

# 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: January 23, 2020  
MEETING TIME: 9:00 a.m.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION – PASTOR JASON WILLIAMS, WOODSTOCK CHURCH
- III. PLEDGE OF ALLEGIANCE – COUNCILMAN CHESTER
- IV. COMMUNITY ANNOUNCEMENTS
- V. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS
- VI. PUBLIC COMMENTS-REGULAR (NON-PUBLIC HEARINGS) & CONSENT ITEMS ONLY (LIMITED TO THREE MINUTES)
- VII. CONSENT AGENDA
  - 1 **RESOLUTION 20-48, MARDI-GRAS PARADE ROAD CLOSURES.** *“A Resolution authorizing temporary closure of portions of certain roads internal to Pier Park to permit the Panama City Beach Mardi Gras and Music Festival on February 21 and 22, 2020; authorizing careful traffic control and extraordinary usage of portions of Front Beach Road on Saturday, February 22, 2020, to permit the Panama City Beach Mardi Gras at the Beach Parade.”*
  - 2 **RESOLUTION 20-49, BID AWARD – PUBLIC WORKS 4X4 LOADER BACKHOE.** *“A Resolution of the City of Panama City Beach, Florida, authorizing the purchase of one backhoe loader from Beard Equipment Co. in the total amount of \$81,968.25 for Public Works; and providing an immediately effective date.”*
  - 3 **RESOLUTION 20-50, CODE ENFORCEMENT AND BUILDING DEPARTMENT 4 X 4 TRUCKS.** *“A Resolution of the City of Panama City Beach, Florida, approving an agreement with Garber Chrysler-Dodge Truck, Inc., for the purchase of two 2020 Dodge 4x4 Ram trucks for the Code Enforcement and Building Departments in the total amount of \$54,992.”*
  - 4 **RESOLUTION 20-53, CHANGE ORDER THOMAS DRIVE UTILITY RELOCATION PROJECT.** *“A Resolution of the City of Panama City Beach, Florida, approving a change order to the City’s agreement with Gulf Coast Utility Contractors, LLC, related to Thomas Drive and Beach Drive Utilities Improvements – Phase I in the total amount of \$36,960 for the increased cost to fill abandoned utility pipes.”*
- X. REGULAR AGENDA - DISCUSSION/ACTION

NO.	OFFICIAL	ITEM
1	DC	RESOLUTION 20-51, ADOPTION OF CRA ASSESSMENT FOR FY 20-21, <u>PUBLIC HEARING.</u>
2	DC	RESOLUTION 20-52, AUTHORITY TO ISSUE SERIES OF 2020 BONDS, <u>PUBLIC HEARING.</u>
3	LC	RESOLUTION 20-54, HAGERTY BUDGET AMENDMENT.
4	DC	PARKING FEE DISCUSSION.
- 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.

 01.20.20  
City Clerk Date

 01.20.20  
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 01/20/2020 5 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)

# CONSENT ITEM

1



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
January 23, 2020

3. REQUESTED MOTION/ACTION:

Consider Resolution to close portions of roads in Pier Park on February 21 and 22, 2020 for the Event, and for extraordinary usage of Front Beach Road and other City roads within and around Pier Park for the parade on February 22, 2020.

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 Mardi Gras and Music Festival will be held on February 21 and 22, 2020.

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

Staff recommends approval.

CONSENT  
AGENDA ITEM # 1

**RESOLUTION NO. 20-48**

**A RESOLUTION AUTHORIZING TEMPORARY CLOSURE OF PORTIONS OF CERTAIN ROADS INTERNAL TO PIER PARK TO PERMIT THE PANAMA CITY BEACH MARDI GRAS AND MUSIC FESTIVAL ON FEBRUARY 21 AND 22, 2020; AUTHORIZING CAREFUL TRAFFIC CONTROL AND EXTRAORDINARY USAGE OF PORTIONS OF FRONT BEACH ROAD ON SATURDAY, FEBRUARY 22, 2020, TO PERMIT THE PANAMA CITY BEACH MARDI GRAS AT THE BEACH PARADE.**

WHEREAS, the 2020 Panama City Beach Mardi Gras and Music Festival will be held on Panama City Beach on February 21 and 22, 2020, an event which will include a Children's Parade through Pier Park on the evening of Friday, February 21, 2020, a Parade through Pier Park on the evening of Saturday, February 22, 2020, and a Street Party in Pier Park on the evenings of February 21 and 22, 2020, all of which the City finds necessitates careful traffic control and extraordinary usage of certain sections of L.C. Hilton Jr. Drive, Starfish Street, Stingray Drive, Sea Monkey Way, Pier Park Drive, and Front Beach Road.

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

1. Portions of L.C. Hilton Jr. Drive, Starfish Street, Stingray Drive, Sea Monkey Way, and Pier Park Drive from L.C. Hilton Jr. Drive to Longboard Way shall be closed to vehicular traffic for the 2020 Panama City Beach Mardi Gras and Music Festival, during the hours of 12:00 A.M. on February 20, 2020 until 12:00 A.M. on February 23, 2020.
2. During the hours of 4:00 P.M. and 6:00 P.M. on Saturday, February 22, 2020 all vehicular traffic on Front Beach Road from Powell Adams to West Pier Park Drive shall be rerouted in accordance with the map which accompanies this Resolution to accommodate the Mardi Gras at the Beach Parade.
3. This Resolution shall take effect immediately upon its passage.

**PASSED, APPROVED AND ADOPTED** IN REGULAR SESSION this 23rd day of January, 2020.

CITY OF PANAMA CITY BEACH

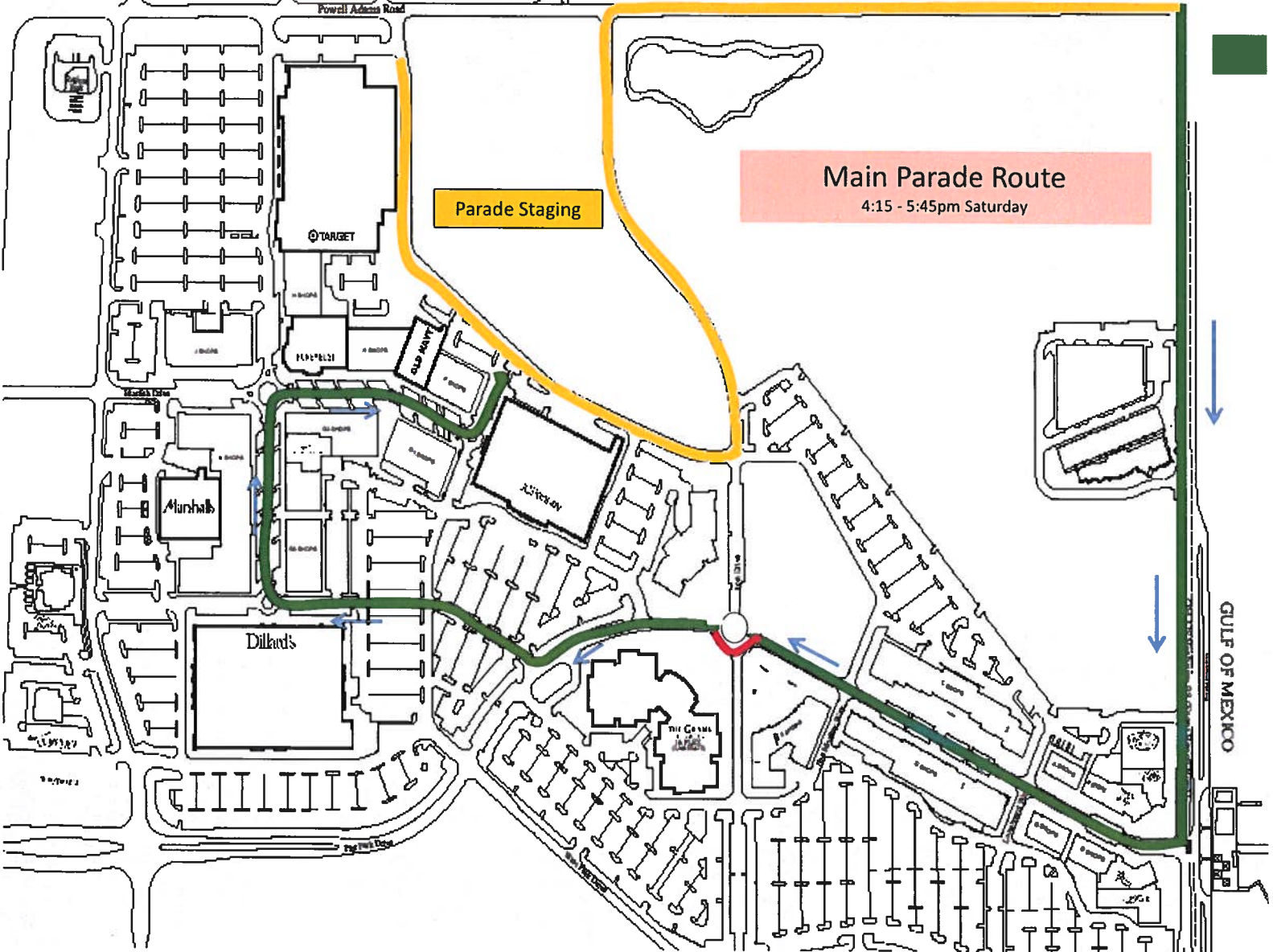
By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

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

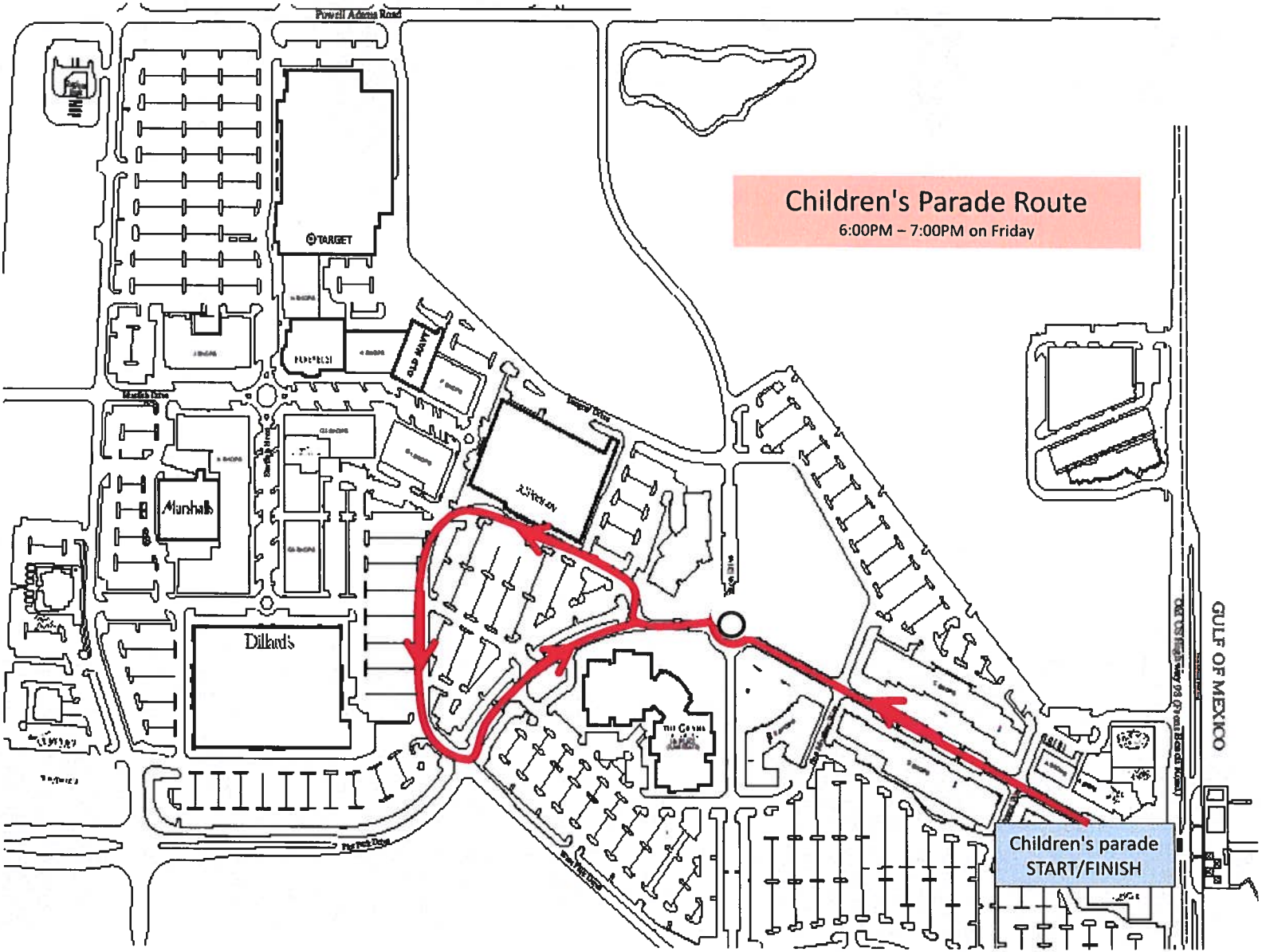
Resolution 20-48

CONSENT  
AGENDA ITEM # 1



**Main Parade Route**  
4:15 - 5:45pm Saturday

**Parade Staging**



**Children's Parade Route**  
6:00PM - 7:00PM on Friday

Children's parade  
START/FINISH

CONSENT  
AGENDA ITEM # 1

# CONSENT ITEM

2





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Public Works/Kelly Jenkins

2. MEETING DATE:

01/23/2020

3. REQUESTED MOTION/ACTION:

Approve the purchase of one (1) 4X4 Loader Backhoe for Street Department in the amount of \$81,968.25

4. AGENDA

PRESENTATION  
PUBLIC HEARING  
CONSENT  
REGULAR

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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 budgeted for one (1) 4x4 Loader Backhoe. The Street departments existing Loader is past its useful life. Staff advertised for bids of this 4x4 Loader and received two responses. Beard Equipment Company and Trekker Group were the responsive bidders. The low bid for the 4x4 Loader was \$81,968.25.(see attached).

The Street Department has sufficient funds budgeted in the current year for this purchase. Therefore, staff recommends purchasing this Loader Backhoe from Beard Equipment Company in the amount of \$81,968.25.

**RESOLUTION 20-49**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AUTHORIZING THE PURCHASE OF ONE BACKHOE LOADER FROM BEARD EQUIPMENT CO. IN THE TOTAL AMOUNT OF \$81,968.25 FOR PUBLIC WORKS; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**BE IT RESOLVED** by the City Council of the City of Panama City Beach that the appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Agreement between the City and Bozard Ford Co., relating to the purchase of one John Deere 310SL Loader Backhoe for the Public Works Department, in the total amount of Eighty-One Thousand, Nine Hundred Sixty-Eight Dollars and Twenty-Five Cents (\$81,968.25) on substantially the terms and conditions of the quote 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 \_\_\_\_\_, 2020.

**CITY OF PANAMA CITY BEACH**

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

**ATTEST:**

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

**FLORIDA SHERIFFS ASSOCIATION  
FLORIDA ASSOCIATION OF COUNTIES  
2019-20 Contract for Vehicles and Equipment  
Contract Number FSA19-VEH17.0  
Spec #28 310SL Loader Backhoe**

Bid for: The City of Panama City Beach, RFP Number 011320.Loader Backhoe

Attn: Janine Thomas

Dated: January 6, 2020

**Base Unit: John Deere 310SL Loader Backhoe Per FSA Spec #28** \$71,865.00

6020-1 Extendable Dipperstick- \$5,492.00

5285- Pilot Joystick Controls- \$1,686.00

NSOD- Fluid Sampling Ports- (This is a Non-Specified Option Discount which receives a 25% discount from list price which is \$201.00 less discount of \$50.25) \$ 150.75

NSOD-7035 Loader Coupler with 1 Lever No Aux with RC- (This is a Non-Specified Option Discount which receives a 25% discount from list price which is \$6,646.00 less discount of \$1,661.50) \$4,984.50

AT308139 (60in.x 60in.) Coupler Pallet Forks w/frame \$2,775.00

**Total Contract Price** \$81,968.25

**\*\*\*\*All purchase orders are to be made payable to Dobbs Equipment, LLC,\*\*\*\*  
3005 Hanson St. | Fort Myers, FL 33916 ph. 239.334.3627**

**\*\*\*\*Beard Equipment Company are to be listed as delivering/servicing dealer on purchase orders\*\*\*\* Lead time 15-30 days from date of order.**

Bobby Buchanan

Sales Representative

850-257-3035 cell

850-769-4844 office

Mobile, AL 36617  
2480 E. I-65 Svc. Rd. N  
251-456-1993

Pensacola, FL 32534  
3195 W. Nine Mile Rd.  
850-476-0277

Panama City, FL 32404  
4625 Hwy. 231 N.  
850-769-4844

Freeport, FL 32439  
33 Industrial Ct.  
850-835-3337

Tallahassee, FL 32304  
7566 W. Tennessee St.  
850-575-5600

Perry, FL 32348  
3033 US Hwy 27 E.  
850-584-9200

Jacksonville, FL 32216  
6870 Philips Hwy.  
904-296-5000

Lake City, FL 32025  
2578 SE Baya Dr.  
386-752-9544

Palatka, FL 32177  
356 N. Highway 17  
386-325-6268

CONSENT  
AGENDA ITEM # 2

**BID TABULATION FOR 4X4 LOADER**

**CITY OF PANAMA CITY BEACH**

**BID DATE: January 13, 2020 10:00 A.M.**

BIDDER	BASE BID
Beard Equipment Company	\$ 81,968.25
Trekker Group	\$ 99,975.00

CONSENT  
AGENDA ITEM # 2

# CONSENT ITEM

3



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

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

BUILDING AND CODE ENFORCEMENT/ MEL LEONARD

**2. MEETING DATE:**

JANUARY 23, 2020

**3. REQUESTED MOTION/ACTION:**

AUTHORIZE THE PURCHASE OF TWO (2) 4X4 DODGE RAM TRUCKS FOR THE CODE ENFORCEMENT AND BUILDING DEPARTMENTS IN THE AMOUNT OF \$54,992.00.

**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 CODE ENFORCEMENT AND BUILDING DEPARTMENTS HAVE BUDGETED FOR THE REPLACEMENT OF EXISTING DEPARTMENT VEHICLES WHICH HAVE OUTLIVED THEIR USEFULNESS. THE DEPARTMENTS HAVE IDENTIFIED REPLACEMENT VEHICLES COMPETITIVELY PROCURED THROUGH THE FLORIDA SHERIFF'S ASSOCIATION. PURSUANT TO THE CITY'S CHARTER, THIS CONTRACT MEETS THE CITY'S STANDARDS FOR PIGGY BACKING.

IF APPROVED, THE CITY WILL PURCHASE TWO (2) 2020 DODGE RAM 1500 CLASSIC TRADESMAN 4X4 QUAD CAB 6'4" TRUCKS FOR A TOTAL AMOUNT OF \$54,992.00.

**RESOLUTION 20-50**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH GARBER CHRYSLER-DODGE TRUCK, INC., FOR THE PURCHASE OF TWO 2020 DODGE 4X4 RAM TRUCKS FOR THE CODE ENFORCEMENT AND BUILDING DEPARTMENTS IN THE TOTAL AMOUNT OF \$54,992.**

**BE IT RESOLVED** by the City Council of the City of Panama City Beach that the appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Agreement between the City and Garber Chrysler-Dodge Truck, Inc., for the purchase of two (2) 2020 Dodge 4x4 Ram Trucks for the Code Enforcement and Building Departments in the total amount of Fifty-four Thousand, Nine Hundred, Ninety-two dollars (\$54,992.00) on substantially the terms and conditions of the quote 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 \_\_\_\_\_, 2020.

**CITY OF PANAMA CITY BEACH**

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

**ATTEST:**

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

Resolution 20-50  
CONSENT  
AGENDA ITEM # 3



**City of Panama City Beach**

Specification #	235
Unit Description	DS6L41

Prepared for: Prepared by:

**1/14/2020**  
 City of Panama City Beach  
 Attn: James Tindle  
[jtindle@pcbqgov.com](mailto:jtindle@pcbqgov.com)  
 (850) 233-5054 Ext. 2317

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

Prices are published by the Florida Sheriffs Association.  
[https://www.flsheriffs.org/our\\_program/purchasing\\_programs/cooperative-fleet-bid-awards/](https://www.flsheriffs.org/our_program/purchasing_programs/cooperative-fleet-bid-awards/). Purchasing contract number is FSA19-VEL 27.0, expiring September 30th, 2020 for – Police Rated Vehicles/Motorcycles, Sedans & Light Trucks. If you have any questions regarding this quote please call!

		Base Price	
DS6L41	2020 Ram 1500 Classic Tradesman 4x4 Quad Cab 6'4" Box	\$23,186.00	
Codes	Optional Equipment	Unit Price	Net Price
26B	Quick Order Package 26B Tradesman	Included	\$0.00
EZH/DFD	Engine: 5.7L V8 HEMI MDS VVT; Transmission: 8-Speed Automatic (8HP70)	1948	\$1,948.00
PW7	Bright White Clearcoat	Included	\$0.00
TXX8	Diesel Gray/Black, Heavy Duty Vinyl 40/20/40 Split Bench Seat	Included	\$0.00
DSA	Anti-Spin Differential Rear Axle	Included	\$0.00
GXM	Remote Keyless Entry w/All-Secure	Included	\$0.00
STD	Power Windows, Locks, Mirrors	Included	\$0.00
STD	ParkView Back-Up Camera	Included	\$0.00
	<b>Non-OEM Options:</b>		
ALP-L	Amber Lighting Package (LITE) -inc.:	1596	\$1,596.00
	Brooking ST3 Super Thin LED's for Grille (x2 Amber)		\$0.00
	Brooking ST3 Super Thin LED's for Rear Tag Sides (x2 Amber)		\$0.00
	BKI RayZr 8-Head Traffic Stick with Traffic Arrow Patterns (Rear Glass)		\$0.00
	BKI HAL06 4-Corner Super LED Strobe System (Clear)		\$0.00
	BKI Lighted Switch Panel Controller		\$0.00
UDL-S	Front Mirror Super-LED with Flashback Shroud (x2 Amber)	346	\$346.00
INST	4.0 Hours EVT Certified Installation Labor (Includes are Wire, Loom, and Hardware (@ \$105/hr)	420	\$420.00
DEL	Delivery	Included	\$0.00
<b>TOTAL PURCHASE AMOUNT PER VEHICLE</b>			<b>\$ 27,496.00</b>



# CONSENT ITEM

4



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

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

Utilities Department - Al Shortt, Utilities Director

**2. MEETING DATE:**

January 23, 2020

**3. REQUESTED MOTION/ACTION:**

Approve a change order to the construction contract for the Thomas Dr. & Beach Dr. Utilities Improvements - Phase 1 with Gulf Coast Utility Contractors, LLC.

**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)**

Bay County has awarded a design-build contract for storm sewer improvements and repaving of Thomas Drive. In preparation for this work, the County asked the City to relocate some of its existing utilities in conflict with their storm sewer system and make improvements to the existing City piping to minimize the need to disturb the repaved roadway in the future. This was also an opportunity for the City to install some additional piping interconnections and replace portions of existing marginal utilities using lower cost installation methods prior to the County repaving the roadway. During their June 27, 2019 meeting the council awarded a construction contract to Gulf Coast Utility Contractors, LLC (GCUC) with a Base Bid amount of \$1,888,510.00 plus a contingency allowance of \$150,000.00 for addressing a post-bid County request for grout filling of the known 8- and 12-inch piping to be abandoned under this project, for a total approved amount of \$2,038,510.00.

During construction, additional 6-inch piping was recently discovered that was previously abandoned and no longer on the City's utility maps. GCUC has requested additional funds for the cost to replace a valve and grout fill this piping to satisfy the County requirements. Staff has reviewed the request and finds the unit price cost of \$8.45 per foot reasonable with regards to the scope of work required. The total cost is estimated to be under \$36,960 but due to tax savings the additional funds required from the City shall not exceed \$35,000. Staff recommends approval.

WHY - To allow the City Manager to enter into a change order to the current contract with Gulf Coast Utility Contractors, LLC in the not to exceed amount of \$36,960.00 for grouting of abandoned 6-inch pipe at the unit price of \$8.45 per foot.

WHAT - To allow for abandonment of the existing mains to the County's requirements.

CONSENT  
AGENDA ITEM # 4

**RESOLUTION 20-53**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING A CHANGE ORDER TO THE CITY'S AGREEMENT WITH GULF COAST UTILITY CONTRACTORS, LLC, RELATED TO THOMAS DRIVE AND BEACH DRIVE UTILITIES IMPROVEMENTS - PHASE I IN THE TOTAL AMOUNT OF \$36,960 FOR THE INCREASED COST TO FILL ABANDONED UTILITY PIPES.**

**BE IT RESOLVED** by the City of Panama City Beach, Florida that the appropriate officers of the City are authorized to approve that certain Change Order #2 to the City's Agreement with Gulf Coast Utility Contractors, LLC, related to the Thomas Drive and Beach Drive Utilities Improvements – Phase I to cover additional costs associated with valve replacement along with filling and grouting newly discovered abandoned pipes, in the total amount of Thirty Six Thousand, Nine Hundred Sixty Dollars (\$36,960.00), as set forth in the Change Order attached hereto as Exhibit A and presented to the Council today.

This Resolution 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 \_\_ 2020.

**CITY OF PANAMA CITY BEACH**

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

**ATTEST:**

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

Resolution 20-53  
CONSENT  
AGENDA ITEM # 4



**Gulf Coast Utility Contractors, LLC**

13938 Hwy 77  
Panama City FL 32409  
850-265-9166

**Change Order**

Order#: 2

Order Date: 12/10/2019

License: CU-CO57185

**To:** City of Panama City Beach  
110 S Arnold Drive  
Panama City Beach FL 32413

**Project:** 294  
19-22 Thomas Dr & Beach Dr Utilities Imprc  
110 S Arnold Drive  
Panama City Beach FL 32413

The contractor agrees to perform and the owner agrees to pay for the following changes to this contract.

Plans Attached

Ordered By: M. Shaeffer

Customer Order:

Specifications Attached

Description of Work	Amount
Flowable Fill 4,000' of 6" Pipe @\$8.45'	33,805.00
Pour Sidewalk Removed by PCBUD per SY	55.00
Remove/ Replace 6" Valve @Dunes of Panama	3,100.00

Negative changes will lower the overall contract price requiring no additional payment by owner.

**Requested Amount of Change**

**36,960.00**

The original Contract Sum was .....	1,888,510.00
Net change by previous Change Orders .....	-80,742.47
The Contract Sum prior to this Change Order .....	1,807,767.53
The Contract Sum will be changed by this Change Order .....	36,960.00
The new Contract Sum including this Change Order will be .....	1,844,727.53
The Contract Time will be changed by .....	14 Days

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

EXHIBIT A

CONSENT  
AGENDA ITEM # 4

**REGULAR ITEM**

**1**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

ADMIN/LEGAL

2. MEETING DATE:

JANUARY 23, 2020

3. REQUESTED MOTION/ACTION:

AFTER CONDUCTING A PUBLIC HEARING, CONSIDER AND APPROVE ANNUAL ASSESSMENT RESOLUTION FOR FY 20-21 FRONT BEACH ROAD CRA-ROW SPECIAL 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)

This is consideration of the annual assessment resolution for the Front Beach Road CRA-ROW non-ad valorem assessment, as required by City ordinance after holding a public hearing. The City Council set the public hearing for January 23 last fall; proof of both mailed and published notice is attached to the Resolution.

Among other things, the goal is to re-impose these supplemental assessments as directed for the fiscal year commencing October 1, 2020 at the same rates billed this past November for the fiscal year commencing October 1, 2019, and provide advance budget direction accordingly for this coming budget cycle. The assessment rates are the same as billed last fall, however because the method of collection (beginning in November of 2020) will change from the direct billing method to the uniform method of collection on the same bill as property taxes, the use of the uniform method accordingly causes a slight increase (depending on when each tax notice is paid next fiscal year) which is estimated to be between 4 and 8 percent from the prior year due to pass-through on a prorata basis to each parcel of additional annual charges from the County property appraiser and tax collector, adjustment for statutory early payment discounts and amounts equivalent to delinquencies (if any) necessarily associated with the use of the uniform method of collection.

Last fall, these assessments were billed directly, and the Council adopted the Notice of Intent Resolution necessary to use the uniform (tax bill) method of collecting non-ad valorem assessments. In December, the local circuit court approved the legal sufficiency of these assessments, the use of a portion of annual proceeds to finance capital equipment and the City's protocol for transition to the uniform method. Early adoption provides better certainty to property owners, assists City finance staff in budgeting, as well as the City's redevelopment agency, and also allows for necessary time and preparation to transition from the direct billing method to the uniform method of collection.

After conducting the public hearing, City staff recommends adoption of this Annual Assessment Resolution.

**RESOLUTION NO. 20-51**

**A RESOLUTION OF THE CITY COUNCIL OF PANAMA CITY BEACH, FLORIDA, IDENTIFYING AND DIRECTING THE USE OF THE FISCAL YEAR 2020-21 NON-AD VALOREM ASSESSMENT ROLL FOR COMMUNITY REDEVELOPMENT ASSESSMENTS WITHIN THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT AREA OF THE CITY; CONFIRMING STATUTORY AND ADDITIONAL NOTICE; ADOPTING AN ASSESSMENT ROLL; DIRECTING THE METHOD OF COLLECTION BE PURSUANT TO THE UNIFORM METHOD COLLECTION ACT; ADDRESSING THE COLLECTION OF AN AMOUNT EQUIVALENT TO UNPAID COMMUNITY REDEVELOPMENT ASSESSMENTS, IF ANY; IMPOSING ANNUAL COMMUNITY REDEVELOPMENT ASSESSMENTS WITHIN THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT AREA FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020; PROVIDING FOR ASSOCIATED POLICY DIRECTION AND DELEGATION; AND PROVIDING AN EFFECTIVE DATE.**

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

**ARTICLE I**

**INTRODUCTION**

**SECTION 1.01. AUTHORITY.** This Resolution of the City Council ("City Council") of Panama City Beach, Florida (the "City") is adopted pursuant to Ordinance No. 1498 (the "Assessment Ordinance"), the Front Beach Road Community Redevelopment Plan as extended (the "Redevelopment Plan"), Resolution No. 19-133 as may be amended, supplemented and confirmed from time to time (the "Initial

Assessment Resolution”), Resolution No. 19-149, (the “Implementation Direction Resolution), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

**SECTION 1.02. DEFINITIONS.** This Resolution is the Annual Assessment Resolution for the Fiscal Year (sometimes called the budget year) commencing October 1, 2020 contemplated by Section 2.05 of the Assessment Ordinance. All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance or the Initial Assessment Resolution, unless the context hereof otherwise requires.

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

**SECTION 1.04. FINDINGS.** It is hereby ascertained, determined and declared as follows:

(A) The City’s and its redevelopment agency’s procedural compliance with the general law governing community redevelopment, the validity and sufficiency of



the Front Beach Road Community Redevelopment Plan including the designation of the Front Beach Road Community Redevelopment Area set forth therein are in repose, and the legality of all proceedings in connection therewith were adjudicated with finality in that certain Final Judgment rendered on July 9, 2003 by the Circuit Court in and for Bay County.<sup>1</sup>

(B) The provision of planned community redevelopment, among other things, inherently benefits properties in defined community redevelopment areas.

(C) Community redevelopment related capital, services, facilities and programs in the Front Beach Road Community Redevelopment Area possess a logical relationship to the value, use and enjoyment of real property by, among other things: (1) implementing planned and transformative blighted area remediation, advancing local, regional and even wider market place competitiveness, and protecting the value of properties, land value and improvements and structures thereon in this coastal area; (2) protecting the life and safety of residents, intended occupants, visitors, and tourists in the use and enjoyment of such real property, and thus increasing the utility and value of properties within the community redevelopment area; and, (3) lowering potential for liability claims and associated increases in the cost of casualty or liability insurance to

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<sup>1</sup> Panama City Beach v. State, No. 03-1849 (Fla. 14th Cir. Ct. 2003); recorded in Official Record 2305, at page 1264 of the Public Records of Bay County, Florida.

property owners within this community redevelopment area. Such benefits occur on both vacant and developed property.

(D) Substantial benefits resulting from expenditures for community redevelopment related capital, services, facilities or programs provided from statutory redevelopment funding to properties within the Front Beach Road Community Redevelopment Area have occurred, are present in the Front Beach Road Community Redevelopment Area, have served to benefit properties and have and reasonably will continue to logically transform and increase the value, use and enjoyment of all properties within this entire community redevelopment area, as well as create present, lasting and reasonably expected long term economic advantage to properties within the Front Beach Road Community Redevelopment Area.

(E) Special benefits from the expenditure of funds for community redevelopment related capital, services, facilities or programs to affected lands provided from proceeds of a special assessment within the Front Beach Road Community Redevelopment Area fairly include, by way of example and not limitation, improved traffic circulation and capacity, improved use of right of ways, bettering a sense of place and tourism market competitiveness for properties, assured development capacity, better ingress and egress with an eye toward public safety, better capacity to evacuate from and protect properties and improvements during storm events,

enhancements to quality and superiority of place, visual improvements (including landscaping and hard infrastructure), thoughtful connection of the entire redevelopment area to the regional transportation system, and the introduction, accomplishment and continual availability of such benefits which serve to address and remediate documented and recognized blighted area conditions.

(F) Pursuant to the Assessment Ordinance, the City has adopted the Initial Assessment Resolution imposing special assessments to provide for the funding, in part for certain community redevelopment related capital, services, facilities and programs for the Fiscal Year commencing October 1, 2019, and provided for collection thereof pursuant to the direct billing method of collection described in Article III of the Assessment Ordinance.

(G) In late 2019 the City also obtained a Final Judgment from the Circuit Court in and for Bay County <sup>2</sup> that validated and confirmed, among other things, the legality and validity of the Assessment Ordinance, the Initial Assessment Resolution, the reasoned ability to legally rely upon the imposition of special assessments in the form of Community Redevelopment Assessments to annually apportion costs associated with community redevelopment related capital, services, facilities and programs to fund and finance capital equipment, the methods of notice and collection of the Community

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<sup>2</sup> Panama City Beach v. State, No. 19-4258 (Fla. 14th Cir. Ct. 2019); recorded in Official Record 4199, at page 2214 of the Public Records of Bay County, Florida.

Redevelopment Assessments, the burdens relieved and special benefit conveyed by the community redevelopment related capital, services, facilities and programs funded in part through the Community Redevelopment Assessments, the superior nature of lien of the Community Redevelopment Assessments and the legality of all proceedings and matters in connection therewith (the "Final Judgment").<sup>3</sup>

(H) Each property owner has been provided a direct-mailed bill for Fiscal Year 2019-20 Community Redevelopment Assessments specific to each property assessed and additional notice and information concerning the anticipated non-ad valorem Community Redevelopment Assessments for Fiscal Year 2020-21. On January 2, 2020 such additional notice was also published in a newspaper of general circulation. These notices briefly explained the collection process for an amount equivalent to any unpaid amount due for Fiscal Year 2019-20 Community Redevelopment Assessments and how the City Council expected to collect unpaid assessments, or amounts equivalent thereto, which otherwise create burdens of City budget shortfalls and diminish operating reserves, as well as fund and collect future year's Community Redevelopment Assessments.

(I) The Assessment Ordinance provides for the adoption each year of an Annual Assessment Resolution approving, confirming or amending the Community Redevelopment Assessment Roll.

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<sup>3</sup> *Id.*

(J) On September 26, 2019 the City scheduled and directed mailed notice of a public hearing for January 23, 2019, to consider adoption of the Community Redevelopment Assessment Roll for Fiscal Year 2020-21, and included a statement of intent not to increase the rate of Assessments for the Fiscal Year commencing October 1, 2020.

(K) Notice required by law of the scheduled January 23, 2020 public hearing was individually mailed by first class mail to each affected property owner in compliance with Section 2.08 of the Assessment Ordinance and the Uniform Assessment Collection Act along with each direct bill during the period between October 25, 2019 and November 7, 2019 and proof of mailing is attached hereto as Appendix A.

(L) Additional and extraordinary interactive notice has also been timely and continuously available and updated periodically since August 26, 2019 on the City's website at: <http://quicksearch.ennead-data.com/pcbfbrcra/> and <http://www.pcbgov.com> with additional access available via computer terminal upon request available during business hours to the public at City Hall.

(M) Constructive notice in the form of a General Notice has been additionally published, placed on the City's website, distributed to the trade associations for the

local Bar Association and Board of REALTORS, and recorded in the Official Records of Bay County, Florida, a copy of same is attached hereto as Appendix C.

(N) The Notice required by law of the scheduled January 23, 2020 public hearing was published in compliance with Section 2.04 of the Assessment Ordinance and the Uniform Collection Assessment Act on January 2, 2020 and proof of publication is attached hereto as Appendix B.

(O) In advance of January 23, 2019, the City Council again received and reviewed an update report prepared by Owen M. Beitsch, Ph.D., FAICP, CRE (the "Annual FY 2020-21 Update" or "Update") and considered same along with advice and public input from City officials, advisors and staff, and commenced the annual formal notice and budget consideration process for use of the Community Redevelopment Assessment as a component part of the overall annual City budget by confirming the proposed rates of assessments for Category A and Category B Assessment components and associated budgeted Assessed Cost to be underwritten therefrom.

(P) The Community Redevelopment Assessment Roll (along with additional explanatory information on the City's website) has heretofore and continues to be made available for inspection by the public. All notice required to be provided to a property owner in the manner required by the Uniform Assessment Collection Act and the

Assessment Ordinance, including but not limited to all notice required by section 3.02(F) and 3.03 thereof, has been duly provided.

(Q) A public hearing was held on January 23, 2019 and comments, concerns and objections of all interested persons have been duly received, heard and considered. Additionally, the City Council has reviewed the Update report and all matters referenced and incorporated therein. All of the foregoing has been considered in the context of public discussion or comment upon the subject of funding community redevelopment related capital, services, facilities and programs at regularly scheduled meetings and workshops of the City Council on several occasions, including June 27, 2019, July 25, 2019, August 22, 2019, September 12, 2019, September 26, 2019, November 14, 2019, January 9, 2019 and January 23, 2020, as well as the overall fiscal and other circumstances of the City.

(R) On September 12, 2019, after proper published notice, the City Council also adopted Resolution No. 19-135 providing notice of its intent to use the uniform method of collection of non-ad valorem assessments. On October 16, 2019, the City transmitted a copy of Resolution No. 19-135 to the Bay County Property Appraiser, the Bay County Tax Collector, and the Florida Department of Revenue by U.S. Mail. By such action, the City has timely entered into a written agreement with the Bay County Property Appraiser and the Bay County Tax Collector providing for the reimbursement

of necessary administrative costs associated with the collection of assessments using the uniform method of collection. Copies of Resolution No. 19-135 and proof of publication thereof, proof of transmittal of Resolution No.19-135 to the Bay County Property Appraiser, the Bay County Tax Collector, and the Florida Department of Revenue, and evidence the City has entered into a written agreement with the Bay County Property Appraiser and the Bay County Tax Collector providing for reimbursement of necessary administrative costs incurred under section 197.3632, Florida Statutes, was duly submitted to the Circuit Court as evidence in obtaining the Final Judgment. All requirements for collection of the Community Redevelopment Assessments via the uniform method of collection have been timely met, and upon delivery of a certified assessment roll free of errors of omissions to the Bay County Tax Collector on compatible electronic media on or before September 15, 2020, and each year thereafter, the collection of the Community Redevelopment Assessments via the uniform method of collection is a ministerial duty of the Bay County Tax Collector.

(S) The Assessments contemplated in this Resolution are imposed by the City Council, not the Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed solely as ministerial.



(T) The Final Judgment expressly provides that: “The Community Redevelopment Assessments are not imposed by the Bay County Property Appraiser or the Bay County Tax Collector. The statutory duties of the property appraiser and the tax collector are unaffected by the City’s use of information produced by such entities. Any duties of the property appraiser or the tax collector in regards to the collection of the Community Redevelopment Assessments under section 197.3632 [Florida Statutes,] are wholly ministerial and the property appraiser and the tax collector are without any discretion with regard to the collection of Community Redevelopment Assessments on the tax notice once the City elects to use this method and complies with the requirements of section 197.3632.” The City has fairly and carefully complied with the Assessment Ordinance and all general law provisions in adopting this Resolution.

(U) The Final Judgment also determined and placed in repose the legality of all proceedings and matters in connection with the Assessments imposed or to be imposed within the Front Beach Road Community Redevelopment Area pursuant to the Assessment Ordinance, including but not limited to the legal and paramount public purposes of pledging and using a portion of the Assessment proceeds to secure financing, and validated and confirmed the legality and validity of the Assessment Ordinance, the imposition and means of ongoing annual collection of Community Redevelopment Assessments, the method of apportionment again being employed in

this Resolution, the special benefit conveyed to real property or the relief of burden caused by real property associated with such Assessments, the propriety of the Front Beach Road Community Redevelopment Plan as extended, and the use of financing proceeds to accomplish the objectives of such extended redevelopment plan, the nature of the lien of the Assessments, and the methods and means of and enforcement and collection provided for in the Assessment Ordinance. <sup>4</sup>

(V) The legislative determinations and findings set forth in the Initial Assessment Resolution, the Implementation Direction Resolution and the Final Judgment have again been considered and are also hereby in context incorporated herein by reference.

(W) The City Council hereby finds and determines that the Community Redevelopment Assessments to be imposed in accordance with this Resolution provide a proper and equitable method of funding associated community redevelopment related capital, services, facilities and programs by fairly and reasonably allocating a portion of the cost thereof among specially benefitted property.

(X) The benefits to property and methods of apportionment provided for herein, and the use of proceeds of the non-ad valorem assessment to pay for capital equipment and facilities have been judicially validated as for proper, legal and

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<sup>4</sup> *Id.*

paramount public purposes and fully authorized by law in the Final Judgment; and, are hereby ratified, confirmed and advanced as being employed and similarly used by and for the purposes of this Resolution.

(Y) For the purposes of supporting and adopting this Resolution the determinations in the Final Judgment and the Initial Assessment Resolution are each also hereby supplementally incorporated herein by reference and ratified and confirmed.

(Z) This Resolution initiates and implements the annual budgeting process by providing for early notice as to the component of supplemental funding from the Assessments; and, provides certainty necessary to efficiently transition to collection of Assessments using the uniform method of collection for the Fiscal Year commencing October 1, 2020.

## ARTICLE II

### ASSESSMENTS

#### SECTION 2.01. ESTIMATED ASSESSED COST; RATE OF ASSESSMENT.

(A) Exclusive of all administration and collection costs and all fees and all adjustments and amounts equivalent to delinquencies provided for in section 2.08(B) hereof and in sections 2.01(B) and 3.02(F) of the Assessment Ordinance, the estimated

Assessed Cost to be recovered through Assessments for the Fiscal Year commencing October 1, 2020 is \$690,531, consisting of \$416,610 for Category A – apportioned per Tax Parcel, and \$273,921 for Category B – apportioned based upon the weighted sum of relative attributes of square footage, improvement value and land value for each Tax Parcel.

(B) The Assessments established in this Annual Assessment Resolution for the Fiscal Year commencing October 1, 2020 are determined by the same assessment rates prepared for consideration by the public and City Council in the preparation of the Assessment Roll for the Fiscal Year commencing October 1, 2019.

(C) The rate of Assessment is to be (1) \$33.89 for each Tax Parcel as reflected in the Tax Roll (Category A), plus (2) the sum of the following for each Tax Parcel (Category B):

(a) the heated or air-conditioned square footage obtained from public records including those determined by or obtained from the Property Appraiser (approximately 60% weight of the Category B associated Assessed Cost) multiplied by \$0.008 (i.e. eighty percent of or 8/10<sup>ths</sup> of one (1) cent (\$0.01)), per square foot;

(b) the improvement value for each parcel, which is the result of the reported just value minus the reported land value obtained from public records

determined by the Property Appraiser (approximately 30% weight of Category B associated Assessed Cost) multiplied by \$0.03 per \$1,000 of improvement value; and,

(c) the reported land value for each parcel obtained from public records determined by the Property Appraiser (approximately 10% weight of Category B Assessed Cost) multiplied by \$0.05 per \$1,000 of land value.

(D) At the time of certification of the Assessment Roll for collection, the Assessment Coordinator shall also include in the Assessed Cost apportioned to each Tax Parcel all applicable administration and collection costs and all fees and all adjustments and amounts equivalent to delinquencies provided for in section 2.08(B) hereof and in sections 2.01(B) and 3.02(F) of the Assessment Ordinance.

## **SECTION 2.02. ASSESSMENT ROLL**

(A) The Assessment Roll used for the Fiscal Year commencing October 1, 2019 is and shall be the preliminary Assessment Roll for the Fiscal Year commencing October 1, 2020 a copy of which is posted and available on the City's website and contains the following information:

(1) a summary description of each Tax Parcel (conforming to the description contained on the Tax Roll maintained by the Property Appraiser for

the purpose of levying and collecting ad valorem taxes) which is intended to be subject to the Assessment;

(2) the name of the owner of record of each Tax Parcel, as shown on the Tax Roll; and

(3) the proposed description and amount of the total Assessment for Assessed Cost for each affected Tax Parcel for the fiscal year commencing October 1, 2019, which uses the same rate of Assessment for the Fiscal Year commencing October 1, 2020 as was used for the current Fiscal Year described in section 2.01(C) hereof, and informs the Assessments for the Fiscal Year commencing October 1, 2020 will include in the Assessed Cost apportioned to each Tax Parcel all administration and collection costs and all fees and all adjustments and amounts equivalent to delinquencies provided for in section 2.08(B) hereof and in sections 2.01(B) and 3.02(F) of the Assessment Ordinance.

(B) The Assessment Roll shall be necessarily updated from time to time in due course, to show changes in parcel configuration or other administrative corrections. In the event the Assessment Coordinator makes any administrative or other similar modifications to the Assessment Roll authorized by the Assessment Ordinance, this Resolution or otherwise, funding for such changes to the Assessment Roll may be funded by legally available funds other than direct proceeds of the Assessments. Such

changes shall not require any recalculation or change in the rate or rates of assessment otherwise considered or adopted pursuant to the Assessment Ordinance or this Annual Assessment Resolution. For the avoidance of doubt and to increase administrative efficiency, to the extent practicable the determination of improvement and land values may be based upon certified data from the most recent Tax Roll, which will automatically adjust and be self-correcting in each subsequent year. If necessary and as reasonably required, the Assessment Coordinator is authorized to use data and data points employed in a prior Tax Roll or Assessment Roll or other public records, in any combination, to address anomalies or modifications in public records resulting from on-going parcel changes or reconfigurations within the Front Beach Road Redevelopment Area constantly occurring in due course; and, if necessary, may provide for further notice and opportunity to be heard to affected property owners including use of the Property Appraiser's notice of proposed property taxes and proposed or adopted non-ad valorem assessments under section 200.069, Florida Statutes, or any other form of mailed notice, or otherwise budget or pay the difference (increase) from that shown on the Assessment Roll hereby approved from other legally available funds.

(C) In the event the City also imposes or collects an impact fee upon new growth or development for capital improvements related to such community redevelopment capital, services, facilities or programs, the special assessments provided

for hereunder shall not include costs attributable to capital improvements necessitated by new growth or development which were included in the computation of such impact fee or which are otherwise funded by such impact fee.

(D) Copies of the Assessment Ordinance, this Resolution and the preliminary Assessment Roll have been made available in the City Clerk's office at 17007 Panama City Beach Parkway, Panama City Beach, Florida, and have been open to public inspection in a manner consistent with the Assessment Ordinance. Substantial information concerning the reasoned approach taken by the City Council, the Assessment Roll and method of Assessment for each Tax Parcel has been noticed and available since August 23, 2019 at or through the City's website, has been accessible through the internet at the City's website, <http://quicksearch.ennead-data.com/pcbfbrcra/> and at the City Clerk's office located at 17007 Panama City Beach Parkway, Panama City Beach, Florida. Further, a General Notice providing informative and additional constructive notice has been filed in Official Record 4203 at page 735 of the Public Records of Bay County, Florida.

(E) In the event the Assessment Coordinator makes any corrections, authorized exemptions or deferrals or other modifications to the Assessment Roll authorized by the Assessment Ordinance, this Resolution, or otherwise changing or reducing substantially the Assessment proceeds, all funding for such changes to the



Assessment Roll may be funded by legally available funds other than direct proceeds of the Assessments. Such changes shall not require any recalculation or change in the rate or rates of assessment otherwise considered or adopted pursuant to the Assessment Ordinance or any Annual Assessment Resolution.

**SECTION 2.03. NOTICE BY MAIL AND PUBLICATION.**

(A) The Assessment Coordinator has directed the mailing of notice of a public hearing in the manner and time provided in the Assessment Ordinance, the Implementation Direction Resolution and the Uniform Assessment Collection Act. Proof of timely and compliant mailing of the notice is attached hereto as Appendix A.

(B) The Assessment Coordinator has directed the publication of notice of a public hearing in the manner and time provided in the Assessment Ordinance, the Implementation Direction Resolution and the Uniform Assessment Collection Act. Proof of timely and compliant publication of the notice is attached hereto as Appendix B.

**SECTION 2.04. PUBLIC HEARING.** A public hearing was held on January 23, 2020 commencing at or about 9:00 a.m. in City Hall Council Chambers, 17007 Panama City Beach Parkway, Panama City Beach, Florida, at which time the Council received and considered information and comments on the Assessments for the Fiscal Year commencing October 1, 2020 from City staff, experts and advisors, as well as

the public and affected property owners, and considered imposing Assessments and the method of collection thereof as provided by the Assessment Ordinance.

**SECTION 2.05. IMPOSITION.**

(A) Assessments shall be imposed against Tax Parcels located within the Front Beach Road Community Redevelopment Area, the annual amount of which shall be computed for each Tax Parcel in accordance with this Resolution and shall include all administration and collection costs and all fees and all adjustments and amounts equivalent to delinquencies provided for in section 2.08(B) hereof and in sections 2.01(B) and 3.02(F) of the Assessment Ordinance. When imposed, the Assessment for each Fiscal Year shall constitute a lien upon Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments as provided in the Assessment Ordinance.

(B) Upon adoption hereof, Assessments are to be levied and imposed throughout the Front Beach Road Community Redevelopment Area within the boundaries of the City and this Resolution for the Fiscal Year commencing October 1, 2020 shall be deemed to be adopted and confirmed for all purposes.

**SECTION 2.06. APPORTIONMENT APPROACH.**

(A) As provided for herein, the Assessed Cost shall be apportioned among all Tax Parcels within the Front Beach Road Community Redevelopment Area, not

otherwise exempted hereunder, and including any statutorily defined parcels such as individual condominium or cooperative units with extraordinary alienability. The estimated Assessed Cost and rate of Assessment shall be that described in section 2.01 hereof.

(B) It is hereby ascertained, determined, and declared that the method of determining the Assessments as set forth in this Annual Assessment Resolution is a fair and reasonable method of paying for, equitably and efficiently recovering amounts equivalent to delinquencies for noticed benefits received and burdens created, and apportioning the Assessed Cost among Tax Parcels of Assessed Property located within the Front Beach Road Community Redevelopment Area.

(C) The Assessment Roll is hereby approved.

**SECTION 2.07. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived by the City from the Assessments, after payment of costs and expenses associated with collection and administration of the Assessments, shall be utilized for the provision of community redevelopment related capital, services, facilities, and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund costs associated with such community redevelopment related capital, services, facilities, and programs within the Front Beach Road Community Redevelopment Area.

**SECTION 2.08. COLLECTION OF ASSESSMENTS.**

(A) The traditional direct billing method used for the Fiscal Year commencing October 1, 2019 was initially less expensive, more timely, and provided fair and adequate notice by publication in a newspaper of general circulation; and, coupled with the provision of the presentation of an interactive and searchable preliminary Assessment Roll on-line, provided cost effective, reasonable, timely, convenient, and extraordinary due process.

(B) For the Fiscal Year commencing October 1, 2020, and all subsequent years, the City Council has previously announced and directed, and hereby ratifies and confirms such determination to use the uniform method of collection to collect and enforce the Assessments pursuant to the Uniform Assessment Collection Act in the manner provided herein.

**SECTION 2.09. DIRECTION CONCERNING ANY EXEMPTION.**

(A) Tax Parcels which are statutorily exempted from the payment of ad valorem taxes are in most circumstances subject to the Assessments contemplated hereunder. Tax Parcels classified or described by the Property Appraiser as institutionally tax exempt, have been previously included in other non-ad valorem assessments imposed by the City, and are subject to the Assessments contemplated hereunder.

(B) Tax parcels comprising Government Property have not been subjected to the Assessments contemplated hereunder. Such Tax Parcels include those classified or described by the Property Appraiser as government-owned, including the following: (1) military, (2) forest, parks, recreational, (3) public county schools, (4) public colleges, (5) public hospitals, (6) other county-owned property, (7) other state-owned property, (8) other federal-owned property, and (9) other municipal-owned property. Provided, however, each such Government Property owner may be approached by the Mayor, or such person's designee, and asked to pay as a fee or charge an amount comparable to the Assessment for each such Government Property. Said amount may be invoiced annually, quarterly or monthly in accordance with section 3.04 of the Assessment Ordinance.

(C) The following Tax Parcel classifications are special designations used by the Property Appraiser for recordkeeping purposes and do not represent actual or assessable Tax Parcels and are not subject to the Assessments contemplated hereunder: (1) common element, (2) header record, and (3) notes parcel.

(D) Certain Tax Parcels associated with the following classifications used by the Property Appraiser typically do not receive a special benefit from the provision of community redevelopment capital, services, facilities or programs or are infeasible or impractical to assess, and therefore the Assessment Coordinator may direct same are

not subject to the Assessments contemplated hereunder: (1) right-of-way (including beach access), (2) rivers, lakes & submerged land, (3) sewage disposal & waste lands, and (4) outdoor recreation or parkland.

(E) Tax Parcels associated with the following classifications used by the Property Appraiser receive a special benefit from the provision of community redevelopment capital, services, facilities or programs and are subject to the Assessments contemplated hereunder: (1) cropland, (2) timberland, (3) grazing land, (4) orchards and groves, (5) apiary, aquaculture, fowl, horse, and other animals, and (6) nursery, floriculture, sod production, and hydroponics. As the assessments contemplated hereunder are not imposed pursuant to chapter 170, Florida Statutes, any exemption from assessment for certain agricultural or other lands described therein does not apply. In the event a court of competent jurisdiction determines that certain agricultural or other lands are not subject to the Assessments, the imposition of the Assessments on such properties or portions of properties not subject to the Assessments shall be severed from this Resolution and an amount equivalent to that which would have been raised by such levy shall be paid from other legally available funds.

(F) The classifications of properties in this section which are or may be exempted, in whole or in part, are reasonably determined to be inappropriate, infeasible or impracticable to assess, and either benefit marginally or create a lesser or nominal

demand or burden on the City's costs associated with this community redevelopment area, do not merit the expenditure of public funds to impose or collect the Assessments, are exempt and/or otherwise generally serve in some respect to promote the public health, safety, morals, general welfare, security, prosperity and contentment of the inhabitants, residents, visitors and property owners within the Front Beach Road Community Redevelopment Area. The Assessment Coordinator, or such person's designee, is authorized and directed to use sound judgment in extending such determinations and guidance as the Assessment Roll is collected. The foregoing classifications of properties not to be assessed do not include Government Property that is leased for private use.

(G) Based upon the foregoing, there are relatively few exempt properties within the Front Beach Road Community Redevelopment Area. Using legally available funds other than the proceeds of the Assessments, the City shall otherwise fund or contribute an amount equal to the Assessments that would have been otherwise derived, in whole or in part, from such exempt properties.

(H) Provided, however, the City Council reserves the right and ability in the future to impose Assessments against Tax Parcels determined to be exempt, in whole or in part, hereunder to the extent permitted by law, for any reason including lack of reasonable cooperation or willingness to pay for a share of the Assessed Cost, or

otherwise in the event required or directed to do so by a court of competent jurisdiction.

**SECTION 2.10. EFFECT OF ANNUAL ASSESSMENT RESOLUTION.**

The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment and assessment, the rate or rates of assessment, the Assessed Cost, the Assessment Roll, the levy and lien of the Assessments, and the means and method of collection and enforcement including all associated fees, all adjustments and recovery of amounts equivalent to delinquencies described herein), unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of City Council's adoption of this Annual Assessment Resolution.

**ARTICLE III**

**GENERAL PROVISIONS**

**SECTION 3.01. AUTHORIZATIONS.** The Mayor, the City Manager, the City Attorney, the Clerk, the Community Redevelopment Area Manager and such other officials, employees or agents of the City as may be designated by the City Council are authorized and empowered, collectively or individually, to take all action and steps and to execute all direction, instruments and documents on behalf of the City that are necessary or desirable in connection with the imposition, confirmation and



collection of the Assessments contemplated hereunder, and which are directed, authorized or are not inconsistent with the terms and provisions of this Resolution.

**SECTION 3.02. CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3.03. SEVERABILITY.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

**SECTION 3.04. EFFECTIVE DATE.** This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

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**PASSED and ADOPTED** in regular session of the City Council of the City of  
Panama City Beach, Florida, this 23rd day of January 2020.

**PANAMA CITY BEACH CITY COUNCIL**

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

ATTEST:

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

**APPENDIX A  
PROOF OF MAILING**

**AFFIDAVIT OF MAILING**

**BEFORE ME**, personally appeared the undersigned affiant, who after being duly sworn, deposes and says:

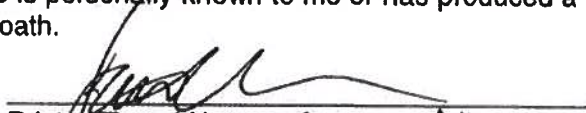
I, **TYLER DIEBOLD**, ("Affiant") as National Account Executive for PrintingForLess.com, Inc. ("PFL"), have been assigned, designated and directed by and through the Office of City Manager of the City of Panama City Beach, Florida, to facilitate and oversee the printing and mailing of the FY 2019-20 Community Redevelopment Assessment Invoice, specific Community Redevelopment Assessment Detail for each Tax Parcel on the associated Assessment Roll, the FY 2020-21 Notice of Annual Hearing concerning the City's Community Redevelopment Assessment, and additional information including a notice of maximum rates in association with, among other things, the provisions of City Ordinance No. 1498 (the "Ordinance") and s.197.3632, Florida Statutes (sometimes called the "Uniform Assessment Collection Act"). As directed by the City, **between October 25, 2019 and November 7, 2019** PFL has respectively merged variable data from the Assessment Roll, printed (on a single page, with information printed on each side), and mailed the foregoing Invoice, Assessment Detail, and Notice of Annual Hearing, by first class United States mail to each owner of property included on the City's Assessment Roll using the form and content as reflected in the attached exemplary Invoice and Notice. The information in the Invoice and Notice was provided and approved by City officials, among other things, as compliant with the requirements of the Ordinance, associated assessment and implementing resolutions, and the Uniform Assessment Collection Act, to addressees and addresses (which were derived from the real property assessment tax roll maintained by the Bay County, Florida, Property Appraiser for the purpose of the levy and collection of ad valorem taxes) provided to PFL by the City, through Ennead, LLC on behalf of the City. Each Invoice and Notice provided or referenced variable information as to each affected parcel derived from the proposed Assessment Roll. An exemplary form of such Invoice, specific Community Redevelopment Assessment Detail, and Notice of Annual Hearing is attached hereto, and is accordingly self-explanatory.

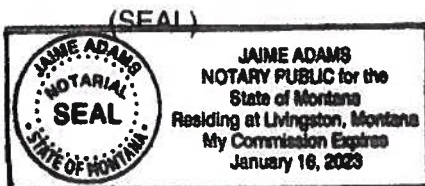
**FURTHER AFFIANT SAYETH NAUGHT.**

  
Tyler Diebold, Affiant

**STATE OF MONTANA  
COUNTY OF PARK**

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 7<sup>th</sup> day of November 2019, by Tyler Diebold. He is personally known to me or has produced a driver's license as identification and did take an oath.

  
Printed/Typed Name: Jaime Adams  
Notary Public-State of Montana  
Commission Expires: 1/16/2023



**AGENDA ITEM #** 1



110 South Arnold Road  
 Panama City Beach, FL 32413  
 Phone: 850-233-5100 - Fax: 850-233-5116  
 E-mail: [fbr-cra@pcb.gov](mailto:fbr-cra@pcb.gov)  
 Sequence No. D01040

OWNER: EDGEWATER HOMES, INC.  
 SEQUENCE NUMBER: D01040  
 PARCEL NUMBER: 32738-980-101  
 LOCATION: 113 BAINBRIDGE ST

TOTAL ASSESSMENT AMOUNT: \$67.99  
 TOTAL AMOUNT DUE: \$67.99  
 DUE UPON RECEIPT AND DELINQUENT ON 12/31/2019

**FY 2019-20**

**COMMUNITY REDEVELOPMENT ASSESSMENT**

THIS IS THE ONLY BILLING STATEMENT YOU WILL RECEIVE. THE FEE FOR EACH DISHONORED CHECK IS SET FORTH IN FLORIDA STATUTE 68.065(2) WHICH IS \$25, IF THE FACE VALUE DOES NOT EXCEED \$50; \$30 IF THE FACE VALUE EXCEEDS \$50, BUT DOES NOT EXCEED \$300; \$40 IF THE FACE VALUE EXCEEDS \$300; OR 5 PERCENT OF THE FACE VALUE OF THE PAYMENT INSTRUMENT, WHICHEVER IS GREATER. THIS COMMUNITY REDEVELOPMENT ASSESSMENT CONSTITUTES A LIEN AGAINST SUCH PROPERTY EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT OR MUNICIPAL TAXES AND SPECIAL ASSESSMENTS. EXCEPT AS OTHERWISE PROVIDED BY LAW, UNTIL PAID, SUCH LIEN SHALL BE SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES AND CLAIMS.

**COMMUNITY REDEVELOPMENT ASSESSMENT DETAIL**

This special assessment is only for a relatively small portion of expenditures associated with properties within the Front Beach Road Community Redevelopment Area (a map or geographic depiction can be found on-line at [www.pcb.gov](http://www.pcb.gov)). Your assessment rates have been apportioned by combining two (2) categories of charges for this annual community redevelopment assessment:

**Category A:** Budgeted costs of a portion of administrative and ministerial activities (\$416,610) shared equally among all parcels at a rate of \$33.89 per tax parcel.

**Category B:** Budgeted costs of a portion of continued maintenance, upkeep and capital equipment (\$273,921) weighted and shared based upon a combination of three (3) relative attributes or factors:

- (1) the heated or air-conditioned square footage reported in the public records of the local property appraiser (approximately 60% weight, or \$167,507) at a rate of \$0.008 per square foot;
- (2) the improvement value for each parcel, which is the result of the reported *just value* minus the reported *land value* in the public records of the local property appraiser (approximately 30% weight, or \$81,247) at a rate of \$0.03 per \$1,000 of improvement value; and,
- (3) the land value for each parcel reported in the public records of the local property appraiser (approximately 10% weight, \$25,167) at a rate of \$0.05 per \$1,000 of land value.

The variable dollar amount attributed to each affected tax parcel and other information concerning this proposed assessment upon properties within the Front Beach Road Community Redevelopment Area is available online at <https://quicksearch.enlead-data.com/pcb/fbrca>.

Assessment Component	Basis	x	Rate	=	2019-20 Assessment
Category A (Per Tax Parcel)	1 Tax Parcel		\$ 33.89/Tax Parcel		\$33.89
Category B (Weighted Combination of:					
(1) AC/Heated Sq. Ft.	AC/Heated Sq. Ft. 2622 Sq. Ft.		\$ 0.008/Sq. Ft.		\$20.98
(2) Improvement Value	Improvement Value \$170,217.00		\$ 0.03/\$1,000		\$5.11
(3) Land Value	Land Value \$60,125.00		\$ 0.05/\$1,000		\$3.01
Annual Administration Charge (Per Invoice)	1 Invoice		\$ 5.00/Invoice		\$5.00
<b>YOUR PARCEL'S TOTAL FY 2019-20 COMMUNITY REDEVELOPMENT ASSESSMENT</b>					<b>67.99</b>
<b>TOTAL AMOUNT NOW DUE</b>					<b>\$67.99</b>

PLEASE BRING ENTIRE BILL IF PAYING IN PERSON. PLEASE DETACH AND RETURN BOTTOM PORTION IN REMITTANCE ENVELOPE PROVIDED. IF PAYING BY MAIL, PLEASE WRITE YOUR SEQUENCE NUMBER ON YOUR CHECK. THANK YOU. SEE REVERSE FOR IMPORTANT INFORMATION.

**FY 2019-20 COMMUNITY REDEVELOPMENT ASSESSMENT INVOICE**  
 PLEASE MAKE CHECKS OR MONEY ORDERS PAYABLE TO CITY OF PANAMA CITY BEACH



Check # \_\_\_\_\_

Amount \_\_\_\_\_

PARCEL #	32738-980-101
LOCATION:	113 BAINBRIDGE ST
BILLING DATE	OCTOBER 25, 2019
DUE ON RECEIPT	DELINQUENT AND PAST DUE ON DECEMBER 31, 2019
TOTAL ASSESSMENT	\$67.99
TOTAL AMOUNT NOW DUE	\$67.99

SEQ. #: D01040

CITY OF PANAMA CITY BEACH  
 ATTN: FBR CRA, SEQ # D01040  
 110 SOUTH ARNOLD ROAD  
 PANAMA CITY BEACH, FL 32413

EDGEWATER HOMES, INC.  
 3518 NW 36TH ST  
 MIAMI FL 33142-5040

AGENDA ITEM # 1

**CITY OF PANAMA CITY BEACH**  
**FISCAL YEAR 2020-21 NOTICE OF ANNUAL HEARING AND ADDITIONAL INFORMATION**  
**\*\*\* Important/Please Review \*\*\***

**Thank you** for reading this information on the flipside of your direct bill for your FY 2019-20 community redevelopment assessment. The amount of the bill for the current fiscal year on the flipside of this Notice is now due.

**Going forward**, the City Council expects to continue the community redevelopment assessment next year for the FY 2020-21 budget year. By this Notice the City's rate structure and charges used this year for your tax parcel for the community redevelopment assessment will remain the same; so, the assessment rates and charges to be levied upon your tax parcel next year from that shown in the Assessment Detail on the reverse side of this Notice, will not change. The estimated total revenue to be collected by the assessment is \$751,996. However, because the City will use the uniform method of collection, you will experience a slight increase due to service charges by the local tax collector and property appraiser and allowance for statutory discounts associated with the tax bill collection method (sometimes called the uniform method of collection). You may also experience increases or decreases from year to year if there are changes in the heated square footage or value of your parcel.

This Notice is provided in accord with the City's intended use of the uniform method of collection next year and the City's community redevelopment assessment ordinance. To limit uncertainty of any increases and to provide transparency in advance, the City Council has pursuant to ordinance and resolution set the maximum rate of assessment beyond FY 2020-21 based on the rates noticed herein and limited the maximum amount of increases in these rates to annually not to exceed the average annual growth rate in Florida personal income over the previous 5 years. Further Notice of any such indexed increases proposed will be published by the City each year at least 20 days in advance of the noticed annual public hearing concerning these community redevelopment assessments.

The City will also update and provide the proposed community redevelopment assessment roll for FY 2020-21 and make it available at the City Clerk's office at City Hall and at [www.pcbgov.com](http://www.pcbgov.com) by early January 2020.

**On January 23, 2020 at 9 AM, the City Council will hold a public hearing in the City Hall Council Chambers, at 17007 Panama City Beach Parkway, Panama City Beach, Florida, for the purpose of again receiving comments on proposed community redevelopment assessments for FY 2020-21 (our next budget year).** You are invited to attend and/or file written objections with the City Clerk and address them to the City Council prior to that date. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

The City's community redevelopment assessment is explained in detail on the flipside of this Notice. The City is billing you directly for the community redevelopment assessment for this fiscal year (FY 2019-20) which is now due and payable. If you do not pay this first year's assessment in full, the City has no intent to spend limited resources on collections, but rather will use its ability to supplant and collect an amount equivalent to what is unpaid along with next year's community redevelopment assessment which will be collected on the same bill as your property taxes. Waiting to pay this year's community redevelopment assessment (shown on the flipside of this Notice) makes it more difficult for the City's budgetary, financial and cash flow operations, and will likely unnecessarily increase the amount you pay at a later date (by an additional 4% to 8%). Please consider avoiding these additional charges and costs, and promptly pay the amount due on the flipside of this Notice TODAY. Thank you so much for your support of this activity associated with all properties in the Front Beach Road Community Redevelopment Area of our City.

Payment for *next year's* community redevelopment assessment is anticipated to be due and collected on the same bill as taxes to be mailed around November 1, 2020 (sometimes called the uniform method of collection). General law requires us to always remind you that: Until paid, the community redevelopment assessment will constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Assessments become delinquent in the same manner as for unpaid taxes, and failure to pay a non-ad valorem assessment will cause a tax certificate to be issued against the property which may result in loss of title. Government property is not subject to the collections using the uniform method of collection for the community redevelopment assessment.

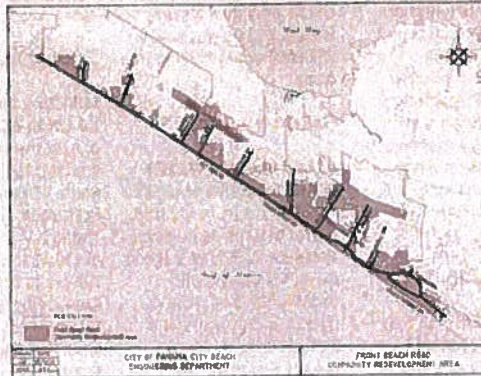
**Thank you for reviewing this information.**

**AGENDA ITEM #** 1

**APPENDIX B  
PROOF OF PUBLICATION**

**AGENDA ITEM # 1**

**NOTICE OF HEARING  
TO CONSIDER IMPOSING AND PROVIDING FOR COLLECTION OF ANNUAL  
NON-AD VALOREM SPECIAL ASSESSMENTS  
WITHIN THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT AREA  
TO FUND IN PART THE COSTS ASSOCIATED WITH COMMUNITY REDEVELOPMENT RELATED CAPITAL,  
SERVICES, FACILITIES AND PROGRAMS FOR  
FISCAL YEAR 2020-21**



Affected properties lie within the Front Beach Road Community Redevelopment Area

This notice concerns the process the City Council of the City of Panama City Beach, Florida (the "City"), has already established to annually address the challenge of financing the planned funding of the long-term transformation of the Front Beach Road Community Redevelopment Area.

Since 2002, the City acting through its community redevelopment agency has launched a series of substantial place-making, transportation and mobility improvements within the larger Front Beach Road Corridor of our City. This has been done pursuant to a redevelopment plan reviewed by the County and approved by our circuit court in 2003. In that plan, funding for these redevelopment projects and activities come mostly from an increment or portion of property taxes Front Beach Road Community Redevelopment Area property owners pay to the County each year that is statutorily placed in a redevelopment trust fund administered by the City and its redevelopment agency. The changes in this area since 2002 are impressive so far. Last fall the duration of this redevelopment plan was extended by law until the end of the 2039 fiscal year. The City also began assessing only a portion of the costs to defray annual operating and capital equipment costs specifically associated with community redevelopment administration, maintenance and operations in this redevelopment area.

The Front Beach Road redevelopment plan objectives and accomplishments have already been remarkably beneficial to this community and the County, but this long-term plan has yet to be fully realized. Recent review by financial and transportation experts confirmed that longer-term consideration and action was needed to supplement the funding of operating, maintaining and administering services to the area to better sustain the existing and near-term redevelopment capital commitments. Together all of these actions will help accomplish the additional transformation of the Front Beach Road redevelopment area. The use of special or non-ad valorem assessments described in this Notice was specifically contemplated in the 2002 redevelopment plan, and as now extended. These annual assessments serve in part to satisfy constitutional obligations and responsibilities of the City, its redevelopment agency and the properties within this redevelopment area to accomplish the objectives of our community's redevelopment plan.

Last fall the City began imposing these annual community redevelopment assessments within the Front Beach Road Community Redevelopment Area in accord, among other things, with the 2005 interlocal agreement with the Bay County Commission. The initial imposition of these community redevelopment assessments began for FY 2019-20 and was direct billed in November to all affected properties. Going forward, this annual assessment will be collected on the same bill as for ad valorem property taxes each year beginning in November 2020 for FY 2020-21. The proceeds will be exclusively used to fund only a portion of the annual operating and capital equipment costs specifically associated with community redevelopment administration, maintenance and operations in this redevelopment area.

The City Council's action to put in place a supplemental and alternative means to deal with budget needs through the adoption of community redevelopment assessment rates that can remain reasonable and feasible, and that might be changed annually over time with future cycles beforehand, was validated by the Circuit Court in December, 2019. By considering the 2002 Front Beach Road redevelopment plan as amended in 2019, the annual redevelopment budget, the City's overall budget, and other economic conditions, our community can and will continue to administer its operations and maintain these community redevelopment related capital, services, facilities or programs while showing financial stewardship. This is a thoughtful, compliant and responsible approach which addresses a challenging balancing process that must be addressed annually and with an eye on the future in this increasingly successful planned redevelopment area transformation.

These special assessments for each of the approximately 12,581 assessable parcels in the Front Beach Road community redevelopment area will fund a small portion of the community redevelopment associated budget for the upcoming FY 2020-21 in the estimated amount of \$690,631, exclusive of administrative, collection and statutory adjustments. The method of collection used in the fall of 2019 was by traditional direct billing from the City sent by U.S. mail to each affected property owner at their address on file with the local tax collector. That direct-billed payment for FY 2019-20 was due upon receipt. A re-printable copy of every bill sent for FY 2019-20 can be found at the City's website. In subsequent years collection (including any initial year delinquencies) will occur using the uniform method of collection of the tax bill of affected properties beginning in November 2020. In this approach each parcel of property assigned an identification number by the Bay County Property Appraiser is considered one (1) tax parcel.

If you wish to learn more, a detailed description of the assessment program, the ability to search for individual parcel information, a General Notice, and more is available on the City's website at <http://www.pcbgov.com> which includes a copy of the procedural Ordinance, the annual Assessment Resolution for FY 2019-20, the proposed annual Assessment Resolution for FY 2020-21 and the proposed Assessment Roll.

On January 23, 2020, at 8:00 a.m., the City Council will hold a public hearing in the City Council Chambers at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida, for the purpose of receiving comments on the proposed Assessment Resolution for FY 2020-21 and roll concerning the imposition, levy and collection of community redevelopment assessments for FY 2020-21 by using the uniform method of collection beginning next November. The rates of assessment for FY 2020-2021 will remain the same as for FY 2019-20.

You are invited to attend or appear at the public hearing, and/or to file written comments or objections with the City Clerk, and addressed to the City Council within 20 days of this Notice. You may send your written comments or objections to the Clerk at [for@pcb.gov](mailto:for@pcb.gov). Also you can look up the individual impact on your parcel located in this redevelopment area at <http://quicksearch.arnetd-data.com/panbeach>. Because there will not be any increase in the rates, the proposed roll is in essence the same as used last fall. The City also expects to additionally and optionally update this information as a part of the statutory TRIM (sometimes called Truth in Millage) process next Summer. If you decide to appeal any decision made by the City Council with respect to any matter considered at or after the hearing, you will need a receipt of the proceedings and may need to ensure at your own expense that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

It approved by City Council after the January 23, 2020 hearing setting the rate of assessment for each tax parcel, the City will use the same rates as for FY 2019-20, and also includes a \$5.00 per tax parcel to defray City office, mailing, administrative and implementation costs, which will be increased by the prorata amount of fees or charges imposed by the Property Appraiser and Tax Collector for each tax parcel, and will be also increased and adjusted as necessary to account for any statutory discounts necessitated when employing the efficiencies of collecting these non-ad valorem assessments annually on the same bill as property taxes.

These non-ad valorem special assessments are only for costs and expenses associated with properties located within the Front Beach Road Community Redevelopment Area (see map or geographic depiction above), will be used for the FY 2020-21 budget, and are to be apportioned in the same manner and at the same rates as for FY 2019-20 by combining two (2) categories of charges for this special assessment:

Category A: Budgeted costs of a portion of administrative and municipal activities (approximately \$418,610) shared equally per parcel among all parcels will be \$33.89 per tax parcel.

Category B: Budgeted costs of a portion of continued maintenance, upkeep and capital equipment (approximately \$273,021) weighted and shared based upon a combination of three (3) relative attributes or factors:

- (1) the heated or air-conditioned square footage reported in the public records of the local property appraiser (approximately 20% weight) or approximately \$167,507 will be \$0.008 per square foot;
- (2) the improvement value for each parcel, which is the result of the reported just value minus the reported land value in the public records of the local property appraiser (approximately 30% weight) or approximately \$31,247 will be \$0.03 per \$1,000 of improvement value; and,
- (3) the land value for each parcel reported in the public records of the local property appraiser (approximately 10% weight) or approximately \$25,187 will be \$0.03 per \$1,000 of land value.

The variable dollar amount attributed to each affected tax parcel and other information concerning this proposed assessment upon properties within the Front Beach Road Community Redevelopment Area is available online at <http://quicksearch.arnetd-data.com/panbeach/> or accessible by computer terminal upon inquiry at the office of the City Clerk, at City Hall.

Beginning with the budget process for FY 2021-22 in order to limit uncertainty of any increases, to provide transparency well in advance, and provide for overall better advance budgeting direction, the City Council has pursuant to ordinance and resolution announced and set the maximum rate of assessment for FY 2022 and beyond based on the rates posted herein and limited the maximum amount of Florida's income tax rate to be assessed on any such income tax assessed on Florida personal income over the previous 5 years. Further, more specific notices of any such income tax assessed on Florida personal income must also be published by the City each year at least 20 days in advance of the proposed annual public hearing concerning these community redevelopment assessments.

Any appeal assessment imposed will be only imposed by the City Council, and not the County, nor its Constitutional Officers, the Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this process are purely ministerial. Thank you for your review.

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS MEETING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE PANAMA CITY BEACH CITY CLERK, AT CITY HALL, 17007 PANAMA CITY BEACH PARKWAY, PANAMA CITY BEACH, FLORIDA 32413 OR BY PHONE AT (904) 233-5100 AT LEAST FIVE (5) CALENDAR DAYS PRIOR TO THE MEETING. IF YOU ARE HEARING OR SPEECH IMPAIRED, AND YOU POSSESS TDD EQUIPMENT, YOU MAY CONTACT THE CITY CLERK USING THE FLORIDA DUAL PARTY RELAY SYSTEM WHICH CAN BE REACHED AT (800) 955-8770 (VOICE) OR (800) 955-8771.

PUBLISHED AT THE DIRECTION OF THE CITY COUNCIL, CITY OF PANAMA CITY BEACH.  
Published on or before January 3, 2020.



# 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 Karen Glenn, 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 #11075848 in the matter of **NOTICE OF PUBLIC HEARING - 2020-2021** in the Bay County Court, was published in said newspaper in the issue of **January 2, 2020**.

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.

Karen Glenn

State of Florida  
County of Bay

Sworn to and subscribed before me this 2nd day of January, A.D., 2020.  
By Karen Glenn, Legal Advertising Representative of The News Herald,  
who is personally known to me or has produced N/A as identification.

Melissa Elaine Clemmons  
Notary Public, State of Florida at Large



AGENDA ITEM # 1

**APPENDIX C  
GENERAL NOTICE**

**AGENDA ITEM # 1**

GENERAL NOTICE OF LIEN RESULTING FROM THE  
IMPOSITION OF ANNUAL COMMUNITY REDEVELOPMENT ASSESSMENTS  
THROUGHOUT THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT AREA WITHIN THE  
CITY OF PANAMA CITY BEACH, FLORIDA, FOR FY 2019-20

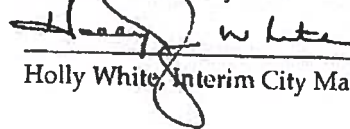
ADDITIONAL NOTICE IS HEREBY GIVEN THAT on September 12, 2019, the City Council of the City of Panama City Beach, Florida (the "City"), adopted Resolution No. 19-133 which levied and imposed Community Redevelopment Assessments, sometimes referred to as non-ad valorem assessments, against property located within the Front Beach Road Community Redevelopment Area of the City of Panama City Beach, Florida, for a portion of the annual cost of certain community redevelopment and related capital, services, facilities and programs. Copies of Ordinance No. 1498, Resolution No. 19-133 and the special assessment roll which contains a list of the affected tax parcel numbers and property owners (as shown on the Bay County ad valorem tax assessment roll as of the effective date of billing by the City), and the dollar amount of this special assessment for each, are on file with the City Clerk at City Hall, 17007 Panama City Beach, Florida, and open to public inspection. More conveniently, this information, searchable by owner name, street address or tax parcel identification number, can be obtained on the internet at <http://www.pcbgov.com> and <http://quicksearch.ennead-data.com/pcbfbrcra/> for all assessed parcels. (To conveniently view a detailed bill specific to any parcel: after a search, click 'View Bill' under the 'PDF Link' column to view and reprint.)

These non-ad valorem special assessments were perfected on September 12, 2019, after a duly noticed public hearing, and adoption of Resolution No. 19-133 and became due and payable upon the mailing of direct bills by the City to every affected property owner in the City on or before November 7, 2019. If not paid sooner, these special assessments become delinquent after December 31, 2019. A map of this redevelopment area, reprints of the bills, the mailed notice on the reverse side of all bills and other information can be obtained by checking the above websites.

The validity of these non-ad valorem assessments and use of proceeds collected to finance capital equipment has been approved by Final Judgment. *City of Panama City Beach v. State, No. 19 4258 (14th Cir. Ct. Dec. 10, 2019).*

This notice is consistent with City Ordinance No. 1498, and provides additional, extraordinary and constructive notice of the levy and imposition of special or non-ad valorem assessments upon real property located within Front Beach Road Community Redevelopment Area within the City of Panama City Beach. Collection of delinquencies will likely be pursuant to section 3.02(F) of the Ordinance. Special Assessments constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, or municipal taxes and other non-ad valorem assessments until paid in full. This notice does not and shall not be construed to require that individual liens or releases be filed in the Official Records.

Dated this 19<sup>th</sup> day of December 2019

  
\_\_\_\_\_  
Holly White, Interim City Manager (seal)

- Publish in News Herald
- Post on City website
- Distribute to local Bar Association office or leadership
- Distribute to local Board of REALTORS office or leadership
- Record in Official Records



Planning | Urban Design  
Landscape Architecture  
Economics | Real Estate

January 8, 2020

GAI Project No. A190405.03

Honorable Mayor Thomas and City Council  
City of Panama City Beach  
17007 Panama City Beach Parkway  
Panama City Beach, Florida 32413

**Front Beach Road Community Redevelopment Area  
Assessment; Annual FY 2020-21 Update  
City of Panama City Beach, Florida**

Dear Mayor Thomas and City Council Members:

**Introduction**

In conjunction with your assessment special counsel, GAI Consultants (GAI) has been authorized by the City Council to analyze the special benefits associated with various transportation related infrastructure and to explore options for defraying at least some of the administrative, operational and maintenance expense of overseeing those facilities in this extraordinary community redevelopment context.

Accordingly, this memorandum (hereafter the "Update" or "FY 2020-21 Update") serves to update our memo to you dated August 21, 2019 (the "Executive Summary") which the City Council received and considered in the summer of 2019 and subsequently placed before your Circuit Court in a judicial proceeding in late 2019. Recently, the Circuit Court determined the legality of all proceedings and matters in connection with the City's assessments imposed within the Front Beach Road Community Redevelopment Area (the "Redevelopment Area") pursuant to, among other things, your Ordinance No. 1498 (the "Assessment Ordinance") and your Resolution No. 19-133 and Resolution No. 19-149. <sup>1</sup> Those assessments for FY 2019-20 were billed for collection in November by a direct mailing.

The Executive Summary which provided evidence of reasoned and rational analysis upon which an annual non-ad valorem special assessment approach could be fairly and lawfully premised is incorporated herein for brevity and reference.

This Update recaps the estimated FY 2020-21 Community Redevelopment Assessment revenue. Among other things, it considers a summarized annual budget analysis, uses the same apportionment method and provides funding

GAI Consultants, Inc.  
618 E. South Street  
Suite 700  
Orlando, Florida 32801  
T 407.423.8398  
gaiconsultants.com

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<sup>1</sup> Respectively, the first Annual Assessment Resolution imposing the Community Redevelopment Assessments and the Implementation Direction Resolution providing direction on collection, billing and future notifications, among other things, concerning this Community Redevelopment Assessment program.

AGENDA ITEM # 1

(amount) scenarios for public education, public hearing and decision-making purposes based upon direction to employ the same rates of assessment as last year.

This Update shares in summary form the approach to the ongoing annual determination of the non-ad valorem assessment for affected tax parcels, whether developed or undeveloped, in the entire Redevelopment Area. The information will assist your staff and you with incorporating these revenues in your upcoming City budget.

### **Brief Overview**

Comprised of roads, sidewalks, landscaping and other features, the extensive infrastructure referenced and described in this Update and the Executive Summary is either now in service, undergoing construction, or undergoing design. If within the latter category, the anticipated improvements necessarily adhere to a specific timetable tied to incremental receipts accruing for use by the City's community redevelopment agency. As a series of linked or connected improvements, these existing and anticipated facilities confer benefits to all properties within the confines of the Front Beach Road Community Redevelopment Area which is shown in the graphic in Exhibit A. Such non-ad valorem or special assessments are without question consistent with the Front Beach Road Community Redevelopment Plan as extended and better support the overall funding of construction and capital improvements as well as essential services described in that plan.

The Executive Summary explains the approach to identifying and describing the major benefits to the group of properties within the Redevelopment Area. The logical resulting relationship of the properties included in the Redevelopment Area was described and also judicially validated by the Circuit Court at inception of this initiative in 2003.

Special assessments comprise a levy made against certain real property to recover all or part of the cost of a specific service or capital improvement (including capital equipment) deemed to benefit certain real properties. In 2019 the City adopted the Community Redevelopment Assessment to defray a portion of the annual operating and capital costs associated with community redevelopment within the Front Beach Road Community Redevelopment Area.

The reasoning and the use of the funding strategy and apportionment methodology underlying the program itself are intended to remain unaltered or evergreen. However, the amount of the actual assessment might change as City policies or practices, the annual budget, and conditions attributed to each tax parcel might also change from year to year. In brief, the methodology for calculating these Community Redevelopment Assessments in the Redevelopment Area stems from a series of considerations associated with the square footage, relative value of improvements, land value, number of tax parcels in the Redevelopment Area subject to the assessments, and an allocation of a relatively small portion of the City's overall redevelopment budget reflecting two defined categories of costs.

## Assessment Detail

As described in our 2019 Executive Summary, the two categories of a portion of the City's community redevelopment related cost to be supplementally assessed for are:

- Category A, budgeted costs of a portion of certain administrative and ministerial activities.
- Category B, budgeted costs of a portion of maintenance, upkeep and capital equipment.

At the direction of the City Council, the allocations and gross budgeted amounts are to remain essentially the same for FY 2020-21, as are the rates described below.

You have directed that the assessments for the Fiscal Year commencing October 1, 2020 will be established by an annual assessment resolution on January 23, 2020, and per your direction will be substantially determined by the assessment rates prepared for consideration by the public and City Council in the preparation of the Assessment Roll for the prior Fiscal Year commencing October 1, 2019. In other words, there is no increase in assessment rates.

Accordingly, the directed rate of assessment for FY 2020-21 will be (1) \$33.89 for each tax parcel as reflected in the tax roll (Category A) plus (2) the sum of the following for each tax parcel (Category B):

- A. The heated or air-conditioned square footage obtained from public records determined by the Property Appraiser (approximately 60% weight of the Category B associated budgeted assessed cost approximating \$167,507) multiplied by \$0.008 (8/10ths or eighty percent of one [1] cent \$0.01) per square foot;
- B. The improvement value for each tax parcel, which is the result of the reported just value minus the reported land value obtained from public records determined by the Property Appraiser (approximately 30% weight of Category B associated budgeted assessed cost approximating \$81,247) multiplied by \$0.03 per \$1,000 of improvement value; and,
- C. The reported land value for each tax parcel obtained from public records determined by the Property Appraiser (approximately 10% weight of Category B budgeted assessed cost approximating \$25,167) multiplied by \$0.05 per \$1,000 of land value.

However, because the City will use the uniform method of collection beginning next November, affected property owners will experience a slight increase due to a pro-rated pass-through of service charges by the local tax collector and property appraiser and allowance for statutory discounts associated with the tax bill collection method (sometimes called the uniform method of collection). Property owners may also experience increases or decreases if there are changes in the heated or air-conditioned square footage or value of the land or

improvements between last year and the further updating of the assessment roll later this year for TRIM (truth-in-millage) notification purposes this coming Summer.

### **Parcel Data Review**

The assignment of assessment values is based in part on data certified by the Bay County Property Appraiser to the Florida Department of Revenue periodically each year and other data maintained for other purposes publicly available from that office. This year's analysis and application of such parcel data is being provided by Ennead, LLC<sup>2</sup>.

### **Budget Review**

The community redevelopment budget for FY 2020-21 to be funded by non-ad valorem assessment, after consultation with City officials, is based on budget information substantially consistent with last year.

The estimated budget for assessed cost to be recovered through Community Redevelopment Assessments for the fiscal year commencing October 1, 2020 accordingly will be approximately \$690,531, exclusive of all administrative, collection and statutory adjustments, consisting of approximately \$416,610 for Category A – apportioned per tax parcel, and approximately \$273,921 for Category B – apportioned based upon the weighted sum of relative attributes of square footage, improvement value and land value for each tax parcel described above.

Again, the estimated revenue to be derived from the FY 2020-21 Community Redevelopment Assessment, will only recover a relatively small percentage of the City's total community redevelopment budget attributable to the Redevelopment Area.

### **Guidelines for Current Assessments and Budgeting**

It is well-settled in Florida case law that local governments, should they impose an assessment, are not required to fully fund that service or improvement through the special assessment itself. The local government may determine,

---

<sup>2</sup> Research reveals there are approximately 12,561 tax parcels (this includes 3 parcels deemed "confidential" by the Property Appraiser) within the boundaries of the Front Beach Road Community Redevelopment Area with a total relative improvement value of \$2,717,341,667. Approximately 218 parcels expected to be excluded by resolution due to their classification as right-of-way or other use that is not appropriate for assessment or development. After removing those parcels from the roll, the "assessable" tax parcel count is approximately 12,343 - Of these, 50 are parcels owned by governmental entities which must be excluded since "governmentally-owned" parcels which are used by the government for public purposes cannot be assessed - With the adjustments for parcels removed from the roll, the total number of tax parcels used for analysis is approximately 12,293.

entirely in its own discretion, to fund some portion of the overall cost with general fund or other legally available revenues.

Clearly, the City Council may annually determine as an equity tool to impose special assessments at a rate less than necessary to fund all or any specific portion of the costs which might otherwise be funded by special assessments associated with redevelopment, services, capital and facilities. Costs incurred in providing redevelopment, services, capital, facilities and programs not otherwise funded through redevelopment assessments may be paid with general fund or other legally available revenues (which predominantly will continue to come from tax increment revenues as provided in chapter 163, Part III, Florida Statutes). Such legally available revenues as a matter of policy may be applied exclusively to any category of budget allocation or expense otherwise funded by a special assessment, in part, to an applicable category of any community redevelopment budget allocation or expense, or in any combination thereof, and maintain the validity of the apportionment approach used for the remaining portion of the budget attributed to an assessed cost. This flexibility is implemented through a policy and legislative determination employed through careful adherence to case law, statutory law, and the State Constitution, as well as the exercise of annual budget responsibility, discretion and equity vested in the City Council.

### Assessment Roll

Upon consultation with City management no change in annual assessment rates to fund the assessed cost of community redevelopment is proposed nor shown. Accordingly, using available data, the proposed annual assessment roll has been determined to be the same for FY 2020-21 as for the current fiscal year, and can be accessed world-wide at either <http://quicksearch.ennead-data.com/pcbfbrcra/> or [www.pcbgov.com](http://www.pcbgov.com). Those links allow for convenient interactive search and transparent public inquiry concerning parcels to be assessed by: owner name, location address, or parcel identification number. The values and information shown provide subtotals based upon rates applied. Other materials generally explain adjustments for expenses of administration and collection using the same bill as for taxes (also called the uniform method of collection).

Additionally, each property owner was individually mailed a detail of the assessment breakdown and further notice in November<sup>3</sup>. During the summer of this year, the City will also further update the roll as directed in the annual assessment resolution and plans to provide further notification to affected property owners using the statutory TRIM (sometimes called truth-in-millage) process. The total amount of non-ad valorem assessment must be certified by the City on or before September 15, 2020 for collection on the same notice or bill as for taxes sent by the tax collector in November 2020 for each tax parcel.

This approach provides advance and extraordinary public transparency and assists the City Council in decision-making based upon the same rates as last year

<sup>3</sup> A copy of that detail for every parcel assessed can be viewed and reprinted at <http://quicksearch.ennead-data.com/pcbfbrcra/> A typical specimen of that mailing is appended hereto as Exhibit B for quick reference.



using the same assumed budget at this point in the annual budget cycle, and a convenient means to review the array of tax parcels affected. See also, Parcel Data Review, *supra*.

This approach also assures property owners that, once the annual assessment resolution is adopted in January, the rates used to fund the assessed cost of community redevelopment will stay the same for FY 2020-21 as for the initial FY 2019-20 assessments, save and except for the relatively nominal pro rata costs per tax parcel associated with transition from the traditional direct billing method of collection to the uniform method of collection on the same bill as for taxes. See Assessment Detail, *supra* and Exhibit B.

### Validity and Legal Sufficiency

In an abundance of caution and to better inform and educate property owners and local citizens the City developed a process to (1) fairly structure, adopt, impose, and collect these annual non-ad valorem charges year over year, (2) follow community redevelopment objectives in the City's extended redevelopment plan, (3) honor City obligations in interlocal agreements, (4) carefully comply with applicable laws, and (5) efficiently administer this assessment approach over time. As a part of that process the City has also sought and obtained legal repose as to this overall approach to remove doubt about the validity and use of proceeds year over year from the community redevelopment assessments to finance capital debt <sup>4</sup>.

<sup>4</sup> See Final Judgment recorded in Official Record 4199 a page 2214 of the Public Records of Bay County, Florida.

### Connection with Prior Work

This annual FY 2020-21 update and referenced information incorporate by reference GAI's prior Executive Summary work placed in the record before the City Council at its previous public consideration and hearing on this matter. Consistent with that record, the content of this Update provides a reasoned review and analysis of information, facts and circumstances associated only with the City of Panama City Beach and is exclusively for the use by the City Council of Panama City Beach.

Sincerely,

**Community Solutions Group,  
a GAI Consultants, Inc.  
Service Group**



Owen M. Beitsch, Ph, FAICP, CRE  
Senior Director  
OMB/cl

Attachment:

Exhibit A – Graphic of Front Beach Road Community Redevelopment Area

Exhibit B – Specimen of Individual Mailed Notice and Invoice Mailed November 2019 and Copy of General Notice Recorded December 2019 in the Official Records.

CC: Anthony O'Rourke, City Manager  
Amy Myers, City Attorney  
James C. Dinkins, Special Counsel  
Mark G. Lawson, Special Counsel

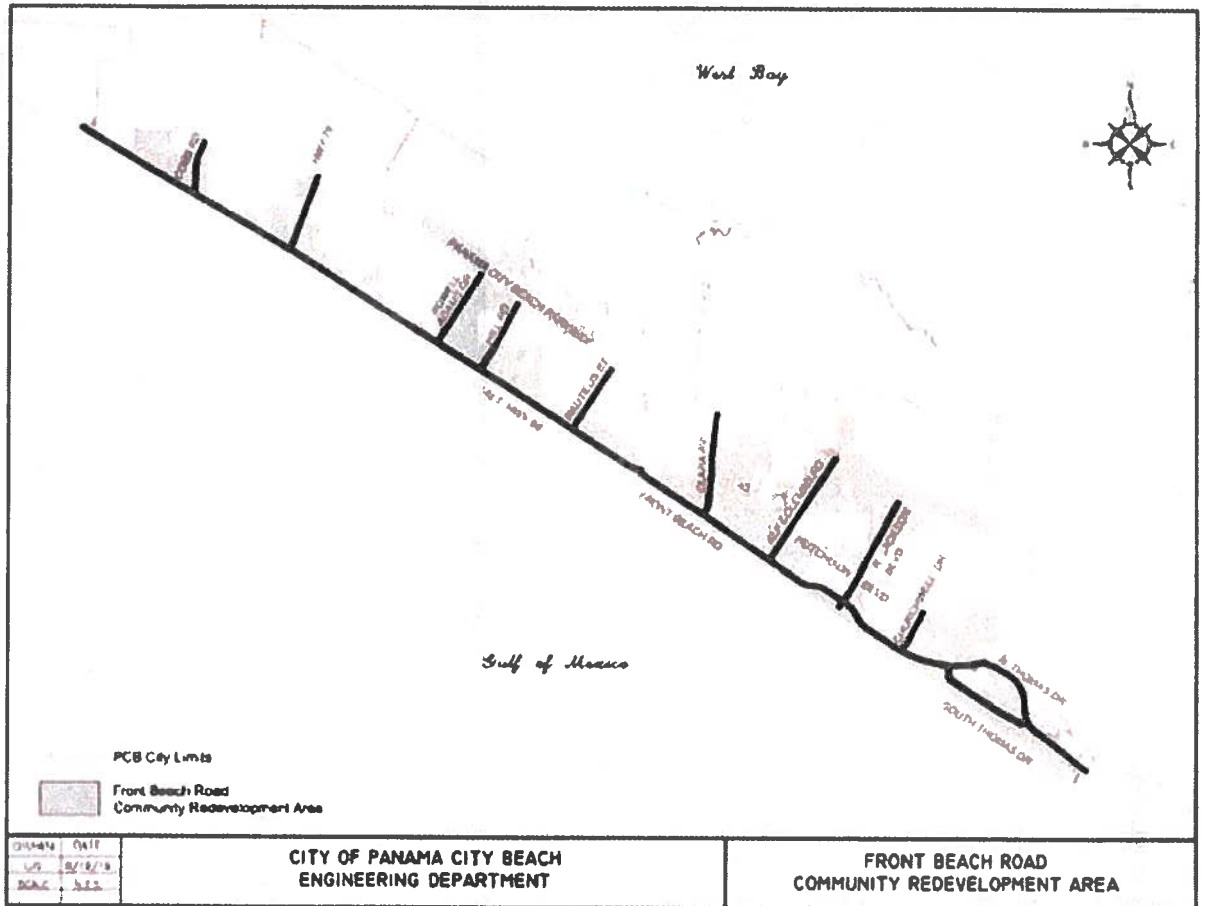
Honorable Mayor Thomas and City Council  
January 8, 2020  
GAI Project No. A190405.03

Planning | Urban Design  
Landscape Architecture  
Economics | Real Estate

**EXHIBIT A**  
**Graphic of Front Beach Road Community Redevelopment Area**

Honorable Mayor Thomas and City Council  
 January 8, 2020  
 GAI Project No. A190405.03

Planning | Urban Design  
 Landscape Architecture  
 Economics | Real Estate



Honorable Mayor Thomas and City Council  
January 8, 2020  
GAI Project No. A190405.03

Planning | Urban Design  
Landscape Architecture  
Economics | Real Estate

**EXHIBIT B**  
**Specimen of Individually Mailed Notice and Invoice Mailed**  
**November 2019 and Copy of General Notice Recorded December**  
**2019 in the Official Records**

A GAI Consultants, Inc. Service Group  
© 2020 GAI CONSULTANTS

AGENDA ITEM # 1

**AFFIDAVIT OF MAILING**

**BEFORE ME** personally appeared the undersigned affiant, who after being duly sworn, deposes and says:

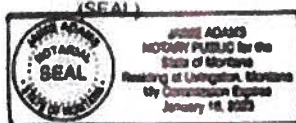
I, **TYLER DIEBOLD**, ("Affiant") as National Account Executive for PrintingForLess.com, Inc. ("PFL"), have been assigned, designated and directed by and through the Office of City Manager of the City of Panama City Beach, Florida, to facilitate and oversee the printing and mailing of the FY 2019-20 Community Redevelopment Assessment Invoice, specific Community Redevelopment Assessment Detail for each Tax Parcel on the associated Assessment Roll, the FY 2020-21 Notice of Annual Hearing concerning the City's Community Redevelopment Assessment, and additional information including a notice of maximum rates in association with, among other things, the provisions of City Ordinance No. 1498 (the "Ordinance") and s 197 3632, Florida Statutes (sometimes called the "Uniform Assessment Collection Act"). As directed by the City, between October 25, 2019 and November 7, 2019 PFL has respectively merged variable data from the Assessment Roll, printed (on a single page, with information printed on each side), and mailed the foregoing Invoice, Assessment Detail, and Notice of Annual Hearing, by first class United States mail to each owner of property included on the City's Assessment Roll using the form and content as reflected in the attached exemplary Invoice and Notice. The information in the Invoice and Notice was provided and approved by City officials, among other things, as compliant with the requirements of the Ordinance, associated assessment and implementing resolutions, and the Uniform Assessment Collection Act, to addressees and addressee (which were derived from the real property assessment tax roll maintained by the Bay County, Florida, Property Appraiser for the purpose of the levy and collection of ad valorem taxes) provided to PFL by the City, through Ernead, LLC on behalf of the City. Each Invoice and Notice provided or referenced variable information as to each affected parcel derived from the proposed Assessment Roll. An exemplary form of such Invoice, specific Community Redevelopment Assessment Detail, and Notice of Annual Hearing is attached hereto, and is accordingly self-explanatory.

**FURTHER AFFIANT SAYETH NAUGHT.**

  
Tyler Diebold, Affiant

**STATE OF MONTANA  
COUNTY OF PARK**

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 1<sup>st</sup> day of November 2019, by Tyler Diebold. He is personally known to me or has produced a driver's license as identification and did take an oath.



Printed/Typed Name: Jaime Adams  
Notary Public State of Montana  
Commission Expires: 1/18/2023



110 South Arnold Road  
 Panama City Beach, FL 32413  
 Phone 850-233-8100 - Fax 850-233-8118  
 E-mail [info@gaiconsultants.com](mailto:info@gaiconsultants.com)  
 Sequence No. 001040

OWNER: EDGEWATER HOMES, INC  
 SEQUENCE NUMBER: 001040  
 PARCEL NUMBER: 32730-000-101  
 LOCATION: 113 BANBRODGE ST

TOTAL ASSESSMENT AMOUNT: \$67.99  
 TOTAL AMOUNT DUE: \$67.99  
 DUE UPON RECEIPT AND DELINQUENT ON 12/31/2019

**FY 2019-20  
 COMMUNITY REDEVELOPMENT ASSESSMENT**

THIS IS THE ONLY BILLING STATEMENT YOU WILL RECEIVE. THE FEE FOR EACH DISHONORED CHECK IS SET FORTH IN FLORIDA STATUTE 68.088(2) WHICH IS \$25, IF THE FACE VALUE DOES NOT EXCEED \$50; \$30 IF THE FACE VALUE EXCEEDS \$50, BUT DOES NOT EXCEED \$300; \$40 IF THE FACE VALUE EXCEEDS \$300; OR 5 PERCENT OF THE FACE VALUE OF THE PAYMENT INSTRUMENT, WHICHEVER IS GREATER. THIS COMMUNITY REDEVELOPMENT ASSESSMENT CONSTITUTES A LIEN AGAINST SUCH PROPERTY EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT OR MUNICIPAL TAXES AND SPECIAL ASSESSMENTS EXCEPT AS OTHERWISE PROVIDED BY LAW. UNTIL PAID, SUCH LIEN SHALL BE SUPERIOR IN DIGNITY TO ALL OTHER PROCEEDINGS, MORTGAGES, TITLES AND CLAIMS.

Assessment Component	Basic	Rate	FY 2019-20 Assessment
Category A (Per Tax Parcel)	1 Tax Parcel	\$ 33.00/Tax Parcel	\$33.00
Category B (Weighted Combination of)			
(1) AC Measured Sq. Ft.	AC Measured Sq. Ft. 2872 Sq. Ft.	\$ 0.008/Sq. Ft.	\$20.68
(2) Improvement Value	Improvement Value \$170,217.00	\$ 0.03/\$1,000	\$5.11
(3) Land Value	Land Value \$60,123.00	\$ 0.05/\$1,000	\$3.01
Annual Administration Charge (Per Invoice)	1 Invoice	\$ 5.00/Invoice	\$5.00
<b>YOUR PARCEL'S TOTAL FY 2019-20 COMMUNITY REDEVELOPMENT ASSESSMENT</b>			<b>\$67.99</b>
<b>TOTAL AMOUNT NOW DUE</b>			<b>\$67.99</b>

PLEASE BRING ENTIRE BILL IF PAYING IN PERSON. PLEASE DETACH AND RETURN BOTTOM PORTION IN RETURN ENVELOPE PROVIDED IF PAYING BY MAIL. PLEASE WRITE YOUR SEQUENCE NUMBER ON YOUR CHECK. THANK YOU. SEE REVERSE FOR IMPORTANT INFORMATION.

**FY 2019-20 COMMUNITY REDEVELOPMENT ASSESSMENT INVOICE**  
 PLEASE MAKE CHECKS OR MONEY ORDERS PAYABLE TO CITY OF PANAMA CITY BEACH



Check # \_\_\_\_\_  
 Amount \_\_\_\_\_

PARCEL #	32730-000-101
LOCATION	113 BANBRODGE ST
RELAND DATE	OCTOBER 28, 2019
DUE ON RECEIPT	DELINQUENT AND PAST DUE ON DECEMBER 31, 2019
TOTAL ASSESSMENT	\$67.99
TOTAL AMOUNT NOW DUE	\$67.99

CITY OF PANAMA CITY BEACH  
 ATTN: FBR CRA, SEQ # 001040  
 110 SOUTH ARNOLD ROAD  
 PANAMA CITY BEACH, FL 32413

SEQ # 001040  
 EDGEWATER HOMES, INC  
 3518 HWY 35TH ST  
 MIAMI, FL 33142-0640

**CITY OF PANAMA CITY BEACH  
FISCAL YEAR 2020-21 NOTICE OF ANNUAL HEARING AND ADDITIONAL INFORMATION  
\*\*\* Important/Please Review \*\*\***

Thank you for reading this information on the flipside of your direct bill for your FY 2019-20 community redevelopment assessment. The amount of the bill for the current fiscal year on the flipside of this Notice is now due.

Going forward, the City Council expects to continue the community redevelopment assessment next year for the FY 2020-21 budget year. By this Notice the City's rate structure and charges used this year for your tax parcel for the community redevelopment assessment will remain the same; so, the assessment rates and charges to be levied upon your tax parcel next year from that shown in the Assessment Detail on the reverse side of this Notice, will not change. The estimated total revenue to be collected by the assessment is \$751,996. However, because the City will use the uniform method of collection, you will experience a slight increase due to service charges by the local tax collector and property appraiser and allowance for statutory discounts associated with the tax bill collection method (sometimes called the uniform method of collection). You may also experience increases or decreases from year to year if there are changes in the heated square footage or value of your parcel.

This Notice is provided in accord with the City's intended use of the uniform method of collection next year and the City's community redevelopment assessment ordinance. To limit uncertainty of any increases and to provide transparency in advance, the City Council has pursuant to ordinance and resolution set the maximum rate of assessment beyond FY 2020-21 based on the rates noticed herein and limited the maximum amount of increases in these rates to annually not to exceed the average annual growth rate in Florida personal income over the previous 5 years. Further Notice of any such indexed increases proposed will be published by the City each year at least 30 days in advance of the noticed annual public hearing concerning these community redevelopment assessments.

The City will also update and provide the proposed community redevelopment assessment roll for FY 2020-21 and make it available at the City Clerk's office at City Hall and at [www.pcbgva.com](http://www.pcbgva.com) by early January 2020.

On January 23, 2020 at 9 AM, the City Council will hold a public hearing in the City Hall Council Chambers, at 17087 Panama City Beach Parkway, Panama City Beach, Florida, for the purpose of again receiving comments on proposed community redevelopment assessments for FY 2020-21 (our next budget year). You are invited to attend and/or file written objections with the City Clerk and address them to the City Council prior to that date. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

The City's community redevelopment assessment is explained in detail on the flipside of this Notice. The City is billing you directly for the community redevelopment assessment for this fiscal year (FY 2019-20) which is now due and payable. If you do not pay this first year's assessment in full, the City has no intent to spend limited resources on collections, but rather will use its ability to support and collect an amount equivalent to what is unpaid along with next year's community redevelopment assessment which will be collected on the same bill as your property taxes. Waiting to pay this year's community redevelopment assessment (shown on the flipside of this Notice) makes it more difficult for the City's budgetary, financial and cash flow operations, and will likely unnecessarily increase the amount you pay at a later date (by an additional 4% to 8%). Please consider avoiding these additional charges and costs, and promptly pay the amount due on the flipside of this Notice TODAY. Thank you so much for your support of this activity associated with all properties in the Front Beach Road Community Redevelopment Area of our City.

Payment for next year's community redevelopment assessment is anticipated to be due and collected on the same bill as taxes to be mailed around November 1, 2020 (sometimes called the uniform method of collection). General law requires us to always remind you that: Until paid, the community redevelopment assessment will constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Assessments become delinquent in the same manner as for unpaid taxes, and failure to pay a non-ad valorem assessment will cause a tax certificate to be issued against the property which may result in loss of title. Government property is not subject to the collections using the uniform method of collection for the community redevelopment assessment.

Thank you for reviewing this information.



File # 2019107334, OR BK: 420J PG: 735, Pages: 1 of 1, Recorded 12/19/2019 at 2:16 PM,  
Bill Kinsaul, Clerk Bay County, Florida Deputy Clerk DL Trans # 1576861

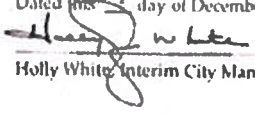
**GENERAL NOTICE OF LIEN RESULTING FROM THE  
IMPOSITION OF ANNUAL COMMUNITY REDEVELOPMENT ASSESSMENTS  
THROUGHOUT THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT AREA WITHIN THE  
CITY OF PANAMA CITY BEACH, FLORIDA, FOR FY 2019-20**

ADDITIONAL NOTICE IS HEREBY GIVEN THAT on September 12, 2019, the City Council of the City of Panama City Beach, Florida (the "City"), adopted Resolution No. 19-133 which levied and imposed Community Redevelopment Assessments, sometimes referred to as non-ad valorem assessments, against property located within the Front Beach Road Community Redevelopment Area of the City of Panama City Beach, Florida, for a portion of the annual cost of certain community redevelopment and related capital, services, facilities and programs. Copies of Ordinance No. 1498, Resolution No. 19-133 and the special assessment roll which contains a list of the affected tax parcel numbers and property owners (as shown on the Bay County ad valorem tax assessment roll as of the effective date of billing by the City), and the dollar amount of this special assessment for each, are on file with the City Clerk at City Hall, 17007 Panama City Beach, Florida, and open to public inspection. More conveniently, this information, ~~searchable by owner name, street address or tax parcel identification number~~, can be obtained on the internet at <http://www.pcbgov.com> and <http://quicksearch.envidata.com/pchflora/> for all assessed parcels. (To conveniently view a detailed bill specific to any parcel, after a search, click 'View Bill' under the 'PDF Link' column to view and reprint.)

These non ad valorem special assessments were perfected on September 12, 2019, after a duly noticed public hearing, and adoption of Resolution No. 19-133 and became due and payable upon the mailing of direct bills by the City to every affected property owner in the City on or before November 7, 2019. If not paid sooner, these special assessments become delinquent after December 31, 2019. A map of this redevelopment area, reprints of the bills, the mailed notice on the reverse side of all bills and other information can be obtained by checking the above websites.

The validity of these non ad valorem assessments and use of proceeds collected to finance capital equipment has been approved by Final Judgment *City of Panama City Beach v. State*, No. 19 4258 (14th Cir. Ct. Dec. 10, 2019).

This notice is consistent with City Ordinance No. 1498, and provides additional, extraordinary and constructive notice of the levy and imposition of special or non-ad valorem assessments upon real property located within Front Beach Road Community Redevelopment Area within the City of Panama City Beach. Collection of delinquencies will likely be pursuant to section 3.02(F) of the Ordinance. Special Assessments constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, or municipal taxes and other non-ad valorem assessments until paid in full. This notice does not and shall not be construed to require that individual liens or releases be filed in the Official Records.

Dated this 17<sup>th</sup> day of December 2019  
  
\_\_\_\_\_  
Holly White, Interim City Manager (seal)

Publish in News Herald  
Post on City website  
Distribute to local Bar Association office or leadership  
Distribute to local Board of REALTORS office or leadership  
Record in Official Records

<http://record.2.baycoclerk.com/Recording/Document/GetDocumentForPrintPNG?request=AQAAAAC3.indSB> 17 2020

**REGULAR ITEM**

**2**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
CRA/FINANCE

2. MEETING DATE:  
JANUARY 23, 2020

3. REQUESTED MOTION/ACTION:  
HOLD PUBLIC HEARING AND APPROVE RESOLUTION AUTHORIZING THE ISSUANCE OF COMMUNITY REDEVELOPMENT BONDS

4. AGENDA

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

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

DETAILED BUDGET AMENDMENT ATTACHED YES  NO  N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)  
On December 12, 2019, the Council adopted Resolution 20-36 directing staff to, among other things, advance the financing necessary to accelerate the construction of the Front Beach Road Community Redevelopment Projects by 2045. After evaluation of TIF and Project Cost Projections, and Council's additional direction to consider the sharing of tax revenues with Bay County, Staff recommends the Council authorize the general issuance of bonds in an amount not to exceed \$80,000,000. Staff anticipates returning to the Council on March 13 to request Council's consideration of a Resolution issuing bonds in the amount of \$40,000,000 to use immediately to accelerate the design, acquisition and construction of Front Beach Road Segments 4.1, 4.2 and 4.3. Staff further anticipates returning to the Council in 2025 to request the issuance of bonds in an amount then determined necessary (up to but not to exceed the remaining \$40,000,000 bond capacity authorized by this Resolution 20-52) to complete the remaining projects by 2045. Based on Staff's analysis of TIF projections, project costs, and debt service, staff has determined that this bond issue will achieve the Council's stated goals of accelerating the construction and completion of projects set forth in the Front Beach Road Community Redevelopment Plan while also allowing some sharing of tax revenues with the County.

RESOLUTION NO. 20-52

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA SUPPLEMENTING RESOLUTION NO. 06-60 ADOPTED ON AUGUST 16, 2006; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$80,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS CAPITAL IMPROVEMENT REVENUE BONDS (FRONT BEACH ROAD PROJECT) TO FINANCE CAPITAL PROJECTS AND PAY THE COSTS OF ISSUANCE OF SUCH BONDS; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS CERTAIN PLEDGED FUNDS; PROVIDING THAT SUCH BONDS MAY BE ISSUED IN DTC BOOK-ENTRY ONLY FORM; PROVIDING FOR SECURITY FOR THE HOLDER OF SUCH BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDER OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.

AGENDA ITEM # 2

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Exhibit A –Project Description

RESOLUTION NO. 20-52

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA SUPPLEMENTING RESOLUTION NO. 06-60 ADOPTED ON AUGUST 16, 2006; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$80,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS CAPITAL IMPROVEMENT REVENUE BONDS (FRONT BEACH ROAD PROJECT) TO FINANCE CAPITAL PROJECTS AND PAY THE COSTS OF ISSUANCE OF SUCH BONDS; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS CERTAIN PLEDGED FUNDS; PROVIDING THAT SUCH BONDS MAY BE ISSUED IN DTC BOOK-ENTRY ONLY FORM; PROVIDING FOR SECURITY FOR THE HOLDER OF SUCH BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDER OF SUCH BONDS; 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 Chapter 166, Part II, Florida Statutes, Chapter 163, Part III, Florida Statutes, the Master Resolution and other applicable provisions of law.

SECTION 2. DEFINITIONS. All capitalized undefined terms shall have the same meaning as set forth in the Master Resolution, as hereinafter defined, and those definitions are incorporated by reference in this Resolution. In addition, the following terms shall have the following meanings herein, unless the text expressly requires otherwise. Words importing singular number shall include the plural number in each case and vice versa, and words importing persons shall include firms and corporations.

"Authorized Denomination" shall mean \$5,000 and any integral multiple thereof, except to the extent otherwise determined by subsequent resolution of the Issuer.

"Bonds" shall mean the Issuer's Capital Improvement Revenue Bonds (Front Beach Road Project), authorized pursuant to this Resolution and the Master Resolution.

"Business Day" shall mean a day of the year which is not a Saturday or Sunday or a day on which the Paying Agent is lawfully closed or on which the New York Stock Exchange is closed.

AGENDA ITEM # 2

"Issuer" shall mean the City of Panama City Beach, Florida.

"Master Resolution" shall mean Resolution No. 02-30 adopted by the Issuer on June 20, 2002 authorizing the Bonds, as amended and restated by Resolution No. 06-60 adopted by the Issuer on August 16, 2006.

"Parity Bonds" shall mean the Issuer's remaining outstanding \$42,915,000 Capital Improvement Refunding Revenue Bonds, Series 2016 (Front Beach Road Project) issued on March 26, 2016.

"Paying Agent" shall mean such paying agent for the Bonds as authorized and appointed pursuant to a subsequent resolution.

"Project" shall mean such projects as described on Exhibit A attached hereto.

"Registrar" shall mean such registrar for the Bonds as authorized and appointed pursuant to a subsequent resolution.

"Resolution" shall mean this instrument, as the same may from time to time be amended, modified or supplemented.

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared that:

A. The Issuer is a municipal corporation organized under the laws of the State of Florida and is authorized under the Act to issue the Bonds and use the proceeds thereof for the purposes of financing the Project.

B. It is necessary and desirable to acquire and construct the Project, as provided herein, in order to enhance, preserve and protect the public health, safety and welfare of the inhabitants of the Issuer and to issue the Bonds to provide funds for such purposes.

C. The Bonds shall be considered Bonds under the terms of the Master Resolution. The principal of and interest on the Bonds and all required reserve and other payments shall be payable solely from Pledged Funds. The Issuer shall never be required to levy ad valorem taxes on any real or personal property within the City of Panama City Beach to pay the principal of and interest on the Bonds herein authorized or to make any other payments provided for herein. The Bonds shall not constitute a lien upon any properties owned by or located within the boundaries of the Issuer.

D. The revenues pledged for the payment thereof are not now pledged or encumbered in any manner, except for the payment of principal and interest on the Parity Bonds.

E. The estimated revenues pledged for the payment thereof will be sufficient to pay all principal of and interest on the Bonds to be issued hereunder and the Parity Debt as the same become due, and to make all required reserve or other payments required by this Resolution and the Master Resolution.

F. On September 26, 2019, the City Council of the Panama City Beach, Florida, and ex-officio as the governing body of the Panama City Beach Community Redevelopment Agency (the "Governing Body") approved the First Amendment to the Front Beach Road Community Redevelopment Plan (the "Plan") which extends the duration of the Front Beach Road Community Redevelopment Plan to September 30, 2049, due to the time and costs required to complete the projects contemplated in the Plan and on November 14, 2019, the Governing Body ratified and confirmed its actions taken on September 26, 2019.

G. The Issuer has complied with the requirements of Section 163.346, Florida Statutes, notice having duly been mailed, at least 15 days prior to the date hereof, to each taxing authority which levies ad valorem taxes on taxable real property contained within the boundaries of the Front Beach Road Community Redevelopment Area and such notice was sent to the taxing authorities on January 8, 2020 and duly published in the *Panama City News Herald* on January 13, 2020.

SECTION 4. AUTHORIZATION OF THE PROJECT. There is hereby authorized the design, acquisition, construction and improvement of the Project. The cost of such Project, in addition to the items set forth in the plans and specifications on file or to be filed with the City Clerk, may include, but not be limited to, all costs permitted under the Master Resolution and this Resolution. Provided however, the Issuer reserves the right, if it be found at the time of construction of the Project that the amounts allocated for a portion thereof are inadequate therefor, to allocate additional amounts from other portions of said Project and, if it be found at the time of construction of the Project that less than the amounts allocated to certain purposes are needed for such purposes, to allocate the amount so saved to other portions of the Project or, if through unusual conditions or circumstances it is deemed necessary and advisable to change or delete any of the portions of the Project described above, to make such necessary changes or deletions in such Project as the Issuer deems necessary so long as all said funds are used for the purposes provided by law, this Resolution and the Master Resolution and, to the extent used for construction, according to the plans and specifications to be on file with the Issuer prior to disbursement of such funds.



SECTION 5. THIS RESOLUTION TO CONSTITUTE CONTRACT. In consideration of the acceptance of the Bonds authorized to be issued hereunder by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the Issuer and such Holders. The covenants and agreements herein set forth and in the Master Resolution to be performed by the Issuer shall be for the equal benefit, protection and security of the legal Holders of any and all of the Bonds, all of which shall be of equal rank and without preference, priority or distinction of any of the Bonds over any other thereof, except as expressly provided therein and herein.

SECTION 6. AUTHORIZATION OF BONDS. Subject and pursuant to the provisions hereof, obligations of the Issuer to be known as "Capital Improvement Revenue Bonds (Front Beach Road Project)" are authorized to be issued in the aggregate principal amount of not exceeding \$80,000,000 in one or more series.

SECTION 7. DESCRIPTION OF THE BONDS. The Bonds shall be issued in fully registered form, unless coupon bonds, the interest on which is exempt from federal income tax, may again be issued under the Internal Revenue Code, as amended, then in such case the Bonds may be issued as coupon bonds subject to registration or as fully registered bonds; shall be numbered consecutively from R-1 upward; shall be in denominations of \$5,000 each or integral multiples thereof; shall bear interest at such rate or rates not exceeding the maximum rate allowed by Florida law, the actual rate or rates or method of determining rates and the dates of payment shall be set forth in a subsequent resolution; and shall mature no later than September 30, 2049, the expiration of the Plan and in such amounts as will be fixed by a subsequent resolution prior to or upon the sale of the Bonds and may be Serial and/or Term Bonds or integral multiples thereof.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless authenticated on an interest payment date, in which case it shall bear interest from such interest payment date, or, unless authenticated prior to the first interest payment date, in which case it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest shall have been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which on the respective dates of payment thereof is legal tender for the payment of public and private debts. The principal of the Bonds, and payment of the interest on the Bonds shall be made by the Paying Agent on each interest payment date to the person appearing on the registration books of the Issuer hereinafter provided for as the registered Holder thereof, by draft or check mailed to such registered Holder at his address as it appears on such registration books or delivered to Cede & Co., as registered owner thereof and will be redistributed by DTC and the DTC Participants.

SECTION 8. BOOK-ENTRY SYSTEM. A book-entry system of registration is hereby authorized for the Bonds. So long as the Issuer shall maintain a book-entry only system with respect to the Bonds, the following provisions shall apply:

A blanket issuer letter of representations (the "BLoR") was entered into by the Issuer with The Depository Trust Company ("DTC"). It is intended that the Bonds be registered so as to participate in a global book-entry system with DTC as set forth herein and in such BLoR. The terms and conditions of such BLoR shall govern the registration of the Bonds. The Bonds shall be initially issued in the form of a single fully registered bond for each maturity of the Series. Upon initial issuance, the ownership of such Bonds shall be registered by the Registrar in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. So long as any Bond is registered in the name of DTC (or its nominee), the Issuer, the Registrar and the Paying Agent may treat DTC (or its nominee) as the sole and exclusive Holder of such Bonds registered in its name, and all payments with respect to the principal or redemption price of, if any, and interest on such Bond ("Payments") and all notices with respect to such Bond ("Notices") shall be made or given, as the case may be, to DTC. Transfers of Payments and delivery of Notices to DTC Participants shall be the responsibility of DTC and not of the Issuer, subject to any statutory and regulatory requirements as may be in effect from time to time. Transfers of Payments and delivery of Notices to beneficial owners of the Bonds by DTC Participants shall be the responsibility of such participants, indirect participants and other nominees of such beneficial owners and not of the Issuer, subject to any statutory and regulatory requirements as may be in effect from time to time.

Upon (a) receipt by the Issuer of written notice from DTC (i) to the effect that a continuation of the requirement that all of the Outstanding Bonds be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, is not in the best interest of the beneficial owners of the Bonds or (ii) to the effect that DTC is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of DTC hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, (b) termination, for any reason, of the agreement among the Issuer, the Registrar and Paying Agent and DTC evidenced by the BLoR, or (c) determination by the Issuer that such book-entry only system should be discontinued by the Issuer, and compliance with the requirements of any agreement between the Issuer and DTC with respect thereto, the Bonds shall no longer be restricted to being registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, but may be registered in whatever name or names Holders shall designate, in accordance with the provisions hereof. In such event, the Issuer shall issue and the Registrar shall authenticate, transfer and exchange Bonds consistent with the terms hereof, in denominations of \$5,000 or any integral multiple thereof to the Holders thereof. The foregoing notwithstanding, until such

time as participation in the book-entry only system is discontinued, the provisions set forth in the BLoR shall apply to the registration and transfer of the Bonds and to Payments and Notices with respect thereto.

The Registrar shall keep books for registration of Bonds and for the registration of transfers of Bonds as provided in this Resolution. The transfer of any Bonds may be registered only upon such book and only upon surrender thereof to the Registrar together with an assignment duly executed by the Bondholder or his attorney or legal representative in such form as shall be satisfactory to the Registrar. Upon such registration of transfer the Issuer shall execute and the Registrar shall authenticate and deliver in exchange for such Bond, a new Bond registered in the name of the transferee, and in an aggregate principal amount equal to the principal amount of such Bond so surrendered. The Issuer may make a charge for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer. Neither the Issuer nor the Registrar shall be required to make any such exchange or registration of transfer of Bonds during the fifteen (15) days immediately preceding any interest payment date or redemption date.

SECTION 9. PROVISIONS FOR REDEMPTION. The Bonds may be subject to redemption prior to their maturity, at the option of the Issuer, at such times and in such manner as shall be provided in a subsequent resolution.

SECTION 10. APPLICATIONS OF PROVISIONS OF THE MASTER RESOLUTION. The Bonds, herein authorized, shall for all purposes (except as herein expressly provided) be considered to be issued under the authority of the Master Resolution, and shall be entitled to all the protection and security provided therein for Bonds issued thereunder. The Bonds constitute "Additional Bonds" under the terms of the Master Resolution.

SECTION 11. BONDS NOT TO BE INDEBTEDNESS OF ISSUER. The Bonds shall not be or constitute general obligations or indebtedness of the Issuer as "bonds" within the meaning of any constitutional or statutory provision, but shall be special obligations of the Issuer, payable solely from and secured by a lien upon and pledge of the Pledged Funds equal and ratable to the lien on the Parity Bonds, in accordance with the terms of this Resolution and the Master Resolution. No Holder of any Bond shall ever have the right to compel the exercise of the ad valorem taxing power of the State, Bay County or any governmental entity to pay such Bond or shall be entitled to payment of such Bond from any moneys of the Issuer except the Pledged Funds, in the manner provided in the Master Resolution and this Resolution.

The Pledged Funds shall be subject to the lien of this pledge immediately upon the issuance and delivery of the Bonds, without any physical delivery by the Issuer of the Pledged Funds or further act, and the lien of this pledge shall be valid and binding as against all parties having claims of any kind against the Issuer, in tort, contract or otherwise.

SECTION 12. FEDERAL INCOME TAX COVENANTS. The Issuer covenants with the Holders of the Bonds that it shall not use the proceeds of such Bonds in any manner which would cause the interest on such Bonds to be or become includable in the gross income of the Holder thereof for federal income tax purposes and the Issuer further covenants with the Holders of each Bond that it will comply with all provisions of the Code necessary to maintain the exclusion of interest on the Bonds from the gross income of the Holder thereof for federal income tax purposes, including, in particular, the payment of any amount required to be rebated to the U.S. Treasury pursuant to the Code. The Mayor or the City Manager is hereby authorized to approve and execute such tax certificates as are required by Bond Counsel and customarily executed for tax-exempt bonds which are necessary to reflect the covenants of the Issuer as provided in this Section.

SECTION 13. SUPPLEMENTAL RESOLUTION. This Resolution shall be deemed to be a Supplemental Resolution for purposes of the Master Resolution.

SECTION 14. GENERAL AUTHORITY. The Mayor, City Manager, City Clerk, City Attorney and other agents and employees of the Issuer are hereby authorized to do all acts and things required of them by this Resolution or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Bonds and this Resolution, and they are hereby authorized to execute and deliver all documents which shall be required by Bond Counsel or the initial purchasers of the Bonds to effectuate the sale of the Bonds.

SECTION 15. NO PERSONAL LIABILITY. No representation, statement, covenant, warranty, stipulation, obligation or agreement herein contained, or contained in the Bonds, or in any certificate or other instrument to be executed on behalf of the Issuer in connection with the issuance of the Bonds, shall be deemed to be a representation, statement, covenant, warranty, stipulation, obligation or agreement of any member of the City Council, officer, employee or agent of the Issuer in his or her individual capacity, and none of the foregoing persons nor any officer of the Issuer executing the Bonds, or any certificate or other instrument to be executed in connection with the issuance of the Bonds, shall be liable personally thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

SECTION 16. SEVERABILITY OF INVALID PROVISIONS. If any one or more of the covenants, agreements or provisions of this Resolution shall 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 covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements and provisions of this Resolution and shall in no way affect

the validity of any of the other covenants, agreements or provisions hereof or of the Bonds issued hereunder.

SECTION 17. REPEAL OF INCONSISTENT RESOLUTIONS. All resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

SECTION 18. HEADINGS NOT A PART HEREOF. The headings preceding the several sections hereof shall be solely for convenience of reference and shall not constitute a part of this Resolution or affect its meaning, construction or effect.

SECTION 19. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 23rd day of January, 2020.

CITY OF PANAMA CITY BEACH, FLORIDA

[SEAL]

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
City Manager

**EXHIBIT "A"**

**DESCRIPTION OF PROJECTS**

"Project" shall mean the design, acquisition of land, rights and easements, construction, improvement and streetscaping of the following projects:

- (a) Front Beach Road Segment 3/Hwy 79
- (b) Alf Coleman
- (c) Powell Adams Phase 2
- (d) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road)
- (e) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard)
- (f) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard)
- (g) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road)
- (h) Cobb Road
- (i) Hills Road
- (j) Nautilus Street
- (k) Clara Avenue
- (l) North Thomas Drive

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**REGULAR ITEM**

**3**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

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

FIRE/LARRY COUCH

**2. MEETING DATE:**

01/23/20

**3. REQUESTED MOTION/ACTION:**

STAFF requests Council approval of an agreement with Hagerty Consulting, Inc. in the amount of \$18,800.00 for assistance in recovering funds for the State Fire Mission assignment #02-104-18 post Hurricane Michael and related budget amendment #12 appropriating funds for the task.

**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)**

Post Hurricane Michael in October 2018, the Panama City Beach Fire Department was deployed as task force 111 under state mission # 02-104-18. Reimbursement is available to the City for various labor and equipment costs associated with this deployment. Fire department personnel believe the amount that is potentially recoverable is in the \$300,000 range. City staff does not have the staff available or the expertise needed to efficiently submit the necessary documentation to expeditiously recover the maximum amount available from the state. Staff recommends that the scope of services being provided by Hagerty Consulting, Inc. (the City's FEMA consultant) be expanded to include the reimbursement for state mission costs incurred by the City. Hagerty has proposed a not to exceed fee of \$18,800.00 to perform the additional work requested. STAFF recommends approval of the addendum as well as the related budget amendment #12.



**RESOLUTION 20-54**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING ITS AGREEMENT WITH HAGERTY CONSULTING, INC., RELATING TO THE PURSUIT OF REIMBURSEMENT FOR STATE FIRE MISSION ASSIGNMENT, IN AN AMOUNT OF \$18,800; AUTHORIZING A BUDGET AMENDMENT FOR THE SERVICES; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

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

1. The appropriate Officers of the City are authorized to execute and deliver on behalf of the City an amendment to that Agreement between the City and Hagerty Consulting, Inc., relating to additional services to be provided regarding the City's reimbursement for the State Fire Mission Assignment, in an amount not to exceed Eighteen Thousand Eight Hundred Dollars (\$18,800.00), in substantially the form attached as Exhibit A and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution of such Agreement shall be conclusive evidence of such approval.
2. The following budget amendment (#12) is adopted for the City of Panama City Beach, Florida, 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 B, to reflect the expenditure of funds for the purposes stated herein.

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

**PASSED** in special session this \_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF PANAMA CITY BEACH**

By \_\_\_\_\_  
MIKE THOMAS, MAYOR

**ATTEST:**

\_\_\_\_\_  
MARY JAN BOSSERT, CITY CLERK

Resolution 20-54  
AGENDA ITEM # 3

**SECOND AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT FOR DISASTER  
RECOVERY ADMINISTRATIVE SERVICES**

This SECOND AMENDMENT (“**Second Amendment**”) is entered into as of January 23, 2020 by and between The City of Panama City Beach, Florida (“**City**”), a political subdivision formed under the laws of the State of Florida, whose Administrative Office is at 17007 Panama City Beach Parkway, Panama City Beach, Florida, 32413 (previously 110 S. Arnold Road, Panama City Beach, Florida 32413) and Hagerty Consulting, Inc. (“**Provider**”), a corporation organized and existing under the laws of the State of Illinois, whose corporate headquarters is at 1618 Orrington Avenue, Suite 201, Evanston, IL 60201. City and Provider will from time to time be referred to as “**the Parties**”.

**WITNESSETH:**

WHEREAS, the **Parties** entered into a contract dated December 20, 2018 (“**Contract**”) for Disaster Recovery Administrative Services; and

WHEREAS, the **Parties** entered into the **First Amendment** to the **Contract** effective July 11, 2019; and

WHEREAS, the **Parties** desire to amend the **Contract** between the **Parties**, keeping in effect all the terms and conditions of the original **Contract** and the **First Amendment** not inconsistent with the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **Parties** hereby agree as follows:

1. This **Second Amendment** shall become effective as of January 23, 2020.
2. The **Contract’s** not to exceed value is hereby increased by **Eighteen Thousand Eight Hundred Dollars** (\$18,800). The first sentence of Section 3.1 of the **Contract** is hereby deleted in its entirety and replaced with the following:

**“3.1 This is a time and materials contract with a Not to Exceed (“NTE”) cost of Eight Hundred Fifteen Thousand Forty Dollars (\$815,040) for the services.”**

EXHIBIT A

AGENDA ITEM #   3

IN WITNESS WHEREOF, the Parties have expressed their agreement to the terms set forth above by causing this **Second Amendment** to be executed by their duly authorized officer or agent. This **Second Amendment** shall be effective as of the date herein.

**Provider: Hagerty Consulting, Inc.**

By (signature): \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Witness: \_\_\_\_\_

**City: The City of Panama City Beach, Florida**

By (signature): \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: Anthony O'Rourke

Title: City Manager

Attest: \_\_\_\_\_

EXHIBIT A

AGENDA ITEM # 3

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

No. BA # 12

FUND	GENERAL	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-2201-522.31-60	Professional-Other	30,500.00	18,800.00	49,300.00
FROM	001-8100-999.96-00	Reserves Available for Expenditures	4,570,576.00	(18,800.00)	4,551,776.00
		Check Adjustment Totals:	4,601,076.00	0.00	4,601,076.00

BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:

To appropriate additional funds for Hagerty Consulting, Inc. for additional services to recover costs expended by PCBFD for state fire mission assignment post Hurricane Michael

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ROUTING FOR APPROVAL

\_\_\_\_\_ DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_ CITY MANAGER \_\_\_\_\_ DATE

\_\_\_\_\_ FINANCE DIRECTOR \_\_\_\_\_ DATE

EXHIBIT B

**REGULAR ITEM**

**4**



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
Public Works - CRA/David Campbell

2. MEETING DATE:  
JANUARY 23, 2020

3. REQUESTED MOTION/ACTION:

Consideration of amending paid parking rates in conjunction with implementation of pay to park mobile phone app.

4. AGENDA

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

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

DETAILED BUDGET AMENDMENT ATTACHED YES  NO  N/A

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

The Panama City Beach Front Beach Road CRA will be transitioning to a pay to park mobile application before the summer season of 2020. After years of technical problems and expense with the current credit card/cash system, the new application will allow for more flexibility in the parking fee structure, offer easier enforcement and fee collection, and greatly reduce staff time and expense maintaining the system.

Staff researched parking rates in comparable tourist markets throughout Florida and the southeast United States and is presented here for Council discussion and consideration (see Rate Table EXHIBIT A attached).

The current parking fee for Panama City Beach is a flat rate of \$5.00 per day at the N. Thomas Drive, Churchwell Drive and Richard Jackson Blvd parking lots. Staff recommends a new rate of \$1.00 per hour with a maximum daily rate of \$8.00. This rate is comparable to the existing rate and allows flexibility for customers who require less time to park. The new parking application also easily allows the rates to be changed as may directed by the City Council.

AGENDA ITEM # 4

# EXHIBIT A

## Comparative Parking Rates For Various Cities

8/30/2019

City	RATE		Time Limit
	HR	DAILY MAXIMUM	
Charleston, SC	\$2.00	\$18.00	24 hrs
Clearwater, FL	*\$0.50 to \$3.00	* \$2.50 to \$15.00	5 hrs
Destin, FL		\$5.00 (flat rate)	24 hrs
Ft. Lauderdale, FL	*\$0.50 to \$1.75	*\$5.00 to \$17.50	*Varies (<24 hrs)
Jacksonville, FL	\$1.00	\$7.00	24 hrs
Miami Beach, FL	\$2.00	\$20.00	24 hrs
Naples, FL	\$2.50	\$45.00	No Parking 11pm to 5am
New Smyrna Beach, FL		\$20 (flat rate)	Enforced 9am to 5pm
N. Myrtle Beach, SC	\$2.00	\$16.00	**9am to 5pm
Orlando, FL (Garage)	\$2.00	\$15.00	move vehicle by 5:30pm
Orlando, FL (surface)	\$2.00	\$48.00	24 hrs
Sanibel Island, FL	\$5.00	NA	No overnight Parking in residential areas
	Resident Season Permit - \$12		Permits expire Nov. 30
	Non Resident Season Permit - \$124		Permits expire Nov. 30
Sarasota, FL (Garage)	first 2 hrs free	\$23.00	24 hrs
	hrs 2-3 -\$3.00		
	\$1.00 each hr thereafter		
Savannah, GA (weekday)	\$2.00	\$18.00	5am to 5pm
Savannah, GA (weekend)		\$10 flat rate	24 hrs
St. Augustine, FL	\$2.50	\$10.00	4 hrs
Tallahassee, FL	\$1.00	\$7.00	24 hrs
Tampa, FL	\$1.65	\$9.65	24 hrs
Virginia Beach, VA (Garage)	\$2.00	\$10.00	24 hrs
Virginia Beach, VA (Surface)		\$7 M-Th/\$10 F-Sun (flat rate)	24 hrs
Panama City Beach, FL		\$5.00 (flat rate)	24 hrs
Panama City Beach, FL	\$250 season pass		Oct 1-Sept 30

\* Rate varies per parking facility location

\*\* Parking Season in effect from March 1 to October 31 using Passport Parking App

AGENDA ITEM # 4