

The Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on January 23, 2020.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

HECTOR SOLIS

CITY MANAGER:

TONY O'ROURKE

CITY CLERK:

MARY JAN BOSSERT

CITY ATTORNEY:

AMY MYERS

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

Pastor Jason Williams of Woodstock Church gave the invocation and Councilman Chester led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events. He also announced the passing of Mr. Bill Clanton. He commented Mr. Clanton and his wife were active in the community, he will be missed.

Mayor Thomas asked if there were any additions or deletions to the Agenda. Councilman McConnell added a discussion on the Bay County 2nd Amendment Resolution. **Councilman McConnell made the motion to approve the agenda with the addition. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

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

Mayor Thomas opened the Public Comments section of the meeting at 9:06 a.m. and invited comments. There were none. He closed the Public Comments at 9:06 a.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

ITEM 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."

ITEM 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."

ITEM 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."

ITEM 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.”

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

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

REGULAR AGENDA

ITEM 1 RESOLUTION 20-51, ADOPTION OF CRA ASSESSMENT FOR FY 20-21, PUBLIC HEARING. Ms. Myers read Resolution 20-51 by title. Ms. Myers introduced the City's Special Counsel, Mark Lawson, who was present to discuss the proposed action. Ms. Myers explained that the CRA Assessment was previously established in the fall of 2019 which was directly billed to property owners for that year. The action before the council was to approve the assessment being placed upon the property tax bill instead of being directly billed to property owners. Ms. Myers explained that the rate of assessment would remain the same with the exception of some adjustments for administrative costs and statutory discounts associated with the uniform collection method.

Mr. Mark Lawson explained the history of the assessment and the reasons for its adoption. Mr. Lawson explained the role of the assessment in complying with the original intent and objectives of the CRA and that the adoption of the assessments complied with the redevelopment plan and one of the primary objectives of the plan. Mr. Lawson explained the assessments are intended to share the cost of administration amongst all the parcels within the redevelopment area. Mr. Lawson explained the payment process, the effects of late payment or nonpayment.

Mayor Thomas opened the Public Hearing at 9:16 a.m. and invited the audience's comments.

1 Joan Cole, Beachwalk, Panama City Beach Parkway – Ms. Cole stated her property should not be included in the redevelopment area because they do not have direct access to Front Beach Road.

2 Lynne Sonley, 17670 Front Beach Road – Ms. Sonley commented she paid the assessment and asked for clarification on who is obligated to pay it. She disagreed with the previous speaker regarding access to the beach. She advocated that all properties in the City be included in the CRA and be assessed the same.

3 Linda Herring, 103 Crane Street – Ms. Herring stated this assessment should have started twenty years ago. She commented there are too many assessments.

Mayor Thomas closed the Public Hearing at 9:22 a.m.

Mr. Lawson explained the criteria for inclusion in the CRA during its creation which could be found on the City website. He explained that all 12,500 parcels in the CRA district are assessed based upon criteria developed by the City's redevelopment team. He explained the history of negotiations with Bay County and the delay of implementation of the CRA assessment. Mayor Thomas and Councilman Solis agreed that it should have happened at the time of the creation of the CRA. Mayor Thomas explained that it was necessary to honor the City's prior commitments. Mr. Lawson explained the historical justification for the CRA and the assessment to address the blight, traffic, and infrastructure needs of the City since its founding.

Mr. Lawson further explained in detail the differences between ad valorem taxes and non ad valorem assessments, the fundamentals of the City's local business tax and the process of validation of the assessment.

Discussion ensued between Mr. Lawson and the public. Mayor Thomas requested order and reopened the public hearing.

1 Gloria Fleming, 17751 PCB Parkway. Ms. Fleming stated residents of Beachwalk Condominiums do not have vehicular access to Front Beach Road. She explained that the residents must walk from Back Beach Road to Cobb Road to access Front Beach. She commented the development's only access is through a pedestrian bridge across its property.

2 Burnie Thompson, 17292 Front Beach Road – Mr. Thompson asked how many CRA maps are there. Councilman McConnell commented there are two maps, with one map having an error by legal definition. Mr. Thompson made public records request for both maps. He commented on the amount of money that has been spent on the CRA. He asked Mayor Thomas which contractors are treating him poorly.

3 Joann Clark, Front Beach Road – Ms. Clark asked the Mayor to be more professional in dealing with the public.

4 Lynne Sonley, 17670 Front Beach Road – Ms. Sonley confirmed with Mr. Lawson that if the City did not impose the assessment would the City be at risk of losing other redevelopment funds.

Councilman McConnell commented that no member of the Council was here when the CRA was created and that the Council is trying to correct mistakes made in the past. Councilman Solis reiterated that the Council was attempting to address the inaction of past councils. He reemphasized that the City does not have an ad valorem tax and that City residents benefit from many services and projects without the imposition of an ad valorem tax.

5 Colleen Swab – Ms. Swab asked multiple questions about the future use of the trolley lane in the CRA and about future property acquisitions in the CRA by eminent domain

Councilman McConnell explained the City will be utilizing the rights-of-way, the property that is already owned by the City or State.

6 A resident of Beachwalk. Reiterated that all of the City properties should be assessed for the benefit provided by the CRA.

7 Genese Hatcher, 601 Gardenia Street – Ms. Hatcher reiterated that the entire City benefits from the CRA and should be assessed as such.

8 Bill Caravello, 407 Dolphin Street – Mr. Caravello asked about Palm Cove and the new development that is coming on Clara Avenue and about the future of the trolley system in the CRA.

Mayor Thomas explained Clara Avenue and Palm Cove are in the County and not subject to the assessment. He stated that he was unaware of any plan to condemn any property on Front Beach Road beyond the right-of-way. He explained that the trolley property was for sale but was not sold. He stated that his desire was that a private provider operates the trolley but that a future council would decide.

Mayor Thomas closed the Public Hearing at 9:54 a.m.

Mr. Lawson explained the trolley was designed to lessen the demand for larger roads and but will be debated for years. He commented it would be a mistake to make the CRA area the entire city limits.

Councilman Casto commented that 65% of the property tax money that was collected in the City of Panama City Beach went across the bridge and never thought that was fair. The money that is collected in the CRA and this assessment stays in the City. Mayor Thomas addressed the question pertaining to contractors. He explained the City delays from power, cellular, and cable companies to start work.

Councilman Solis made the motion to approve Resolution 20-51. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 2 RESOLUTION 20-52, AUTHORITY TO ISSUE SERIES OF 2020 BONDS, PUBLIC HEARING. Ms. Myers read Resolution 20-52 by title. She explained 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 the Council's consideration of a Resolutions issuing bonds in the amount of \$40,000,000 bond capacity authorized by this Resolution. Councilman Casto asked if the bond would secure the CRA where it would be hard for the State or County to take the CRA away. She explained it would protect the CRA and enable it to exist until the debt is paid off. She explained staff recommends having the court validate the bond issuance.

Mayor Thomas opened the Public Hearing at 10:06 a.m. and invited the audience's comments. There were none. Mayor Thomas closed the Public Hearing at 10:06 a.m.

Mr. Lawson wanted to state for the record that the reason a public hearing is held is that it is in a redevelopment area, and the state law requires the City to do this. He commented this is an extraordinary notice and opportunity to be heard and particularly so for the tax authorities that are affected. The process of building this road does require the use of the eminent domain, it is the tool of transportation. Councilman McConnell stated they are not taking other people's property. Discussion ensued.

Councilman Casto made the motion to approve Resolution 20-52. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 3 RESOLUTION 20-54, HAGERTY BUDGET AMENDMENT. Ms. Myers read Resolution 20-54 by title. There were no comments.

Councilman Chester made the motion to approve Resolution 20-54. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 4 PARKING FEE DISCUSSION. Ms. Myers explained this is a request for consideration of amending paid parking rates in conjunction with the implementation of a pay to park mobile phone application. Staff researched parking rates in comparable tourist markets throughout Florida and the southeast and has presented to the Council for discussion and consideration. CRA Manager, Mr. David Campbell, explained this will eliminate the existing parking meters altogether, last year the City spent over fifteen thousand to repair the existing parking meters. Mayor Thomas commented we have issues with the parking meters due to salt air and erosion. Councilman Solis did not agree to the \$8.00 charge, he suggested \$1.00 per hour with a maximum daily rate of \$6.00. Councilman Casto agreed.

Councilman Solis made the motion to direct staff to prepare an amendment to the parking fee rate of \$1.00 per hour with a maximum daily rate of \$6.00 per day, with addition to completing an analysis on a yearly basis. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 5 BAY COUNTY SECOND AMENDMENT DISCUSSION. Councilman McConnell explained the County passed a Second Amendment Sanctuary Resolution and asked the Council's opinion on mirroring the Resolution, if feasible. Chief Whitman commented he is a strong supporter of the second amendment, a person has a right to protect themselves. Councilman Solis suggested getting feedback from the employees.

Chief Couch stated he is in support of the second amendment, he commented it would be beneficial for his employees.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 10:22 a.m.

1 Genese Hatcher, 601 Gardenia Street – Ms. Hatcher commented the Council just finished speaking on eminent domain, and in her opinion, it means taking property. She commented there are fifteen homes beside Pier Park and believes most of the parking in front of these homes will be taken by the City. She added if this action takes place, it will destroy rental properties beside Pier Park.

2 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson stated he hoped future meetings would have more civility. He requested the names of contractors who have squandered City money and alleged that the City has squandered money for the CRA. He asked about the rules governing golf carts and Mayor Thomas's personal golf cart use. He alleged that Mayor Thomas is exempting himself from local ordinances that he imposes on citizens.

3 Cherie Crim, 17680 Front Beach Road – Ms. Crim announced that Florida is number three in human trafficking. She announced the Hotels Against Human Trafficking free event being held on February 5th at Laketown Wharf. She encouraged the City Council to treat the public with civility.

4 Mr. Gruzins, 17820 Front Beach Road – Mr. Gruzins questions the sewer overflows running into the Gulf of Mexico during heavy rains. He commented it makes its way up to the shore of the beach looks unsightly to visitors and residents.

5 Linda Herring, 103 Crane Street – Ms. Herring commented the dirt is flying from all the construction being done at the new Margaritaville.

6 Bill Caravello, 407 Dolphin Street – Mr. Caravello commented that over 50 pickleball players met at Margaritaville. He thanked the City for expanding Lyndell Center and Frank Brown Park. He requested lights to be installed at the Lyndell Center so the sport can be played at night.

With no further comments, Mayor Thomas closed the Delegations period at 10:34 a.m.

ATTORNEY REPORT

Ms. Myers stated they will be working on the bond counsel to file a validation suit on the bonds and that staff has been working with the County attorneys on future revenue sharing of CRA funds.

CITY MANAGER REPORT

Mr. O'Rourke thanked the City Council, the community, and staff for the opportunity to be their City Manager. He commented it is a great honor and Panama City Beach is a great community. He commented he looks forward to a long tenure working on behalf of the community, related to that the Council has taken the initiative to endorse a proposed citizen survey. The intent of that survey is to listen and learn what the people's opinion is on city services and get their feedback. He commented normally these surveys are mailed out, in addition to that everyone will get the opportunity to go online and complete a survey.

COUNCIL COMMENT

Councilman Casto noticed the "no golf carts allowed" signs were going up and gave kudos to the Street Department, he believes it will save some lives. He welcomed the new City Manager.

Councilman Chester welcomed the new City Manager. He commented the Council needs to keep the CRA at the forefront and work diligently to get it done as quickly and efficiently as possible. He asked Mr. Ponek to look at lights for pickleball.

Councilman Solis welcomed the new City Manager. He spoke on the outflows and costs to correct the situation. He commented some residences close to the beach are still on septic systems that cause certain things to go into the Gulf. He stated this is an issue that the next Council can look at addressing. He commented on the Margaritaville development and stated these private developers have the right to build on their purchased property.

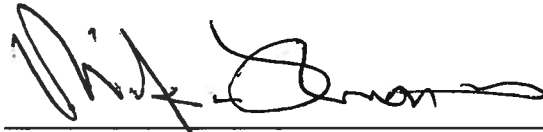
Councilman McConnell welcomed the new City Manager and commented he is doing exceptional work that is exceeding expectations.

Mayor Thomas commented his golf cart does not have a VIN number or a license plate. He explained his family rides the golf cart around in their neighborhood and it is legal. To answer Mr. Thompson regarding the contractors, he reiterated that the City is still waiting on the power, cellular, and cable companies to start work and bury underground utilities. He stated there was no misdealing with the property across the street from his business.

With nothing further, the meeting was adjourned at 10:47 a.m.

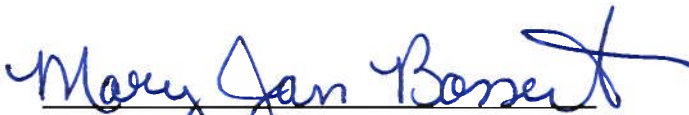
READ AND APPROVED this 27th of February 2020.

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



Mayor

ATTEST:



City Clerk