORM ASSESSMENT COLLECTION ACT shall be modified and amended as follows:

(A) The City may determine to use the uniform method of collection provided for in the Uniform Assessment Collection Act; provided, however that all of the extraordinary procedures required by the Uniform Assessment Collection Act can be and are timely complied with.

(B) In the event the uniform method of collection provided for in the Uniform Assessment Collection Act is determined to be used, the Assessment Coordinator shall publish notice which shall conform to the requirements set forth in the Uniform Assessment Collection Act and, in addition to the requirements set forth in this Ordinance, the Assessment Coordinator shall provide notice of the proposed Assessment by first class mail to the owner of each parcel of property subject to the Assessment which shall conform to the requirements set forth in the Uniform Assessment Collection Act. Such mailed notice may be provided by including the Assessment in the Property Appraiser's notice of proposed property taxes and proposed or adopted non-ad valorem assessments under Section 200.069, Florida Statutes, or its successor in function. **Such mailed notice, including any indexed maximum rate of assessment, may also be provided in advance and combined with any notice or bill associated with the traditional direct billing method of collection, or any other reasonable means of mailed notice. In such a circumstance no additional mailed notices shall be required for increases within or less than such indexed annual increases in rates so noticed previously by mail.** The Assessment Coordinator may provide proof of all such notices by affidavit. Failure of the owner to receive notice due to mistake or inadvertence shall nevertheless not affect the validity of the Assessment Roll nor release or discharge any obligation for payment of an Assessment imposed by the City Council pursuant to this Ordinance.

(C) The City Council may also establish by resolution or directive such reasonable procedures or directions to confirm and comply with the Uniform Assessment Collection Act as may be practicable and necessary.

(D) Nothing herein shall preclude the City Council from establishing by resolution a maximum rate of assessment provided that notice of such maximum assessment rate is provided pursuant to the Uniform Assessment Collection Act. In the event that the uniform method of collection provided for in the Uniform Assessment Collection Act is used and (1) the proposed Assessment for any Fiscal Year exceeds the maximum rate of assessment adopted by the City Council and included in notice previously provided to the owners of Assessed Property **by law and** pursuant to the Uniform Assessment Collection Act, (2) the method of apportionment is changed or the purpose for which the Assessment is imposed is

substantially changed from that represented by notice previously provided to the owners of Assessed Property pursuant to the Uniform Assessment Collection Act, (3) Assessed Property is reclassified in a manner which results in an increased Assessment from that represented by notice previously provided to the owners of Assessed Property pursuant to the Uniform Assessment Collection Act, or (4) an Assessment Roll contains Assessed Property that was not included on the Assessment Roll approved for the prior Fiscal Year, notice and opportunity to be heard shall be provided to the owners of such Assessed Property. Such notice shall substantially conform to the notice requirements set forth in the Uniform Assessment Collection Act and inform the owner of the time, date and place for adoption of the Annual Assessment Resolution. The failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the Assessment Roll nor release or discharge any obligation for payment of an Assessment imposed by the City Council pursuant to this Ordinance.

**(E) Without additional individual notice the maximum rate of assessment established by resolution may include and be expressed by a cognizable independent indexing feature or reference as the maximum annual increase from year to year, and shall be deemed the maximum rate of assessment authorized herein by law at the time of the initial imposition or subsequent mailed notice of the Assessment.**

**(F) No subsequent additional individual notice shall be required or necessary where the method of apportionment at the time of initial imposition or subsequent mailed notice remains unchanged and was otherwise previously noticed where the attributes of any individual parcel may change from year to year. Provided, however, implementation of any annual increases in accord with any established maximum rate of assessment shall be noticed by publication in conformance with Section 2.04 hereof.**

**(G)** The Assessment Roll, as approved by the Annual Assessment Resolution, shall be certified and delivered to the Tax Collector as required by the Uniform Assessment Collection Act.

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, as determined necessary, to codify,



include and publish in electronic format the provisions of Section 1 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 5. 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 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

[Remainder of Page Intentionally Left Blank]

PASSED, APPROVED AND ADOPTED at the regular meeting of the  
City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of  
November, 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.

**REGULAR ITEM**

**6**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

ADMINISTRATIVE/LEGAL

2. MEETING DATE:

NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:

CONSIDER AND APPROVE RESOLUTION TO ESTABLISH AND PROVIDE FOR UNIFORM ADVANCE NOTICE OF A MAXIMUM RATE OF ASSESSMENTS.

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)

Consistent with prior Council direction and action, this item also provides transparent and standardized advance notice of use of an independent readily cognizable reference or index to maintain both fairness and administrative efficiency when using diverse funding (e.g. General Fund and non-ad valorem assessments). This approach provides for better budgeting earlier each year, and simultaneously recognizes from year to year both the effect of inflation, and other economic circumstances (downturns) on personal income in Florida.

This will update and/or standardize the approach to all three of the City's essential service assessment programs, and specifically addresses the stormwater and fire service assessment programs, upon those ordinances being modified appropriately by Ordinance 1499.

This item will better inform the City's budgetary approach each year and announces in advance consistency of approach and certainty in direction. Consistent with the Council's provisions concerning the recent CRA-ROW Assessment, the actual indexing is proposed not to occur until notices are mailed initially and published annually by the City in the future, to be first adjusted on bills sent out by the Tax Collector in November of 2021 for FY 2021-22. This is consistent with the same direction employed by the CRA-ROW assessment recently.

After adoption of Ordinance No. 1499, and listening to public and staff comments, the Council can determine to adopt this directory resolution. Staff recommends adoption.

**RESOLUTION NO. 20-28**

**A DIRECTORY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, ASSOCIATED WITH THE PROCESS NECESSARY FOR THE CITY TO COLLECT AND REIMPOSE SPECIAL NON-AD VALOREM ASSESSMENTS ANNUALLY; ESTABLISHING AND PROVIDING FOR UNIFORM ADVANCE NOTICE OF A MAXIMUM RATE OF ASSESSMENT BY TAKING AND DIRECTING ACTIONS CONSISTENT WITH CITY CODE PROVISIONS, ORDINANCES AND GENERAL LAW; PROVIDING FOR DIRECTION; AND, PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1. AUTHORITY FOR THIS RESOLUTION.** This Resolution is adopted pursuant to the provisions of Chapter 166, Florida Statutes, the Municipal Charter of the City (the "Charter"), sections 166.021 and 166.041, City Code Chapter 28, as amended, City Ordinance No. 947 as amended, City Ordinance No. 1444, as amended, and City Ordinance No. 1499, and other applicable provisions of law (collectively, the "Act").

**SECTION 2. FINDINGS.** It is hereby ascertained, determined and declared that:

(A) To advance financial stewardship, fairness and to continue to avoid the use or reliance upon ad valorem property taxation, now or in the future, the City annually funds a portion of stormwater, fire protection, and community redevelopment capital, equipment, services and programs by proportionately assessing benefitted properties through use of non-ad valorem assessments in accord with state law and the state constitution. In each instance, only a part of the annual budgets for these programs is funded by such non-ad valorem assessments.

(B) To maintain both fairness and efficiency when using diverse funding sources, and to recognize longer term impacts of inflation, cost increases, time value of money and other economic circumstances of the State economy and impacts on all City constituents as well as affected property owners, it is equitable and reasoned to use a cognizable independent indexing feature or reference to fairly maintain a balance between general fund and non-ad valorem assessment funding over time.

**SECTION 3. DIRECTION.**

(A) To provide reasonable certainty in budgeting, and transparency in advance, the City Council confirms and directs that, exclusive of charges to defray annual administrative and imposition activities charged by law, reimbursement of necessary administrative costs incurred by the tax collector and property appraiser, and provision or adjustment for statutory discounts, the rates of non-ad valorem assessment for fire protection, stormwater and community redevelopment to be employed by the

City for FY 2020-21 will not change and are directed to remain the same as for the prior FY 2019-20.

(B) Pursuant to City ordinance and code processes, and otherwise consistent with the use by general law of a cognizable independent index reference, the maximum annual increase in non-ad valorem assessment rates from year to year after FY 2020-21 shall increase annually but not exceed the average annual growth rate in Florida personal income over the previous five years.<sup>1</sup> Provided, however, implementation of any annual increases established, authorized, and noticed pursuant to this Resolution as the maximum rate of assessment shall be noticed each year by publication in conformance with applicable ordinance and code provisions. In the event any assessment is proposed to annually exceed the maximum change in assessment rates as set forth herein from year to year, then the City shall by applicable ordinance and code provisions additionally inform in advance all affected property owners by individually mailed notice.

(C) The Mayor, City Manager or such person's functional administrative equivalent or designee, City Attorney and other necessary City officials, employees or agents are directed and authorized to timely undertake the actions contemplated by this Resolution.

(D) As implementation proceeds, the City Manager and City staff are directed and authorized to prepare and present to the City Council necessary budget amendments to accomplish the advance notice, development, collection and use of such revenues.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED THIS** \_\_\_ day of November 2019.

**CITY OF PANAMA CITY BEACH, FLORIDA**

By: \_\_\_\_\_  
Mike Thomas, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

<sup>1</sup> This is a cognizable independent indexing reference used in Florida Statutes by the Legislature; and, is regularly maintained by the Bureau of Economic Analysis of the United States Department of Commerce.

APPROVED AS TO FORM:

By: \_\_\_\_\_  
City Attorney

**REGULAR ITEM**

**7**





# 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:**

11/14/2019

**3. REQUESTED MOTION/ACTION:**

Budget Amendment/JAG-D grant: PCBCPD Digital Forensic Cameras

**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 10/28/2019, the Panama City Beach Police Department received notification of approval for the JAG-D PCBCPD Digital Forensic Cameras grant (subgrant #2020-JAGD-BAY-2-Y6-013). The Panama City Beach Police Department's proposal is to utilize the awarded funds to purchase the following equipment: (1) one FUJI XT1IR forensic camera bundle \$4,483.22, (2) two ROBUS carbon fiber tripods (\$549.95/each, totaling \$1099.90), (1) one FUJI X-T3 Digital Camera body only \$1,299.00, and (2) two Microsoft Surface GO 10" tablets with cases and pens (\$626.94/each, totaling \$1253.88).

Any type of assault can leave bruises and contusions, the most common injuries observed in victims. Adults or children who are abuse victims may have constant bruising, which can be visible or invisible. During healing, bruises typically go through several color changes: from red to blue to purple to green to yellow. To the naked eye, bruises will usually disappear after a couple of days or weeks (depending on the severity of the bruise). Using UV light, there is a high probability it will still be possible to see these injuries. This can be especially important to document as these types of injuries, which can help establish a pattern of previous occurrences of abuse. UV light has an advantage over visible light in that it penetrates the upper surface of the skin. As the UV light penetrates, it's absorbed by areas that still retain blood, showing contrast with the surrounding skin, and therefore revealing bruises.

This upgrade in technology will lend itself to a greater level of investigative integrity for the City. These cameras will enable our officers to have an increased ability to document and prosecute criminal cases. In addition to the cameras, our Department will need tripods designed to hold the camera systems still and secure. Also, once the image is captured, a mobile computerized tablet is essential for on-site viewing. Critical details would most likely go unseen if only viewed from the camera's LED screen. Having the ability to view and process evidence real-time is mission critical.

This reimbursement grant covers 100% of the project cost of \$8,136.00, and is no cost to the City.

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

**CERTIFICATE OF SUBAWARD**

Subrecipient: City of Panama City Beach

Subrecipient DUNS: 018095984

Date of Award: 10/16/2019

Grant Period: From: 10/01/2019 TO: 09/30/2020

Project Title: PCBPD DIGITAL FORENSIC CAMERAS

Subgrant Number: 2020-JAGD-BAY-2-Y6-013

Federal Funds: \$8,136.00

Matching Funds: \$0.00

Total Project Cost: \$8,136.00

CFDA Number: 16.738

Federal Award Number: 2018-MU-BX-0292

Federal Awarding Agency: U.S. Department of Justice (USDOJ)

Pass-through Entity: Florida Department of Law Enforcement (FDLE)

Research and Development: No

Indirect Cost: No

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A subaward agreement is entered into by and between the Florida Department of Law Enforcement (herein referred to as "FDLE" or "Department") and the City of Panama City Beach (herein referred to as "Subrecipient");

WHEREAS, the Department has the authority pursuant to Florida law and does hereby agree to provide federal financial assistance to the Subrecipient in accordance with the terms and conditions set forth in the subgrant agreement, and

WHEREAS, the Department has available funds resulting from a federal Edward R. Byrne Memorial Justice Assistance Grant award issued under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and

WHEREAS, the Subrecipient and the Department have each affirmed they have read and understood the agreement in its entirety and the Subrecipient has provided an executed agreement to the Department.

NOW THEREFORE, in consideration of the foregoing:

A subaward is hereby made to the Subrecipient identified above. The subaward is for the amount and time period specified above.

This award is a cost-reimbursement agreement. Requests for reimbursement must be submitted on either a monthly or quarterly basis, as designated in the Financial Section of the agreement. The Subrecipient must maintain original supporting documentation for all funds expended and received under this agreement in sufficient detail for proper pre- and post-audit and to verify work performed was in accordance with the deliverable(s) and not eligible for payment under another state or federal funding source. Supporting documentation includes, but is not limited to: timesheets, activity reports, paystubs, third-party contracts, quotes, procurement documents, equipment inventory records,

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

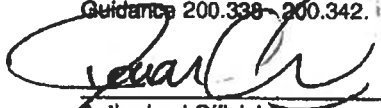
**CERTIFICATE OF SUBAWARD(CONTINUED)**

purchase orders, original receipts, invoices, canceled checks or EFT records, or bank statements, as applicable. Payment shall be contingent upon the Department's grant manager receiving and accepting the invoice and requested supporting documentation.

The Subrecipient must provide Performance Reports on either a monthly or quarterly basis, as designated in the Performance Section of the agreement, to the Department attesting to the progress toward deliverables and to validate the required minimum acceptable level of service performed. Performance Reports are due no later than 15 days after the end of each reporting period.

This award is subject to all applicable rules, regulations, and conditions as contained in the Office of Justice Programs (OJP) Financial Guide, and/or the Office of Management and Budget (OMB) Uniform Grant Requirements (2 C.F.R. Part 200), in their entirety. It is also subject to the standard and special conditions attached and such further rules, regulations and policies as may be reasonably prescribed by the State or Federal Government.

Failure to comply with provisions of this agreement, or failure to meet minimum performance specified in the agreement will result in required corrective action up to and including project costs being disallowed, withholding of federal funds and/or termination of the project, as specified within the terms of the agreement and OMB Uniform Guidance 200.338-200.342.

  
\_\_\_\_\_  
Authorized Official  
Rona Kay Cradit  
Bureau Chief

10/28/2019  
Date

This award is subject to the special conditions (if any) prescribed below.

Ref# S40969: The accounting system for the City of Panama City Beach does not appear to comply with all federal requirements outlined in the Office of Management and Budget (OMB), Uniform Requirements, 2 C.F.R. 200.302-303. All financial tracking and documentation under this subaward must comply with the standards identified in OMB's Uniform Requirements. Documentation must be maintained and provided to the Office of Criminal Justice Grants at monitoring.

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

**ACCEPTANCE OF FEDERAL FUNDING ASSISTANCE**

Subrecipient: City of Panama City Beach

Subgrant Number: 2020-JAGD-BAY-2-Y6-013

Project Title: PCBPD DIGITAL FORENSIC CAMERAS

Pass-through Entity: Florida Department of Law Enforcement

This award is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200). This award is also subject to the incorporated standard and special conditions, and such further rules, regulations, and policies as may be reasonably prescribed by the State or Federal Government.

In witness whereof, the parties affirm they each have read and understand the conditions set forth in this agreement, have read and understand the agreement in its entirety, and accept this agreement through the signature of their duly authorized officers on the date, month, and year set out below.

City of Panama City Beach  
Authorizing Official (Commission Chairperson, Mayor, or Designated Representative)

  
Signature

10-24-19  
Date

Mike Thomas, Mayor  
Printed Name and Title

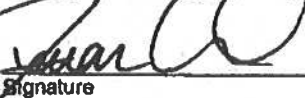
Panama City Beach Police Department  
Authorizing Official (Official, Administrator, or Designated Representative)

  
Signature

10-23-19  
Date

CHIEF DREW R. WHITMAN  
Printed Name and Title

Florida Department of Law Enforcement  
Office of Criminal Justice Grants

  
Signature

10/28/2019  
Date

Rona Kay Credit, Bureau Chief  
Printed Name and Title

**RESOLUTION 20-23**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A BUDGET AMENDMENT TO REFLECT THE RECEIPT OF \$8,136 FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT.**

WHEREAS, on October 16, 2019, the City was awarded an Edward Byrne Memorial Justice Assistance Grant in the amount of \$8,136.00 for the project entitled PCBPD DIGITAL FORENSIC CAMERAS; and

WHEREAS, the City's police department would like to use this grant money to purchase cameras, tripods and tablets, which purchase is within the City Manager's purchasing authority; and

WHEREAS, neither the receipt of the grant nor the purchase of the cameras, tripods and tablets were anticipated when the budget was prepared, such that this revenue and these expenses were not included in the budget for FY 2019-2020; and

WHEREAS, a budget amendment is necessary to reflect the total revenue to be received from the grant and the expenditure of like amount for items requested in the grant agreement.

**NOW THEREFORE BE IT RESOLVED** that the following budget amendment #4 is adopted for the fiscal year beginning October 1, 2019 and ending September 30, 2020, as shown in and in accordance with the attached and incorporated Exhibit A, for the purposes stated 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

Resolution 20-23

AGENDA ITEM # 7

CITY OF PANAMA CITY BEACH  
 BUDGET TRANSFER FORM BF-10

No. BA # 4

FUND GENERAL	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO 001-2101-521.60-15	Capital Outlay < \$5,000 Grant	0.00	8,136.00	8,136.00
TO 001-0000-331.20-32	Federal Grants Edward Byrne JAG Digital Forensic Cameras	0.00	(8,136.00)	(8,136.00)
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:				
	Check Adjustment Totals:	0.00	0.00	0.00

To reflect the award of the Edward Byrne Memorial Justice Grant (JAG) 2020-JAGD-BAY-2-Y6-013 and the appropriation of such funds for the purchase of digital forensic cameras and related equipment

ROUTING FOR APPROVAL

DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_  
 FINANCE DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

EXHIBIT A

AGENDA ITEM # **7**

**REGULAR ITEM**

**8**



# 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:**

11/14/2019

**3. REQUESTED MOTION/ACTION:**

Budget Amendment/JAG-C grant: PCBPDP Tactical Response Equipment

**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 10/28/2019, the Panama City Beach Police Department received notification of approval for the JAG-C PCBPDP Tactical Response Equipment grant (subgrant #2020-JAGC-BAY-1-Y5-035). The Panama City Beach Police Department's proposal is to utilize the awarded funds to purchase (5) five Point Blank "Dragon Fire Gen 4" Entry Vests in the amount of \$9,825.00.

These Entry Vests would be a crucial part of any tactical operation and would provide a much higher level of protection and confidence for the members of the Tactical Response Team. Funds from this grant would make it possible to outfit all of the team members with proper ballistic protection.

The purchase of this equipment will provide our officers with the much needed protection when responding to dangerous situations. Currently, the Tactical Team is outfitted with plate carriers consisting of AR500 rifle plates. Only 2 members have "entry" type vests and were donated by the Beach Fire Department. The award of this grant money will help mitigate threats to our officers.

This reimbursement grant covers 100% of the project cost of \$9,825.00, and is no extra cost to the City.



**Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

**CERTIFICATE OF SUBAWARD**

Subrecipient: City of Panama City Beach

Subrecipient DUNS: 018095984

Date of Award: 10/16/2019

Grant Period: From: 10/01/2019 TO: 09/30/2020

Project Title: PCBPD TACTICAL RESPONSE EQUIPMENT

Subgrant Number: 2020-JAGC-BAY-1-Y5-035

Federal Funds: \$9,825.00

Matching Funds: \$0.00 Total

Project Cost: \$9,825.00

CFDA Number: 16.738

Federal Award Number: 2018-MU-BX-0292

Federal Awarding Agency: U.S. Department of Justice (USDOJ)

Pass-through Entity: Florida Department of Law Enforcement (FDLE)

Research and Development: No

Indirect Cost: No

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A subaward agreement is entered into by and between the Florida Department of Law Enforcement (herein referred to as "FDLE" or "Department") and the City of Panama City Beach (herein referred to as "Subrecipient");

WHEREAS, the Department has the authority pursuant to Florida law and does hereby agree to provide federal financial assistance to the Subrecipient in accordance with the terms and conditions set forth in the subgrant agreement, and

WHEREAS, the Department has available funds resulting from a federal Edward R. Byrne Memorial Justice Assistance Grant award issued under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and

WHEREAS, the Subrecipient and the Department have each affirmed they have read and understood the agreement in its entirety and the Subrecipient has provided an executed agreement to the Department.

NOW THEREFORE, in consideration of the foregoing:

A subaward is hereby made to the Subrecipient identified above. The subaward is for the amount and time period specified above.

This award is a cost-reimbursement agreement. Requests for reimbursement must be submitted on either a monthly or quarterly basis, as designated in the Financial Section of the agreement. The Subrecipient must maintain original supporting documentation for all funds expended and received under this agreement in sufficient detail for proper pre- and post-audit and to verify work performed was in accordance with the deliverable(s) and not eligible for payment under another state or federal funding source. Supporting documentation includes, but is not limited to: timesheets, activity reports, paystubs, third-party contracts, quotes, procurement documents, equipment inventory records,

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

**CERTIFICATE OF SUBAWARD (continued)**

purchase orders, original receipts, invoices, canceled checks or EFT records, or bank statements, as applicable. Payment shall be contingent upon the Department's grant manager receiving and accepting the invoice and requested supporting documentation.

The Subrecipient must provide Performance Reports on either a monthly or quarterly basis, as designated in the Performance Section of the agreement, to the Department attesting to the progress toward deliverables and to validate the required minimum acceptable level of service performed. Performance Reports are due no later than 15 days after the end of each reporting period.

This award is subject to all applicable rules, regulations, and conditions as contained in the Office of Justice Programs (OJP) Financial Guide, and/or the Office of Management and Budget (OMB) Uniform Grant Requirements (2 C.F.R. Part 200), in their entirety. It is also subject to the standard and special conditions attached and such further rules, regulations and policies as may be reasonably prescribed by the State or Federal Government.

Failure to comply with provisions of this agreement, or failure to meet minimum performance specified in the agreement will result in required corrective action up to and including project costs being disallowed, withholding of federal funds and/or termination of the project, as specified within the terms of the agreement and OMB Uniform Guidance 200.338 - 200.342.

  
Authorized Official  
Rona Kay Credit  
Bureau Chief

10/28/2019  
Date

This award is subject to the special conditions (if any) prescribed below.

Ref# S40971: The accounting system for the City of Panama City Beach does not appear to comply with all federal requirements outlined in the Office of Management and Budget (OMB), Uniform Requirements, 2 C.F.R. 200.302-303. All financial tracking and documentation under this subaward must comply with the standards identified in OMB's Uniform Requirements. Documentation must be maintained and provided to the Office of Criminal Justice Grants at monitoring.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

ACCEPTANCE OF FEDERAL FUNDING ASSISTANCE

Subrecipient: City of Panama City Beach

Subgrant Number: 2020-JAGC-BAY-1-Y5-035


Project Title: PCBPD TACTICAL RESPONSE EQUIPMENT

Pass-through Entity: Florida Department of Law Enforcement

This award is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200). This award is also subject to the incorporated standard and special conditions, and such further rules, regulations, and policies as may be reasonably prescribed by the State or Federal Government.

In witness whereof, the parties affirm they each have read and understand the conditions set forth in this agreement, have read and understand the agreement in its entirety, and accept this agreement through the signature of their duly authorized officers on the date, month, and year set out below.

City of Panama City Beach  
Authorizing Official (Commission Chairperson, Mayor, or Designated Representative)

 10-24-19  
Signature Date

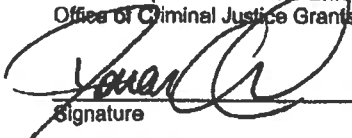
 Mike Thomas, Mayor  
Printed Name and Title

Panama City Beach Police Department  
Authorizing Official (Official, Administrator, or Designated Representative)

 10-23-19  
Signature Date

CHIEF DREW R. WHITMAN  
Printed Name and Title

Florida Department of Law Enforcement  
Office of Criminal Justice Grants

 10/28/2019  
Signature Date

Rona Kay Cradit, Bureau Chief  
Printed Name and Title

**RESOLUTION 20-24**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A BUDGET AMENDMENT TO REFLECT THE RECEIPT OF \$9,825 FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT.**

WHEREAS, on October 16, 2019, the City was awarded an Edward Byrne Memorial Justice Assistance Grant in the amount of \$9,825.00 for the project entitled PCBPD TACTICAL RESPONSE EQUIPMENT; and

WHEREAS, the City's police department would like to use this grant money to purchase five Point Blank "Dragon Fire Gen 4" Entry Vests, which purchase is within the City Manager's purchasing authority; and

WHEREAS, neither the receipt of the grant nor the purchase of the vests were anticipated when the budget was prepared, such that this revenue and these expenses were not included in the budget for FY 2019-2020; and

WHEREAS, a budget amendment is necessary to reflect the total revenue to be received from the grant and the expenditure of like amount for items requested in the grant agreement.

**NOW THEREFORE BE IT RESOLVED** that the following budget amendment #5 is adopted for the fiscal year beginning October 1, 2019 and ending September 30, 2020, as shown in and in accordance with the attached and incorporated Exhibit A, for the purposes stated 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

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

No. BA # 5

FUND	GENERAL	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-2101-521.60-15	Capital Outlay < \$5,000 Grant	8,136.00	9,825.00	17,961.00
TO	001-0000-331.20-33	Federal Grants Edward Byrne JAG Tactical Response	0.00	(9,825.00)	(9,825.00)
			0.00	0.00	0.00
			0.00	0.00	0.00
			0.00	0.00	0.00
			0.00	0.00	0.00
			0.00	0.00	0.00
					0.00
		Check Adjustment Totals:	8,136.00	0.00	8,136.00

**BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:**

To reflect the award of Edward Byrne Memorial Justice Grant (JAG) 2020-JAGC-BAY-1-Y5-035 and the appropriation of such funds for the purchase of tactical response equipment

**ROUTING FOR APPROVAL**

\_\_\_\_\_ DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_ CITY MANAGER \_\_\_\_\_ DATE  
 \_\_\_\_\_ FINANCE DIRECTOR \_\_\_\_\_ DATE

EXHIBIT A

**8**  
**AGENDA ITEM #** \_\_\_\_\_

**REGULAR ITEM**

**9**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Administration

2. MEETING DATE:

11/14/2019

3. REQUESTED MOTION/ACTION:

Discuss Full Pay Plan Study for all Full-Time City Employees

4. AGENDA

PRESENTATION

PUBLIC HEARING

CONSENT

REGULAR

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

N/A

DETAILED BUDGET AMENDMENT ATTACHED YES  NO

N/A

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

Over the last 12 months, the City has had trouble filling positions in the workforce. This could be due to lower wages or loss of work force. At the Council's direction, staff had budgeted to complete a pay plan study and received the attached options for a ballpark of cost.

Staff recommends RFQ for vendor to ensure we have the best vendor for our City. If the Council agrees, we will begin the RFQ process.

Alternatively, if Council wants to continue with the City's current vendor, staff has prepared a Resolution for the Council's immediate adoption.

**RESOLUTION 20-25**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH EVERGREEN SOLUTIONS, LLC FOR A COMPENSATION AND CLASSIFICATION STUDY, IN THE AMOUNT OF \$28,000.**

**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 Evergreen Solutions, LLC, relating to the performance of a Compensation and Classification Study, in the basic amount of Twenty Eight Thousand Dollars (\$28,000.00), in substantially the form attached and presented to the Council today, draft dated October 28, 2019, 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 regular session this \_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Jan Bossert, City Clerk

Resolution 20-25





# Evergreen Solutions, LLC

2878 Remington Green Circle - Tallahassee, Florida 32308  
850.383.0111 - fax 850.383.1511

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October 28, 2019

Lori Philput, Human Resources & Risk Management Director  
110 S. Arnold Road,  
City Hall Annex, Room 204  
Panama City Beach, FL 32413

SUBMITTED VIA EMAIL: [lphilput@pcb.gov.com](mailto:lphilput@pcb.gov.com)

Dear Ms. Philput:

Thank you for contacting our office regarding a Compensation and Classification Study for the City. We are excited for the opportunity to assist the City of Panama City Beach ("City") again and have identified the following tasks with associated costs to achieve the City's desired compensation plan goals.

Evergreen can provide a Compensation and Classification Study that would include approximately 280 employees in 150 job classifications and the following tasks:

## Option I

- conduct a study kickoff meeting and collect relevant data;
- analyze conditions of the current pay plan and employees' salaries;
- review the City's compensation philosophy;
- conduct statistical and anecdotal research into the current environment by administering the Job Assessment Tool (JAT) and Management Issues Tool (MIT) processes;
- analyze internal equity by evaluating and making recommendations to the classification system;
- identify up to 20 targets and 40 classifications for a market (salary) survey;
- develop and conduct a salary survey and analyze results;
- based on results of the salary survey (external equity) and the analysis of internal equity, provide recommendations for updates/changes to the pay plan, including implementation options with cost estimates; and
- prepare and deliver draft and final reports.

Our cost to provide these services listed in Option I is **\$28,000**.

Alternatively, Evergreen can provide a Compensation Update Study that would include approximately 280 employees in 150 job classifications and the following tasks:

## Option II

- conduct a study kick-off meeting and collect relevant data;
- analyze conditions of the current pay plan and employees' salaries;
- identify up to 20 targets and 40 classifications for a market (salary) survey;
- develop and conduct a salary survey and analyze results;
- based on results of salary survey and review of internal equity, provide recommendations for updates/changes to the pay plan, including implementation options with cost estimates; and
- prepare and deliver draft and final reports.

Our cost to provide the services listed in Option II is **\$12,000**.

[www.ConsultEvergreen.com](http://www.ConsultEvergreen.com)

AGENDA ITEM # 9

The quoted costs to provide these services is all inclusive, and includes travel costs (meals and lodging), transportation, fringe benefits, indirect cost (overhead), clerical support, and all other out-of-pocket expenses.

We appreciate the opportunity to continue to work with Panama City Beach and provide assistance in this capacity. If you need any additional information, please contact me at (850)383-0111 or [jeff@consultevergreen.com](mailto:jeff@consultevergreen.com).

Sincerely,



Jeffrey Ling, PhD  
Executive Vice- President



**REGULAR ITEM**

**10**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
LEGAL

2. MEETING DATE:  
NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:  
APPROVE RESOLUTION RATIFYING, CONFIRMING AND RE-ADOPTING THE FIRST AMENDMENT TO THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN

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 SEPTEMBER 26, 2019, THE CITY PASSED RESOLUTION 19-140, AMENDING THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN IN ORDER TO EXTEND THE PLAN'S DURATION UNTIL SEPTEMBER 30, 2019. IN ORDER TO CURE A PROCEDURAL DEFECT IN THE NOTICE OF THE PUBLIC HEARING IN WHICH RESOLUTION 19-140 WAS ADOPTED, STAFF RECOMMENDS THE COUNCIL HOLD A SECOND PUBLIC HEARING TO RATIFY, CONFIRM AND RE-ADOPT RESOLUTION 19-140 IN THE SAME FORM AND WITH THE SAME SUBSTANCE AS ADOPTED ON SEPTEMBER 26, 2019. THIS RECOMMENDATION IS ALSO CONSISTENT WITH THE CITY'S CUSTOM AND PRACTICE OF RATIFYING AND CONFIRMING ACTIONS WITH SIGNIFICANT IMPACT ON THE AGENCY AND PLANS, AND IS MORE SPECIFICALLY SPELLED OUT IN THE WHEREAS CLAUSES IN THE PROPOSED RESOLUTION.

NOTICES HAVE BEEN TIMELY PUBLISHED AND TRANSMITTED AS REQUIRED BY STATUTE, AND EVIDENCE OF THOSE NOTICES ARE ATTACHED TO THIS RESOLUTION.

STAFF RECOMMENDS APPROVAL.

**Resolution No. 20-16**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, RELATING TO COMMUNITY REDEVELOPMENT WITHIN THE FRONT BEACH ROAD REDEVELOPMENT AREA; PROVIDING FOR FINDINGS; RATIFYING, CONFIRMING AND RE-ADOPTING THE FIRST AMENDMENT TO THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 30, 2000, the City Council of the City of Panama City Beach, Florida, (the “City”) created the Panama City Beach Community Redevelopment Agency (the “Agency”) pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex-officio as the governing body of the Agency; and subsequently reestablished the Agency, if necessary, and ratified and confirmed such action on June 20, 2002 pursuant to Resolution 02-26; and

**WHEREAS**, on June 21, 2001, by Resolution 01-25 the City Council and ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, determined the Front Beach Road Community Redevelopment Area, as therein depicted, and made a finding of necessity as set forth in Section 163.355, Florida Statutes, with respect to the Front Beach Road Community Redevelopment Area; and subsequently ratified and confirmed such actions on June 20, 2002 pursuant to Resolution 02-27; and

**WHEREAS**, on July 26, 2001, by Resolution 01-32, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, expressed its intention to adopt the Front Beach Road Community Redevelopment Plan and the Front Beach Road Community Redevelopment Trust Fund Ordinance Pursuant

to Chapter 163, Part III, Florida Statutes (the “Community Redevelopment Act” or “Act”), and directed and authorized the preparation of notices and setting of hearings concerning such actions; and

**WHEREAS**, on July 30, 2001, by its Resolution 01-02, the Planning Board of the City of Panama City Beach, Florida, determined that the Front Beach Road Community Redevelopment Plan conformed to the City of Panama City Beach Comprehensive Growth Development Plan; and

**WHEREAS**, on August 30, 2001, by its Resolution 01-41, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the Front Beach Road Community Redevelopment Plan dated August 2001 (the “Plan”) and subsequently ratified and confirmed such action on June 20, 2002 by Resolution 02-28; and

**WHEREAS**, on August 8, 2019, by its Resolution 19-126, the City Council as the governing body that created the Agency, approved the continued existence of the Agency until the completion of the roadways and streetscapes contemplated in the Plan; and

**WHEREAS**, on September 26, 2019, by its Resolution 19-140, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the First Amendment to the Front Beach Road Community Redevelopment Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

**SECTION 1. FINDINGS.** It is ascertained, determined and declared as follows:

(A) The Agency has submitted the First Amendment to the Front Beach Road Community Redevelopment Plan to the City and each taxing authority that levies ad valorem taxes on taxable real property contained within the Front Beach Road Community Redevelopment Area described therein. Proof of notice,

publication and mailing of such submittals is attached as Exhibit A to Resolution No. 19-140, adopted September 26, 2019. Proof of notice, publication and mailing of a second notice that the City and Agency intended to consider ratification, confirmation and readoption of the First Amendment to the Front Beach Road Community Redevelopment Plan, in materially the same form and content as the Plan adopted August 30, 2001 is attached hereto as Exhibit A. All such governmental entities and all interested persons affected were afforded an opportunity to present oral and written comments at a duly noticed public hearing conducted by the City, and ex-officio as the Agency, on September 26, 2019, and subsequently on November 14, 2019.

(B) As a result of a review of the First Amendment of the Plan and consideration of input at the public hearings, the City Council, and ex-officio in its capacity as the governing body of the Agency, finds and ratifies and confirms its prior findings, that:

(1) The projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary to design, acquire right of way, permit and construct each transportation project; and

(2) Though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

(3) Since 2002, the Agency has:

(A) Completed the following contemplated streetscape projects:

- (i) Churchwell Road;
- (ii) Beckrich Road n/k/a Richard Jackson Boulevard;
- (iii) Powell Adams Segment 1;
- (iv) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);

(v) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);

(B) Undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:

(i) Front Beach Road Segment 3/Hwy 79;

(ii) Alf Coleman Phase 1;

(iii) Powell Adams Phase 2;

(iv) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);

(C) Yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:

(i) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);

(ii) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);

(iii) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);

(iv) Cobb Road;

(v) Hills Road;

(vi) Nautilus Street;

(viii) Clara Avenue;

(ix) North Thomas Drive; and

(4) Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and

(5) Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and

(6) On August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and



(7) The Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and

(8) Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to “provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.”; and

(9) The Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and

(10) The Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and

(11) Pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019.

(C) The City and the Agency hereby adopt, ratify and confirm all prior determinations that:

(1) The Agency shall continue in existence until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

(2) Amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted.

**SECTION 2. APPROVAL OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN.**

(A) The First Amendment to the Front Beach Road Community Redevelopment Plan, dated September 26, 2019, which is attached hereto and incorporated herein by reference as Exhibit B, is hereby approved, and its prior approval and adoption is ratified and confirmed in all respects, and said First Amendment shall be implemented in a manner consistent therewith. Upon adoption hereof, the First Amendment shall be deemed to be adopted, ratified, confirmed, and in full force and effect for the Redevelopment Area.

(B) The adoption of this Resolution shall be liberally construed to comply with the content, notice, review, comment and approval requirements required by Part III, Chapter 163, Florida Statutes.

(C) If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

(D) All prior resolutions of the City or Agency inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained.

(E) It is not the City's intention, and nothing herein shall be so construed, to impair the effectiveness of any prior action or resolution taken or adopted by the City Council, or ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, with respect to the creation and establishment of the Panama City Beach Community Redevelopment Agency, any previously adopted community redevelopment plan, or any other action taken by such governmental

bodies.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY COUNCIL OF PANAMA CITY  
BEACH, FLORIDA, AND EX-OFFICIO  
AS THE GOVERNING BODY OF THE  
PANAMA CITY BEACH COMMUNITY  
REDEVELOPMENT AGENCY**

\_\_\_\_\_  
Mike Thomas, Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:

\_\_\_\_\_  
Mary Jan Bossert, City Clerk,  
and Ex-Officio as  
Clerk to the Agency

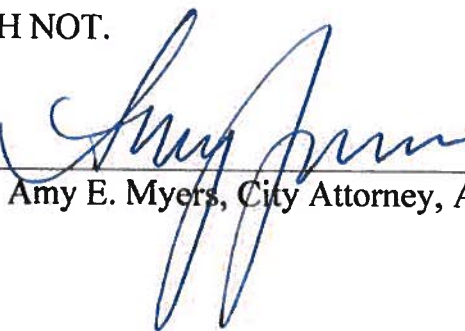
**EXHIBIT A**

**COMPOSITE PROOF OF  
PUBLICATION AND MAILING  
AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, personally appeared Amy E. Myers, who after being duly sworn, deposes and says:

1. I am the City Attorney of City of Panama City Beach, Florida (the "City").
2. Pursuant to the authority and direction received from the City Council, I timely directed the preparation, mailing, and publication of notices in accordance with sections 163.346, Florida Statutes.
3. Public notice was published in The Panama City News Herald on October 31, 2019; a copy of proof of publication of same being attached hereto as Exhibit A-1. Notices were sent by registered mail on October 29, 2019, to the following taxing authorities: Board of County Commissioners; City of Panama City Beach, Florida; Beach Mosquito Control District; Bay District School Board; and Northwest Florida Water Management District. A copy of such notice mailed is attached as composite Exhibit A-2.

FURTHER AFFIANT SAYETH NOT.



---

Amy E. Myers, City Attorney, Affiant

STATE OF FLORIDA  
COUNTY OF BAY

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 8<sup>th</sup> day of November, 2019 by Amy E. Myers, City Attorney, City of Panama

Resolution No. 20-16  
Page 8 of 10

City Beach, Florida. She is personally known to me or has produced a driver's license as intention and did take an oath.

(SEAL)

Printed/Typed Name: Cindy Kittler  
Notary Public-State of Florida  
Commission Number: GG 182899  
Commission Expires: Mar 9, 2022



# The News Herald

501 W. 11<sup>th</sup> Street  
P.O. Box 1940, Panama City, FL 32401  
Published Daily  
Panama City, Bay County, Florida

## State of Florida County of Bay

Before the undersigned authority personally appeared Susan Collins, who on oath says that she is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement #25030 in the matter of NOTICE OF PUBLIC HEARING in the Bay County Court, was published in said newspaper in the issue of October 31, 2019.

Affiant further says that the said The News Herald is a newspaper published at Panama City, in said Bay County, Florida, is a direct successor of the Panama City News and that the said newspaper, together with its direct predecessor, has heretofore been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays) and has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Susan Collins

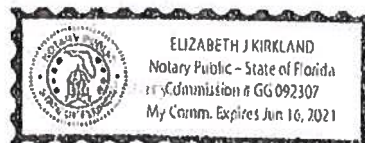
State of Florida  
County of Bay

Sworn to and subscribed before me this 31st day of October, A.D., 2019.

By Susan Collins, Legal Advertising Representative of The News Herald,

who is personally known to me or has produced N/A as identification.

Elizabeth J. Kirkland  
Notary Public, State of Florida at Large



### 25030 NOTICE OF PUBLIC HEARING

Notice is hereby given by the City Council of Panama City Beach, and Ex-Officio the Panama City Beach Community Redevelopment Agency, that it intends to hold a public hearing to ratify, confirm and re-adopt the First Amendment of the Front Beach Road Community Redevelopment Plan (the "First Amendment") in materially the same form and content as adopted by Resolution 19-140 on September 28, 2019. Such notice has also been provided by registered mail to each required taxing authority in compliance with section 183.346, Florida Statutes.

The Front Beach Road Community Redevelopment Plan (the "Plan") is intended to serve as a framework for guiding development and redevelopment of the Front Beach Road Community Redevelopment Area. The Plan focuses upon correction of transportation, parking, beach access, safety and utility issues and related capital improvements. The effect of the First Amendment is to extend the duration of the Plan to September 30, 2049.

A public hearing will be held at 6:00 pm, November 14, 2019 at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413, for the purpose of receiving public comment on the First Amendment to the Plan by the City Council, and Ex-Officio the Panama City Beach Community Redevelopment Agency.

A copy of Resolution 19-140, the Front Beach Road Community Redevelopment Plan and the proposed resolution ratifying, confirming and re-adopting the First Amendment of the Front Beach Road Community Redevelopment Plan, are also available for inspection at the office of the City Clerk at City Hall.

If a person decides to appeal any decision made by the City Council with respect to any matter considered, such person 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.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk's office at 850-239-5100 or [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov) at least two days prior to the date of the hearing.

MARY JAN BOSSERT,  
CITY CLERK PANAMA  
CITY BEACH, FLORIDA,  
EX-OFFICIO  
CLERK TO THE PANAMA  
CITY BEACH  
COMMUNITY REDE-



City of

# Panama City Beach

PCB City Hall

110 S. Arnold Rd.  
PCB, FL. 32413  
P: (850) 233-5100  
F: (850) 233-5108  
www.pcbgov.com

October 29, 2019

**BY REGISTERED MAIL:**

Robert Majka, Jr., County Manager  
Board of County Commissioners  
840 West 11<sup>th</sup> Street  
Panama City, FL 32401

Mike Thomas, Mayor  
City of Panama City Beach, FL  
110 South Arnold Road  
Panama City Beach, FL 32413

William Husfelt, III, Superintendent  
Bay District School Board  
1311 Balboa Avenue  
Panama City, FL 32401

James Clauson, Director  
Beach Mosquito Control District  
1016 Cox Grade Road  
Panama City Beach, FL 32407

Northwest Florida Water Management  
District Headquarters  
Attention: Executive Director  
81 Water Management Drive  
Havana, FL 32333

**Re:** Notice of public hearing to ratify, confirm and re-adopt the First Amendment to the Front Beach Road Community Redevelopment Plan intended to advance and implement the Front Beach Road Community Redevelopment Plan as originally adopted; provided by registered mail in compliance with section 163.346, Florida Statutes.

Dear Sirs:

As required by Section 163.346, Florida Statutes, and the direction of the City Council, Ex-Officio the Panama City Beach Community Redevelopment Agency, notice is given by the City, and ex-officio as the Panama City Beach Community Redevelopment Agency, that it intends to hold a public hearing to ratify, confirm and re-adopt the First Amendment to the Front Beach Road Community Redevelopment Plan, in materially the same form and content as adopted by Resolution 19-140 on September 26, 2019.

Mayor  
Mike Thomas

Vice Mayor  
Phil Chester

Ward 1  
Paul Casto

Ward 3  
Geoff McConnell

Ward 4  
Hector Solis

City Manager  
Mario Gisbert

---

*Home of the world's most beautiful beaches.*

AGENDA ITEM # **10**

October 29, 2019  
Ratification of Resolution 19-140


The First Amendment to the Front Beach Road Community Redevelopment Plan extends the duration of the Plan to September 30, 2049, and does not materially alter the purpose or objectives of the original Front Beach Road Community Redevelopment Plan.

A public hearing will be held at **6:00 P.M. on November 14, 2019**, at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413, for the purpose of receiving public comment on the proposed action by the City Council, and Ex-Officio as the Panama City Beach Community Redevelopment Agency.

This notice is provided pursuant to Section 163.346, Florida Statutes. A copy of the Resolution 19-140 approving the First Amendment, the Front Beach Road Community Redevelopment Plan, and the proposed resolution ratifying, confirming and re-adopting the First Amendment of the Front Beach Road Community Redevelopment Plan are available for inspection at the office of the City Clerk.

The City, and Ex-Officio as the Panama City Beach Community Redevelopment Agency, has also provided public notice pursuant to Section 166.041(3), Florida Statutes. This extraordinary notice has been given to all affected taxing authorities which have the power to levy ad valorem taxes on taxable real property contained within the City. The City looks forward to receiving any questions or comments you may offer and encourages your attendance.

Sincerely,



Mario Gisbert  
City Manager

Enclosures: Resolution 19-140  
Proposed Resolution Ratifying



**Resolution No. 20-16**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PANAMA CITY BEACH, FLORIDA, AND  
EX-OFFICIO AS THE GOVERNING BODY OF  
PANAMA CITY BEACH COMMUNITY  
REDEVELOPMENT AGENCY, RELATING TO  
COMMUNITY REDEVELOPMENT WITHIN THE  
FRONT BEACH ROAD REDEVELOPMENT AREA;  
PROVIDING FOR FINDINGS; RATIFYING,  
CONFIRMING AND RE-ADOPTING THE FIRST  
AMENDMENT TO THE FRONT BEACH ROAD  
COMMUNITY REDEVELOPMENT PLAN; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 30, 2000, the City Council of the City of Panama City Beach, Florida, (the "City") created the Panama City Beach Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex-officio as the governing body of the Agency; and subsequently reestablished the Agency, if necessary, and ratified and confirmed such action on June 20, 2002 pursuant to Resolution 02-26; and

**WHEREAS**, on June 21, 2001, by Resolution 01-25 the City Council and ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, determined the Front Beach Road Community Redevelopment Area, as therein depicted, and made a finding of necessity as set forth in Section 163.355, Florida Statutes, with respect to the Front Beach Road Community Redevelopment Area; and subsequently ratified and confirmed such actions on June 20, 2002 pursuant to Resolution 02-27; and

**WHEREAS**, on July 26, 2001, by Resolution 01-32, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, expressed its intention to adopt the Front Beach Road Community Redevelopment Plan and the Front Beach Road Community Redevelopment Trust Fund Ordinance Pursuant

to Chapter 163, Part III, Florida Statutes (the “Community Redevelopment Act” or “Act”), and directed and authorized the preparation of notices and setting of hearings concerning such actions; and

**WHEREAS**, on July 30, 2001, by its Resolution 01-02, the Planning Board of the City of Panama City Beach, Florida, determined that the Front Beach Road Community Redevelopment Plan conformed to the City of Panama City Beach Comprehensive Growth Development Plan; and

**WHEREAS**, on August 30, 2001, by its Resolution 01-41, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the Front Beach Road Community Redevelopment Plan dated August 2001 (the “Plan”) and subsequently ratified and confirmed such action on June 20, 2002 by Resolution 02-28; and

**WHEREAS**, on August 8, 2019, by its Resolution 19-126, the City Council as the governing body that created the Agency, approved the continued existence of the Agency until the completion of the roadways and streetscapes contemplated in the Plan; and

**WHEREAS**, on September 26, 2019, by its Resolution 19-140, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the First Amendment to the Front Beach Road Community Redevelopment Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

**SECTION 1. FINDINGS.** It is ascertained, determined and declared as follows:

(A) The Agency has submitted the First Amendment to the Front Beach Road Community Redevelopment Plan to the City and each taxing authority that levies ad valorem taxes on taxable real property contained within the Front Beach Road Community Redevelopment Area described therein. Proof of notice,

publication and mailing of such submittals is attached as Exhibit A to Resolution No. 19-140, adopted September 26, 2019. Proof of notice, publication and mailing of a second notice that the City and Agency intended to consider ratification, confirmation and readoption of the First Amendment to the Front Beach Road Community Redevelopment Plan, in materially the same form and content as the Plan adopted August 30, 2001 is attached hereto as Exhibit A. All such governmental entities and all interested persons affected were afforded an opportunity to present oral and written comments at a duly noticed public hearing conducted by the City, and ex-officio as the Agency, on September 26, 2019, and subsequently on November 14, 2019.

(B) As a result of a review of the First Amendment of the Plan and consideration of input at the public hearings, the City Council, and ex-officio in its capacity as the governing body of the Agency, finds and ratifies and confirms its prior findings, that:

(1) The projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary to design, acquire right of way, permit and construct each transportation project; and

(2) Though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

(3) Since 2002, the Agency has:

(A) Completed the following contemplated streetscape projects:

(i) Churchwell Road;

(ii) Beckrich Road n/k/a Richard Jackson Boulevard;

(iii) Powell Adams Segment 1;

(iv) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);

(v) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);

(B) Undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:

- (i) Front Beach Road Segment 3/Hwy 79;
- (ii) Alf Coleman Phase 1;
- (iii) Powell Adams Phase 2;
- (iv) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);

(C) Yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:

- (i) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);
- (ii) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);
- (iii) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);
- (iv) Cobb Road;
- (v) Hills Road;
- (vi) Nautilus Street;
- (viii) Clara Avenue;
- (ix) North Thomas Drive; and

(4) Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and

(5) Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and

(6) On August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

(7) The Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and

(8) Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to “provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.”; and

(9) The Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and

(10) The Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and

(11) Pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019.

(C) The City and the Agency hereby adopt, ratify and confirm all prior determinations that:

(1) The Agency shall continue in existence until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

(2) Amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted.

**SECTION 2. APPROVAL OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN.**

(A) The First Amendment to the Front Beach Road Community Redevelopment Plan, dated September 26, 2019, which is attached hereto and incorporated herein by reference as Exhibit B, is hereby approved, and its prior approval and adoption is ratified and confirmed in all respects, and said First Amendment shall be implemented in a manner consistent therewith. Upon adoption hereof, the First Amendment shall be deemed to be adopted, ratified, confirmed, and in full force and effect for the Redevelopment Area.

(B) The adoption of this Resolution shall be liberally construed to comply with the content, notice, review, comment and approval requirements required by Part III, Chapter 163, Florida Statutes.

(C) If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

(D) All prior resolutions of the City or Agency inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained.

(E) It is not the City's intention, and nothing herein shall be so construed, to impair the effectiveness of any prior action or resolution taken or adopted by the City Council, or ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, with respect to the creation and establishment of the Panama City Beach Community Redevelopment Agency, any previously adopted community redevelopment plan, or any other action taken by such governmental

bodies.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

**CITY COUNCIL OF PANAMA CITY  
BEACH, FLORIDA, AND EX-OFFICIO  
AS THE GOVERNING BODY OF THE  
PANAMA CITY BEACH COMMUNITY  
REDEVELOPMENT AGENCY**

\_\_\_\_\_  
Mike Thomas, Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:

\_\_\_\_\_  
Mary Jan Bossert, City Clerk,  
and Ex-Officio as  
Clerk to the Agency

**EXHIBIT A**

**COMPOSITE PROOF OF  
PUBLICATION AND MAILING  
AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, personally appeared Amy E. Myers, who after being duly sworn, deposes and says:

1. I am the City Attorney of City of Panama City Beach, Florida (the "City").

2. Pursuant to the authority and direction received from the City Council, I timely directed the preparation, mailing, and publication of notices in accordance with sections 163.346, Florida Statutes.

3. Public notice was published in The Panama City News Herald on October 31, 2019; copies of proofs of publication (2) of same being attached hereto as Exhibit A-1. Notices were sent by registered mail on October 29, 2019, to the following taxing authorities: Board of County Commissioners; City of Panama City Beach, Florida; Beach Mosquito Control District; Bay District School Board; and Northwest Florida Water Management District. A copy of such notice mailed is attached as composite Exhibit A-2.

**FURTHER AFFIANT SAYETH NOT.**

\_\_\_\_\_  
Amy E. Myers, City Attorney, Affiant

STATE OF FLORIDA  
COUNTY OF BAY

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_ day of November, 2019 by Amy E. Myers, City Attorney, City of Panama

Resolution No. 20.16  
Page 8 of 10

AGENDA ITEM # 10



City Beach, Florida. She is personally known to me or has produced a driver's license as intention and did take an oath.

(SEAL)

Printed/Typed Name: \_\_\_\_\_  
Notary Public-State of \_\_\_\_\_  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

**EXHIBIT B  
RESOLUTION 19-140  
FIRST AMENDMENT TO THE  
FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN**

Resolution No. 20-16  
Page 10 of 10

AGENDA ITEM # 10

**RESOLUTION 19-140**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE FIRST AMENDMENT OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN TO EXTEND THE PLAN'S DURATION; MAKING FINDINGS OF FACT; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**WHEREAS, on or about November 30, 2000, the City Council of the City of Panama City Beach, Florida, created the Panama City Beach Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex officio as the governing body of the Agency; and**

**WHEREAS, the City, acting as the Agency, oversees two community redevelopment areas: The Pier Park community redevelopment area and its associated community redevelopment plan adopted for the purpose of designing, financing, developing and maintaining Aaron Bessant Park, the City Pier and adjacent land into a thriving economic town center and entertainment area; and The Front Beach Road community redevelopment area and its associated community redevelopment plan adopted for the purpose of rehabilitating and redeveloping aging scenic corridors and public transportation facilities in a coastal community, among other things; and**

**WHEREAS, these community redevelopment initiatives have been successful—Pier Park has been developed and has turned the blighted Wayside Park into a bustling commercial and recreational city center, while the Front Beach Road community redevelopment initiative has completed streetscape and transportation projects that have fostered private redevelopment and improvement of properties; and**

**WHEREAS, the Pier Park redevelopment area and Plan will likely complete its mission in the near future, but the projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary**

**WHEREAS, Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and**

**WHEREAS, Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and**

**WHEREAS, on August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and**

**WHEREAS, the Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and**

**WHEREAS, Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to "provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted."; and**

**WHEREAS, the Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and**

**WHEREAS, the Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and**

WHEREAS, pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019; and

WHEREAS, pursuant to the requirements of s. 163.362(3), Florida Statutes, the City, acting as the Agency, has reported the proposed modification to each taxing authority.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Findings. The City Council finds, declares and determines that the matters set forth in the foregoing recitals are true and correct and are incorporated herein as part of this Resolution.

Section 2. Amendment.

(A) The City Council does hereby adopt the following First Amendment to the Front Beach Road Community Redevelopment Plan:

Section 6.04 DURATION OF THE PLAN.

The redevelopment initiatives and work program described in the Front Beach Road Community Redevelopment Plan are expected to be funded through tax increment revenues and must be completed no later than **September 30, 2049**. ~~30 years after the Front Beach Road Community Redevelopment Plan is approved, adopted or amended.~~

(B) Except as modified and amended herein, the Front Beach Road Community Redevelopment Plan shall remain in full force and effect.

Section 3. This Resolution shall take effect immediately upon its approval by the City Council.

PASSED, APPROVED AND ADOPTED in regular session this 26<sup>th</sup> day of September, 2019.

**CITY COUNCIL OF  
PANAMA CITY BEACH,  
FLORIDA, AND EX-  
OFFICIO AS THE  
GOVERNING BODY OF  
THE PANAMA CITY  
BEACH COMMUNITY  
REDEVELOPMENT  
AGENCY**



\_\_\_\_\_  
Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:



\_\_\_\_\_  
City Clerk, and Ex-Officio as  
Clerk to the Agency

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: Northwest Florida Water Management Distr. Hq.  
 Allen, Executive Director, 81 Water Management Dr.  
 Havana, FL 32333 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: Robert Majka, Jr., County Manager  
 Board of County Commissioners  
 810 West 11th Street  
 Panama City, FL 32401 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: William Husfelt, III, Superintendent  
 Bay District School Board  
 1314 Balboa Avenue  
 Panama City, FL 32401 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: Mike Thomas, Mayor  
 City of Panama City Beach, FL  
 150 South Arnold Road  
 Panama City Beach, FL 32413 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: James Clauson, Director  
 Beach Mosquito Control District  
 1010 Cox Grade Road  
 Panama City Beach, FL 32407 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

AGENDA ITEM # 10

**EXHIBIT B  
RESOLUTION 19-140  
FIRST AMENDMENT TO THE  
FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN**

Resolution No. 20-16  
Page 10 of 10

AGENDA ITEM # 10



## RESOLUTION 19-140

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE FIRST AMENDMENT OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN TO EXTEND THE PLAN'S DURATION; MAKING FINDINGS OF FACT; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on or about November 30, 2000, the City Council of the City of Panama City Beach, Florida, created the Panama City Beach Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex officio as the governing body of the Agency; and

WHEREAS, the City, acting as the Agency, oversees two community redevelopment areas: The Pier Park community redevelopment area and its associated community redevelopment plan adopted for the purpose of designing, financing, developing and maintaining Aaron Bessant Park, the City Pier and adjacent land into a thriving economic town center and entertainment area; and The Front Beach Road community redevelopment area and its associated community redevelopment plan adopted for the purpose of rehabilitating and redeveloping aging scenic corridors and public transportation facilities in a coastal community, among other things; and

WHEREAS, these community redevelopment initiatives have been successful—Pier Park has been developed and has turned the blighted Wayside Park into a bustling commercial and recreational city center, while the Front Beach Road community redevelopment initiative has completed streetscape and transportation projects that have fostered private redevelopment and improvement of properties; and

WHEREAS, the Pier Park redevelopment area and Plan will likely complete its mission in the near future, but the projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary

to design, acquire right of way, permit and construct each transportation project; and

WHEREAS, though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

WHEREAS, since 2002, the Agency has:

- (1) completed the following contemplated streetscape projects:
  - (a) Churchwell Road;
  - (b) Beckrich Road n/k/a Richard Jackson Boulevard;
  - (c) Powell Adams Segment 1;
  - (d) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);
  - (e) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);
  
- (2) undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:
  - (a) Front Beach Road Segment 3/Hwy 79;
  - (b) Alf Coleman Phase 1;
  - (c) Powell Adams Phase 2;
  - (d) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);
  
- (3) yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:
  - (a) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);
  - (b) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);
  - (c) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);
  - (d) Cobb Road;
  - (e) Hills Road;
  - (f) Nautilus Street;
  - (g) Clara Avenue;
  - (h) North Thomas Drive; and

WHEREAS, Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and

WHEREAS, Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and

WHEREAS, on August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

WHEREAS, the Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and

WHEREAS, Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to "provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted."; and

WHEREAS, the Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and

WHEREAS, the Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and

WHEREAS, pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019; and

WHEREAS, pursuant to the requirements of s. 163.362(3), Florida Statutes, the City, acting as the Agency, has reported the proposed modification to each taxing authority.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Findings. The City Council finds, declares and determines that the matters set forth in the foregoing recitals are true and correct and are incorporated herein as part of this Resolution.

Section 2. Amendment.

(A) The City Council does hereby adopt the following First Amendment to the Front Beach Road Community Redevelopment Plan:

Section 6.04 DURATION OF THE PLAN.

The redevelopment initiatives and work program described in the Front Beach Road Community Redevelopment Plan are expected to be funded through tax increment revenues and must be completed no later than **September 30, 2049**. ~~30 years after the Front Beach Road Community Redevelopment Plan is approved, adopted or amended.~~

(B) Except as modified and amended herein, the Front Beach Road Community Redevelopment Plan shall remain in full force and effect.

Section 3. This Resolution shall take effect immediately upon its approval by the City Council.

PASSED, APPROVED AND ADOPTED in regular session this 26<sup>th</sup> day of September, 2019.

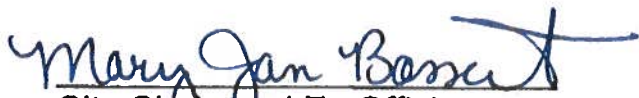
**CITY COUNCIL OF  
PANAMA CITY BEACH,  
FLORIDA, AND EX-  
OFFICIO AS THE  
GOVERNING BODY OF  
THE PANAMA CITY  
BEACH COMMUNITY  
REDEVELOPMENT  
AGENCY**



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Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:



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City Clerk, and Ex-Officio as  
Clerk to the Agency

**REGULAR ITEM**

**11**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

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

2. MEETING DATE:  
NOVEMBER 14, 2019

3. REQUESTED MOTION/ACTION:  
APPROVE AN AMENDED JOB DESCRIPTION FOR THE BEACH RESCUE DIVISION DIRECTOR.

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)  
AT ITS AUGUST 22, 2019 MEETING THE CITY COUNCIL APPROVED JOB DESCRIPTIONS FOR THE TRANSITION AND CREATION OF THE BEACH RESCUE DIVISION WITHIN THE CITY'S FIRE DEPARTMENT. SINCE THAT TIME, THE CITY COUNCIL HAS INSTRUCTED THE FIRE DEPARTMENT TO PURSUE CONTRACTING WITH PROPERTY OWNERS TO PROVIDE LIFEGUARD SERVICES. THIS NEW DIRECTION NECESSITATES AN AMENDMENT TO THE SCOPE OF THE DIVISION DIRECTOR'S DUTIES.

THE DEPARTMENT, WORKING WITH THE CIVIL SERVICE BOARD, HAS BEEN ACTIVELY RECRUITING APPLICANTS TO FILL THE OPEN DIVISION DIRECTOR POSITION WITHOUT SUCCESS. THE DEPARTMENT REQUESTS AN AMENDMENT TO THE JOB DESCRIPTION IN HOPES THAT IT WILL OPEN THE TALENT POOL TO THOSE WHO MAY OTHERWISE EXCEL AT THE POSITION BUT CURRENTLY DO NOT MEET THE POSITION'S EDUCATION REQUIREMENTS.

IF APPROVED THE DEPARTMENT WILL READVERTISE THE POSITION AND PURSUE FILLING IT AS SOON AS POSSIBLE.

**CITY OF PANAMA CITY BEACH  
Job Description**

**JOB TITLE: Beach Rescue Division Director**

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**SALARY RANGE:** \$17.86 - \$29.47/hr.

**SHIFT:** Days

**LOCATION:** 17121 Panama City Beach Pkwy

**REPORTS TO:** Fire Chief

**PREPARED BY:** Fire Chief

**APPROVED BY:** City Council

**PAY GRADE:** 32

**DIVISION:** Beach Safety

**DEPT:** Fire Rescue

**FSLA STATUS:** Non-Exempt

**POSITION:** Permanent Full-Time

**DATE:**

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**SUMMARY:**

This position is responsible for supervising and training the Beach Safety Division. The position is responsible for all aspects of the beach safety program including scheduling, training, maintenance, and overall direction. Work is performed under the primary direction of the Fire Chief.

This position is subject to emergency call-in; works evening and weekends to ensure the Beach Rescue mission is completed.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

Closely monitoring patrons on the beach within designated areas of supervision with particular attention to aquatic users; acts immediately and appropriately to secure safety of patrons in the event of emergency, carries out the rescue of any person(s) in difficulty or distress and informs command staff if and when back up is required.

Provides emergency care and first aid treatment as required until the arrival of emergency medical services, carries out dry-land and in-water missing person searches, and other safety interventions and preventative actions as required to prevent/treat death or injury, minimize risk, and maintain public safety.

Provides written reports of incidents and daily activity reports for beach statistics as requested by the Fire Chief and verbally notifying, as timely as possible, the Fire Chief or identified designee of any drowning, near drowning, or missing person.

Presents professional appearance and attitude at all times and maintains a high standard of customer service.

Enforces City Ordinances pertaining to the beach.

Maintains safety equipment and supplies.



Prepares and maintains appropriate activity reports.

Performs miscellaneous job-related duties as assigned.

**SUPERVISORY RESPONSIBILITIES:**

Directly supervises employees in the Beach Rescue Division. Carries out supervisory responsibilities in accordance with the department's policies and applicable laws. Responsibilities include planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

plan, and Standard Operating Guidelines so for the safe and efficient operations of the beach safety program.

**Supervises and administers contracts or partnerships with property owners for implementation of educational, preventative and response lifeguard services on an agreed upon area of beach.**

**Recruits and oversees the hiring and training of seasonal lifeguards and maintains adequate staffing levels to fully implement the beach safety program on City property and through contracts with property owners. The Director shall make hiring recommendations to the Fire Chief and shall inform the Fire Chief at any time when additional positions are necessary to adequately staff the program's needs.**

Supervises and responds to reports of distressed swimmers or open-water rescues from lifeguards and informing other services or agencies if and when backup is required.

Coordinates with the Public Information Officer and responds to all media requests for statements of for any type of media coverage related to the Beach Safety Program and lifeguard services and otherwise refers media requests to other appropriate designees depending on the information or topics discussed.

Reviews and assists in the preparation and analysis of written reports of incidents and Daily Activity Reports for required beach statistics, consistent with the beach safety plan, and verbally notifies, as soon as practicable, the Fire Chief and City Manager in the event of a drowning or serious open water incident.

Issues, in coordination with the Public Information Officer or other designee, public service announcements regarding gulf conditions, the beach safety flag system, beach safety, and the beach safety program.

Monitors the condition of lifeguard and other beach safety equipment and schedules

maintenance or replacement of equipment as needed.

Prepares an annual budget of the beach safety program including personnel, operation and capital expenses, monitors the program's expenses and schedules expenses in accordance with that budget.

**COMPETENCIES:**

To perform the job successfully, an individual should demonstrate the following competencies:

Analytical - Synthesizes complex or diverse information; Collects and researches data; Uses intuition and experience to complement data; Designs work flows and procedures.

Problem Solving - Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations; Uses reason even when dealing with emotional topics.

Project Management - Develops project plans; Coordinates projects; Communicates changes and progress; Completes projects on time and budget; Manages project team activities.

Technical Skills - Assesses own strengths and weaknesses; Pursues training and development opportunities; Strives to continuously build knowledge and skills; Shares expertise with others.

Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service; Responds to requests for service and assistance; Meets commitments.

Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.

Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.

Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.

Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and

group commitments to goals and objectives; Supports everyone's efforts to succeed.

Visionary Leadership - Displays passion and optimism; Inspires respect and trust; Mobilize others to fulfill the vision; Provides vision and inspiration to peers and subordinates.

Change Management - Develops workable implementation plans; Communicates changes effectively; Builds commitment and overcomes resistance; Prepares and supports those affected by change; Monitors transition and evaluates results.

Delegation - Delegates work assignments; Matches the responsibility to the person; Gives authority to work independently; Sets expectations and monitors delegated activities; Provides recognition for results.

Leadership - Exhibits confidence in self and others; Inspires and motivates others to perform well; effectively influences actions and opinions of others; Accepts feedback from others; Gives appropriate recognition to others.

Managing People - Includes staff in planning, decision-making, facilitating and process improvement; Takes responsibility for subordinates' activities; Makes self-available to staff; Provides regular performance feedback; Develops subordinates' skills and encourages growth; Solicits and applies customer feedback (internal and external); Fosters quality focus in others; Improves processes, products and services.; Continually works to improve supervisory skills.

Quality Management - Looks for ways to improve and promote quality; Demonstrates accuracy and thoroughness.

Diversity - Demonstrates knowledge of EEO policy; Shows respect and sensitivity for cultural differences; educate others on the value of diversity; promotes a harassment-free environment; Builds a diverse work force.

Ethics - Treats people with respect; Keeps commitments; inspires the trust of others; Works with integrity and ethically; Upholds organizational values.

Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.

Strategic Thinking - Develops strategies to achieve organizational goals; Understands organization's strengths & weaknesses; Analyzes market and competition; Identifies external threats and opportunities; Adapts strategy to changing conditions.

Judgement - Displays willingness to make decisions; Exhibits sound and accurate

judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.

Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.

Planning/Organizing - Prioritize and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.

Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.

Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.

Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.

Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions; Uses equipment and materials properly.

Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals. Completes tasks on time or notifies appropriate person with an alternate plan.

Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.

Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative

approaches and ideas; Presents ideas and information in a manner that gets others' attention.

**QUALIFICATION REQUIREMENTS:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily; must follow safety guidelines provided by the City and department; and must be dependable. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**EDUCATION and EXPERIENCE:**

High school diploma or general education degree (GED); must be willing to attend additional training and educational programs; must have two (2) years' experience as a USLA lifeguard and hold current USLA trainer certification or obtain that certification within one (1) year from the date of hire. EMT or Paramedic is preferred. Must be certified to train employees in CPR, First Aid and AED. A comparable amount of training and experience as a trainer, may be substituted for minimum qualifications.

**LANGUAGE SKILLS:**

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization.

**MATHEMATICAL SKILLS:**

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

**REASONING ABILITY:**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**OTHER REQUIREMENTS:**

Minimum age requirement is eighteen (18) years of age, must pass Beach Rescue Division USLA training, submit to pre-employment drug screening, complete pre-employment background investigation, pass swim test – 500 meter/550 yard swim in under ten (10) minutes and complete mile run in the sand. Applicants are required to provide proof of current physical with application.

Must possess basic computer knowledge; ability to operate a motor vehicle in a safe and competent manner. Certified and skilled in first-aid, AED, CPR, and USLA Open Water rescue. Knowledgeable in areas of marine life, beach and surf conditions, related

city codes and State laws.

Must possess valid Florida Driver's License - driving record must be acceptable to the City insurance program. Applicants will be administered the general competency Civil Service examination.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, or feel and talk or hear. The employee is frequently required to stand; walk; sit and reach with hands and arms. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl and taste or smell. The employee must regularly lift and /or move up to 25 pounds and occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus.

Some specific job duties that require one or more of the physical demands mentioned above are operating a motor vehicle, performing first aid on an injured person, pulling a distressed swimmer from rough surf conditions, raising and lowering surf warning flags, typing basic reports or correspondence, etc.

**WORK ENVIRONMENT:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly exposed to outside weather conditions. The employee is frequently exposed to wet and/or humid conditions; fumes or airborne particles and vibration. The employee is occasionally exposed to moving mechanical parts; high, precarious places; toxic or caustic chemicals; risk of electrical shock and risk of radiation. The noise level in the work environment is usually moderate.

I hereby acknowledge receipt of the job description and certify that I meet the qualification requirements stated herein and I am able to perform the essential duties and responsibilities of this position. I acknowledge that in addition to the duties outlined above I may be required to perform additional duties.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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**REGULAR ITEM**

**12**

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COMMITTEE VOLUNTEER  
CIVIL SERVICE BOARD APPLICATION  
PLEASE PRINT

NAME: Michael C. Jarman

HOME ADDRESS: 109 Heather Dr. PCB, FL 32413

MAILING ADDRESS: SAME

Home Phone: 850-541-3375 Business Phone: 850-234-2926 Cell: 850-541-3375  
How is it best to contact you during the day? \_\_\_\_\_

E-mail Address: brownfire@comcast.net Fax Number: N/A

Are you a registered voter in Bay County? Yes  No   
Do you currently hold an elected or appointed public office? Yes  No   
If yes, which one(s)? Civil Service Board

Do you have any relatives employed or contracted by the City of Panama City Beach or Bay County?  
If yes, please explain: N/A

The Civil Service Board meets the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month at 12:00 p.m.

I have read and understood Section 112.313, Florida Statutes, sets forth the standards of conduct for public officials and hereby affirm my eligibility to serve on the Civil Service Board in a voluntary capacity. See attached.

Michael Jarman  
Signature of Applicant

11/5/2019  
Date

\*\*\*\*\*  
Please return the completed form to Mary Jan Bossert, at the City Manager's office in person, via email to [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov) or via fax at (850) 233-5108. **Closing Date for applications is November 7, 2019, at Noon.** Council will make their choices November 14, 2019 at their 6 p.m. meeting.

Any questions, please phone (850) 233-5100 and ask for Mary Jan; or email [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov)

**NOTE: YOU MUST BE A CITY RESIDENT TO APPLY FOR THE POSITION**

**PLEASE ATTACH RESUME TO APPLICATION**

# MICHAEL JARMAN

109 Heather Dr, PCB, FL 32413 · 850-541-3375

mjarman@pcb.gov.com

To replace this text with your own, just click it and start typing. Briefly state your career objective, or summarize what makes you stand out. Use language from the job description as keywords.

## EXPERIENCE

**AUGUST 2005-PRESENT**

**MANAGER, BROWN FIRE PROTECTION, INC.**

Manage operations and customer service throughout the company. Develop and implement training programs for all departments. Develop on going business plan and monitor budgeting.

**MAY 2003 – AUGUST 2005**

**ENDOSCOPE PRODUCT SPECIALIST, IMS, INC.**

Manage the intake of damaged product, oversee the repair process and transmit proper billing. Develop and teach Best Care and Handling classes for internal staff and outside customers. Conduct customer surveys and research current sales trends internally and with field competition.

## EDUCATION

**JUNE 1993**

**DIPLOMA, BAY HIGH SCHOOL**

**MAY 1997**

**BACHELORS OF ARTS, ST. JOSEPH SEMINARY COLLEGE**

## SKILLS

- Proficient with Microsoft Word, Excel and PowerPoint
- Proven ability to convey complex ideas accurately and understandably
- Excellent critical thinking skills
- Able to employ LEAN principles
- Easily able to adjust to current demands within the workforce

**REGULAR ITEM**

**13**

**COMMITTEE VOLUNTEER  
BAY COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) APPLICATION  
PLEASE PRINT**

NAME: Mark Huebner

HOME ADDRESS: 8700 Front Beach Road, Unit 2108, Panama City Beach, FL 32407

MAILING ADDRESS: Same

Home Phone: None Business Phone: 850-244-4470 Cell: 607-760-1133

How is it best to contact you during the day? Cell phone

E-mail Address: Mark@rerent.com Fax Number: (607) 724-2592

Are you a registered voter in Bay County? Yes  No   
Do you currently hold an elected or appointed public office? Yes  No   
If yes, which one(s)? \_\_\_\_\_

Please list the names, addresses and types of businesses you own or operate within the County that make you eligible for this position.

Rerent Property Management, Maxet Management Group  
Precious Holdings LLC, Alumnus Holdings LLC

\* we manage Orign at Seahaven, Sterling Reef, Turtle Cove, and several more  
Are you involved with any other businesses or agencies contracted or regulated by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County?

If yes, please explain: Manage several Associations on the Beach

Do you have any relatives employed or contracted by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County?  
If yes, please explain: No

TDC meets the second Tuesday of each month at 9 a.m. at the City Hall Annex. This is a four-year term.

I have read and understood Section 112.313, Florida Statutes, sets forth the standards of conduct for public officials and hereby affirm my eligibility to serve on the TDC Board in a voluntary capacity.

  
\_\_\_\_\_  
Signature of Applicant

10/28/2019  
\_\_\_\_\_  
Date

\*\*\*\*\*  
Please return the completed form to Mary Jan Bossert, at the City Manager's office in person, via email to [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov) or via fax at (850) 233-5108. **Closing Date for applications is November 7, 2019, at Noon.** Council will make their choices November 14, 2019, at their 6 p.m. meeting.

Any questions, please phone (850) 233-5100 and ask for Mary Jan; or email [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov)

**PLEASE ATTACH RESUME TO APPLICATION**

## Property Management Services

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Presently we are managing over 170+ million dollars in assets including:

- Multiple residential Apartments and Condominium Units
- Condominium and Homeowner Associations
- 400,000+ square feet of commercial office space
- Multiple commercial facilities, including offices, retail, and banking
- Multiple warehouses, industrial and manufacturing facilities

### ***Current and previously completed projects:***

- **Residential, Commercial and Industrial Property Management** – We manage many different types of properties with a diverse group of tenants including Financial Institutions, Attorneys, Accountants, Manufacturers, Not-for-profit Groups, Student Housing and typical Residential Occupants. We utilize a diverse group of qualified vendors that are supplemented by our well trained staff. Our staff is certified to survey and abate Asbestos Containing Material, test and analyze Indoor Air Quality issues and address typical Mold and Fungi related problems. Our staff also has members who are licensed as a Real Estate Broker, Master Electrician and Master Plumber.
- **Origins at Seahaven** – We manage the day to day operations of the association. The facility is a 17-story high-rise across from the beach with 285 units. This project included rebuilding and training the repair, maintenance and cleaning staff as well as correcting significant deferred maintenance at the facility. Our team trained the association staff on how to effectively and efficiently maintain and repair the property. Within the first 90 days we installed a state of the art video surveillance package, structured and implemented a facility wide access control program, instituted a comprehensive rule procedure including rewriting the rules, devising a fine structure and implementing a fine committee procedure to legally and effectively enforce the new rules. Implemented a maintenance plan and procedure to correct deficiencies in the backup power system, fire pump, fire alarm system and facility life safety equipment.
- **The Hammocks of Lynn Haven** – We manage the day to day operation of a 457-unit home owner association. This project included structuring a management software system to control the receivables while correcting many delinquencies at the property. While the community is less than 15 years old, there has been no effective enforcement of the Governing Documents and Community Wide Standard. We put in place a rule and fine structure to bring homes that were not adequately maintained and occupants that did not follow the rules into compliance with the Governing Documents. The effect is an increase in values and a more cohesive community.
- **Turtle Cove at Lake Powell** – We manage the day to day operations of the association of a 106-unit home owner association. The project includes structuring a management software system to control the financials of the community.
- **Casa Del Mar of Bay County** – We manage the day to day operation of the 16-unit association. This project includes structuring a management software system to control the financials of the community.
- **Banyan Beach Homeowners Association** - We manage the day to day operations of the association of a 28-unit association. The project includes structuring a management software system to control the financials of the community.

- **Shorewalk Homeowners Association** - We manage the day to day operations of the association of a 21-unit association. The project includes structuring a management software system to control the financials of the community.
- **Sterling Reef Condominium Association** - We manage the day to day operations of the association of a 129-unit association. The project includes structuring a management software system to control the financials of the community.
- **Boston Laser Inc/Boston Semiconductor Laser Inc.** (Laser and Semiconductor manufacturer and assembly) - Managed the day-to-day operations of the facility. Structured the sale of machinery and equipment. Wrote specification for sale of M&E, solicited proposals from qualified vendors and tendered recommendation to responsible parties. Executed the sale of M&E and prepared the facility for liquidation.
- **South Glens Falls Energy LLC.** (60 MW Co-Generation Power Plant)– Supervised the day-to-day preservation of the facility, machinery and equipment. Structured the sale of machinery and equipment. Wrote specification for sale of M&E, solicited proposals from qualified vendors and tendered recommendation to responsible parties. Executed the sale of M&E and prepared the facility for transfer to Owner. Reviewed contracts and agreements to assist the Trustee with the determination of administrative and general unsecured claims. Reviewed the hazardous material disposal and costs.
- **Rainbow Displays Inc** (LCD Manufacturer) - Administered the NYS Supreme Court ordered Dissolution including the liquidation of all equipment through an online auction including the sale of intellectual properties (Patents), determination of all creditors and claimants and final distribution of proceeds.
- **Dan Wesson Firearms** (Hand Gun Manufacturer) – Managed the day-to-day operations of a handgun manufacturing company and facilitated the efficient liquidation of all assets including preparing schedules of all assets and researching intellectual properties
- **Glass Processing Company, Inc.** (Glass Insulator and Seal Manufacturer) – Provided comprehensive review of the financial records and current operations, conducted a market study and assessment of the value of all assets.
- **Phillips Foundry Inc.** (Green Sand Aluminum Foundry) – Assisted in the wind-down of manufacturing operations, collection of receivables, return of customer owned tooling, liquidation of assets through an onsite auction, repair and preparation of the facility and sale of real estate.
- **Rehabilitation Services Inc.** (Rehabilitation and Occupational Medicine) – Administered the NYS Supreme Court ordered Not-For-Profit Dissolution including relocation of medical records, liquidation of all equipment through an onsite auction, preparation of the facility for sale, completion of a predefined property sale agreement, oversight of the Distressed Termination of the pension plan under the terms defined by the PBGC, collection of receivables, determination of all creditors and claimants, and final distribution of proceeds.
- **Skate World** – Managed a modern roller skating rink during a real estate foreclosure process.
- **Pathfinder Community Sports Complex** – Managed the day-to-day operations of a multi-million dollar state-of-the-art sports facility, audited prior insurance claims and

associated repairs, provided detailed reports on the status of repairs and disbursement of proceeds, and facilitated the efficient liquidation of all assets.

- **E.H. Titchener Co. (Wire Forming Manufacturer)** – Assisted in the wind-down of manufacturing operations, collection of receivables, return of customer-owned tooling, soliciting of proposals from qualified auctioneers, liquidation of assets through an onsite auction, repair and preparation of the facility and sale of real estate, including negotiation of the purchase agreement.
- **ConMas & Consolidated Masonry (Masonry Contractor)** – Administered the NYS Supreme Court ordered Dissolution including the determination of all creditors and claimants. Dissolution is currently in progress.
- **The Storage Mall (Self-storage Facility)** – Manage the day-to-day operations of a self-storage facilities at the Binghamton and Johnson City locations, including daily collection of tenant accounts, provide detailed reports on status of the assets. Oversight of flood clean-up and restoration project. Project is currently in progress.
- **WSKG Public Broadcasting** – Managed the day to day operation of the facility and mechanical systems. Provided consulting services for several capital improvement projects to the structure and mechanical systems including the installation of a central Building Control System, replacement of the fully ballasted EPDM roof system with a mechanically attached Thermoplastic Olefin heat welded membrane and multiple upgrades to the heating and cooling plants.

### **List of clients and law firms serviced to this date:**

M&T Bank  
58-68 Exchange Street  
Binghamton, New York  
(607) 779-2345

HSBC Bank USA  
One HSBC Center  
Buffalo, New York 14203  
(716) 841-7271

Citizens Bank, N.A.  
84 Court Street  
Binghamton, New York 13901  
(607) 723-5391

Capital Crossing Bank  
101 Summer Street  
Boston, MA 02110  
(617) 880-1000

Wells Fargo  
1445 Ross Ave, 3rd Floor  
Dallas, TX 75202  
(214) 777-4004

Orix Capital  
1717 Main St, Ste 1100  
Dallas, TX 75201  
(214) 237-2237

Capmark Finance Inc  
700 N. Pearl Street  
Dallas, TX 75201  
(214) 999-7096

Alliance Bank  
120 Mason Street  
Syracuse, New York 13202  
(315) 475-2100

Capital Servicing Group  
50 Portland Pier, Suite 400  
Portland, ME 04101  
(207) 828-1095

WSKG Public Broadcasting  
601 Gates Road  
Vestal, New York 13760  
(607) 729-0100

Coughlin & Gerhart, LLP.  
19 Chenango Street  
Binghamton, New York 13901  
(607) 723-9511

Hinman, Howard & Kattell LLP.  
80 Exchange Street  
Binghamton, New York 13902  
(607) 723-5341

Levene Gouldin & Thompson,  
LLP.  
450 Plaza Drive  
Vestal, New York 13850  
(607) 584-5607

Menter, Rudin & Trivelpiece, P.  
500 South Salina Street  
Syracuse, New York 13202  
(315) 474-7541

Ball, McDonough & Artz, P.C.  
117 Hawley Street  
Binghamton, New York 13902  
(607) 772-6070

Windels Marx Lane & Mittendorf  
120 Albany Street Plaza  
New Brunswick, NJ 08901  
(732) 846-7600

Woods Oviatt & Gilman, LLP  
2 State Street, Suite 700  
Rochester, New York 14614  
(585) 987-2873

CW Capital Asset Management  
5956 Sherry Lane, Suite 1201  
Dallas, Texas 75225  
(214) 438-6300

Buchanan Ingersoll & Rooney  
Key Center at Fountain Plaza  
50 Fountain Plaza, Suite 1230  
Buffalo, New York 14202  
(716) 854-4227

McCarter & English  
100 Mulberry Street  
Newark, New Jersey 07102  
(973) 622-4444

Mark Huebner

Mark@ReRent.com

Community Bank, N.A.  
5790 Widewaters Parkway  
DeWitt, New York 13214  
(800) 388-4679

The Sutton Company, LLC  
525 Plum Street, Suite 100  
Syracuse, New York 13204  
(315) 424-1111

C-III Asset Management, LLC  
5221 N O'Connor Blvd, Ste. 600E  
Irving, TX 75039  
(972) 868-5419

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10279 Front Beach Road, Suite 102 Panama City Beach, FL 32407  
(850) 249-4470

AGENDA ITEM # 13



# Mark Huebner

10279 Front Beach Rd, Suite 102 Panama City Beach, FL 32407  
(607) 772-2408 • [Mark@ReRent.com](mailto:Mark@ReRent.com)

## **PROPERTY MANAGEMENT PROFESSIONAL**

- 25+ years of experience managing multiple rental properties
- Focus on troubleshooting and solutions
- Strength in building relationships with diverse individuals at all levels of industry

Mixed-Use Property Occupancy  
Commercial and Residential  
Industrial and Manufacturing  
Tenant Retention and Relations

Site Remediation  
Capital Improvements  
Project Scheduling and Troubleshooting  
Budgeting and Expense Management

Asset Valuation  
Dissolution  
Liquidation  
Legal Processes

### **Professional Experience**

**Board Member - North Gulf Coast Chapter Community Association Institute 2017-2020**

**Island Reserve Condominium Association, Panama City Beach, FL 2014-2018**

- Appointed as President of the Board in November 2015 through 2018.
- Appointed as Director at Large of the Board from June 2014 through November 2015.

**The Hammocks of Lynn Haven, Lynn Haven, FL 2017-Present**

- CAM; Manage day to day operations of the Association.

**Origin at Seahaven, Panama City Beach, FL 2017-Present**

- CAM; Manage day to day operations of the Association.

**Turtle Cove at Lake Powell, Panama City Beach, FL 2018-Present**

- CAM; Manage day to day operations of the Association.

**Casa Del Mar of Bay County, Panama City Beach, FL 2019-Present**

- CAM; Manage day to day operations of the Association.

**Banyan Beach, Panama City Beach, FL 2019-Present**

- CAM; Manage day to day operations of the Association.

**Shorewalk, Panama City Beach, FL 2019-Present**

- CAM; Manage day to day operations of the Association.

**Sterling Reef, Panama City Beach, FL 2019-Present**

- CAM; Manage day to day operations of the Association.

10279 Front Beach Road, Suite 102 Panama City Beach, FL 32407  
(850) 249-4470

**Maxet Management Group, Panama City Beach, FL**

*2017-Present*

- Direct the daily operations of a fee for service association management company
- Develop comprehensive business plan for long-term strategic growth.
- Establish computerized property records and financial data to allow timely access and historical documentation.
- Improve day to day operations of facilities and communities managed by Maxet.
- Attend and facilitate monthly and annual association member meetings
- Ensure all associations are abiding by Florida Statutes and other applicable rules and laws.

**ReRent Property Management Services, Binghamton, New York**

*2000-Present*

- Direct the daily operations of a fee for service management and consulting company using the resources and experience of MH Rentals.
- Develop comprehensive business plan for long-term strategic growth.
- Establish computerized property records and financial data to allow timely access and historical documentation.
- Improve commercial and residential occupancy rates through generation of leads and new contract negotiation.
- Manage receivable activities, successfully reducing debt by initiating timely collection procedures.
- Monitor marketing, lease renewal and all financial transactions to ensure accuracy and compliance with generally accepted accounting principles.

**Personal Asset Management**

*1993-Present*

- Direct day-to-day operations of a management company comprised of approximately 200 residential apartments, multiple commercial, industrial and warehouse locations, twelve full-time, and three part-time employees.
- Strategically formulate and apply long-term plans for the company growth.
- Devise and implement property acquisition plans.
- Develop leasing and business policies based on knowledge and long-term experience.
- Establish client relationships and ensure efficient communication.
- Employ qualified staff and consultants to ensure high quality services.
- Negotiate maintenance and professional contracts in accordance with strategic planning and company policies.
- Plan and negotiate material acquisition for maintenance and capital improvement projects.
- Supervise employee and contractor work performance and efficiency.
- Conduct research for historical building restoration.
- Implement modern technology into daily operations to achieve maximum reliability and efficiency.
- Design and implement custom state-of-the-art control systems to monitor energy consumption and improve buildings' efficiency.

**KEL Real Estate, 233 Main Street, Johnson City, New York**

*1991-1994*

- Managed daily operations for a property management company comprised of 200 apartment rental units.
- Coordinated apartment maintenance and repairs; obtained price quotes for construction materials.
- Responded to tenant problems and maintained public relations.

Mark Huebner

Mark@ReRent.com

**Huebner's Inc.**, 3450 Hance Road, Binghamton, New York

1986-1990

- Participated in product acquisition.
- Performed general managerial duties of a commercial outdoor power equipment dealership.
- Established customer relations.
- Participated in sales and marketing activities.

**Education / Licenses / Certifications**

**Broome Community College** - Binghamton, New York

1989 - 1990

**Embry-Riddle Aeronautical University**  
Daytona Beach, Florida  
Major: Business Management

1990 - 1991

**Licensed Real Estate Broker** (New York)

1997 - Present

**Asbestos Abatement Supervisor**

2005 - Present

**Asbestos Abatement Inspector**

2007 - Present

**Licensed Real Estate Sales & Broker** (Florida)

2017 - Present

**Community Association Management (CAM)** (Florida)

2017 - Present

COMMITTEE VOLUNTEER  
BAY COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) APPLICATION  
PLEASE PRINT

NAME: Paul Wohlford

HOME ADDRESS: 119 Golf Dr. Panama City Beach, FL 32408

MAILING ADDRESS: P.O. Box 28323 Panama City, FL 32401

Home Phone: (850) 230-6284 Business Phone: (850) 235-4917 Cell: (850) 814-9533  
How is it best to contact you during the day? Cell

E-mail Address: pwohlford@resortcollection.com Fax Number: (850) 233-7599

Are you a registered voter in Bay County? Yes  No   
Do you currently hold an elected or appointed public office? Yes  No   
If yes, which one(s)? \_\_\_\_\_

Please list the names, addresses and types of businesses you own or operate within the County that make you eligible for this position.

Resort Collection - owner/operator  
11212 Front Beach Rd. Panama City Beach, FL 32407

Are you involved with any other businesses or agencies contracted or regulated by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County?  
If yes, please explain: No

Do you have any relatives employed or contracted by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County?  
If yes, please explain: No

TDC meets the second Tuesday of each month at 9 a.m. at the City Hall Annex. This is a four-year term.

I have read and understood Section 112.313, Florida Statutes, sets forth the standards of conduct for public officials and hereby affirm my eligibility to serve on the TDC Board in a voluntary capacity.

  
\_\_\_\_\_  
Signature of Applicant

11-7-19  
\_\_\_\_\_  
Date

\*\*\*\*\*  
Please return the completed form to Mary Jan Bossert, at the City Manager's office in person, via email to mjbossert@pcb.gov or via fax at (850) 233-5108. Closing Date for applications is November 7, 2019, at Noon. Council will make their choices November 14, 2019, at their 6 p.m. meeting.

Any questions, please phone (850) 233-5100 and ask for Mary Jan; or email [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov)

**PLEASE ATTACH RESUME TO APPLICATION**

**COMMITTEE VOLUNTEER  
BAY COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) APPLICATION  
PLEASE PRINT**

NAME: Steve Bailey  
HOME ADDRESS: 4607 Delwood Park Blvd, PCB, FL 32408  
MAILING ADDRESS: 4607 Delwood Park, Blvd, PCB, FL 32408  
Home Phone: 850-832-1276 Business Phone: 850-235-4977 Cell: 850-832-1276  
How is it best to contact you during the day? Phone / Cell  
E-mail Address: sbailey@resortcollection.com Fax Number: \_\_\_\_\_

Are you a registered voter in Bay County? Yes  No   
Do you currently hold an elected or appointed public office? Yes  No   
If yes, which one(s)? \_\_\_\_\_

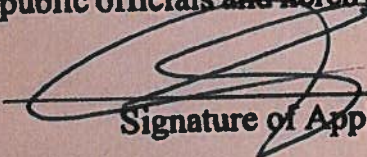
Please list the names, addresses and types of businesses you own or operate within the County that make you eligible for this position.  
Resort Collection, 11212 Front Beach Road, PCB, FL 32408

Are you involved with any other businesses or agencies contracted or regulated by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County?  
If yes, please explain: \_\_\_\_\_

Do you have any relatives employed or contracted by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County?  
If yes, please explain: \_\_\_\_\_

TDC meets the second Tuesday of each month at 9 a.m. at the City Hall Annex. This is a four-year term.

I have read and understood Section 112.313, Florida Statutes, sets forth the standards of conduct for public officials and hereby affirm my eligibility to serve on the TDC Board in a voluntary capacity.

  
\_\_\_\_\_  
Signature of Applicant

11-7-19  
\_\_\_\_\_  
Date

\*\*\*\*\*  
Please return the completed form to Mary Jan Bossert, at the City Manager's office in person, via email to mjbossert@pcb.gov.com or via fax at (850) 233-5108. **Closing Date for applications is November 7, 2019, at Noon.** Council will make their choices November 14, 2019, at their 6 p.m. meeting.

Any questions, please phone (850) 233-5100 and ask for Mary Jan; or email mjbossert@pcb.gov.com

COMMITTEE VOLUNTEER  
BAY COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) APPLICATION  
PLEASE PRINT

NAME: David Chapman

HOME ADDRESS: 3411 Robinson Bayou Circle

MAILING ADDRESS: 3411 Robinson Bayou Circle, PC, FL 32405

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_ Cell: 850 527-6940  
How is it best to contact you during the day? \_\_\_\_\_

E-mail Address: David.Chapman@royalamerican.com Fax Number: \_\_\_\_\_

Are you a registered voter in Bay County? Yes  No \_\_\_\_\_

Do you currently hold an elected or appointed public office? Yes  No \_\_\_\_\_

If yes, which one(s)? TDC member

Please list the names, addresses and types of businesses you own or operate within the County that make you eligible for this position.

Royal American Hospitality, Inc.  
9400, S. Thomas Dr., PCB 32408

Are you involved with any other businesses or agencies contracted or regulated by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County? NO

If yes, please explain: \_\_\_\_\_

Do you have any relatives employed or contracted by the City of Panama City Beach, Panama City Beach Convention and Visitors Bureau, or Bay County? NO

If yes, please explain: \_\_\_\_\_

TDC meets the second Tuesday of each month at 9 a.m. at the City Hall Annex. This is a four-year term.

I have read and understood Section 112.313, Florida Statutes, sets forth the standards of conduct for public officials and hereby affirm my eligibility to serve on the TDC Board in a voluntary capacity.

  
\_\_\_\_\_  
Signature of Applicant

11/7/19  
\_\_\_\_\_  
Date

\*\*\*\*\*

Please return the completed form to Mary Jan Bossert, at the City Manager's office in person, via email to [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov) or via fax at (850) 233-5108. **Closing Date for applications is November 7, 2019, at Noon.** Council will make their choices November 14, 2019, at their 6 p.m. meeting.

Any questions, please phone (850) 233-5100 and ask for Mary Jan; or email [mjbossert@pcb.gov](mailto:mjbossert@pcb.gov)

**PLEASE ATTACH RESUME TO APPLICATION**