



City of  
**Panama City Beach**

City Hall  
17007 PCB Parkway  
PCB, FL. 32413  
www.pcbgov.com

**CITY COUNCIL  
Regular Meeting Agenda  
June 10, 2021  
6:00 PM**

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.

**A. CALL TO ORDER**

1. **ROLL CALL.**
2. **INVOCATION BY CHAPLIN WOODROW.**
3. **PLEDGE OF ALLEGIANCE LED BY COUNCILMAN PAUL CASTO.**
4. **COMMUNITY ANNOUNCEMENTS.**
5. **APPROVAL OF MARCH 11, 2021 REGULAR MEETING MINUTES.**
6. **APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS.**
7. **PUBLIC COMMENTS ON THE CONSENT AGENDA AND/OR NON-AGENDA BUSINESS. (LIMITED TO 3 MINUTES)**

**B. PRESENTATIONS**

1. **RECOGNIZING POLICE CHAPLIN WOODROW.**

**C. CONSENT AGENDA**

- 1 **RESOLUTION 21-172, BID AWARD--PCB21-12 FIELD MARKING ROBOT.**
2. **RESOLUTION 21-173, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE CITY AND AAG ELECTRIC MOTORS & PUMPS, INC. RELATED TO A LIFT STATION 96 EMERGENCY PUMP REPAIR IN THE TOTAL AMOUNT OF \$13,215.94.**

- D. REGULAR AGENDA – DISCUSSION / ACTION**
- 1. ML ORDINANCE 1544, AMENDING THE CITY'S FUTURE LAND USE MAP REGARDING 285 POINSETTIA DRIVE, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 2. ML ORDINANCE 1545, REZONING LAND LOCATED AT 285 POINSETTIA FROM R1c TO CL, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 3. HW ORDINANCE 1555, AMENDING THE GENERAL EMPLOYEE PENSION PLAN, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 4. AM ORDINANCE 1556, AMENDING THE CITY'S NOISE ORDINANCE, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 5. AM ORDINANCE 1557, AMENDING FINES FOR ALCOHOLIC BEVERAGES IN COMMERCIAL PARKING LOTS, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 6. AM ORDINANCE 1558, CONTROL AND SUPERVISION OF COMMERCIAL PARKING LOTS, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 7. AM ORDINANCE 1559, AMENDING THE DEFINITION OF PUBLIC NUISANCE, SECOND READING, PUBLIC HEARING AND ADOPTION.**
  - 8. ML RESOLUTION 21-174, RESIDENTIAL AND COMMERCIAL PLANS REVIEW AND BUILDING INSPECTION SERVICES.**
  - 9. AM RESOLUTION 21-175, FRED SPRINGER - BRYANT, MILLER & OLIVE ENGAGEMENT LETTER, AND BUDGET AMENDMENT.**
  - 10. JP RESOLUTION 21-176, APPROVING AN AGREEMENT FOR CONCRETE PROJECTS AND APPROVING A BUDGET AMENDMENT.**
  - 11. DISCUSSION ITEM - COUNCILMAN CHESTER'S APPOINTMENT TO THE CRA.**
  - 12. DISCUSSION ITEM - APPOINTMENT TO THE AIRPORT BOARD.**
  - 13. DISCUSSION ITEM - APPOINTMENT TO THE POLICE PENSION BOARD.**

- E. CITY MANAGER REPORT.
- F. CITY ATTORNEY REPORT.
- G. COUNCIL COMMENTS.
- H. ADJOURN.

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

\*\*Action items noted with a double asterisk are taken both by the City Council and the Law Enforcement Trust Board jointly and concurrently.

PAUL CASTO X  
 PHIL CHESTER X  
 GEOFF MCCONNELL X  
 MICHAEL JARMAN X  
 MARK SHELDON X

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



06/03/2021

City Clerk Date

PAUL CASTO X  
 PHIL CHESTER X  
 GEOFF MCCONNELL X  
 MICHAEL JARMAN X  
 MARK SHELDON X

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



06/03/2021

City Clerk Date

The Agenda Packet is e-mailed to interested parties and posted on the City's website at [WWW.PCBFL.GOV/](http://WWW.PCBFL.GOV/) by close of business on 06/04/2021.

City Council meetings are live streamed on the City's website [WWW.PCBFL.GOV/](http://WWW.PCBFL.GOV/) and City Facebook page "PANAMA CITY BEACH-GOVERNMENT".

One or 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).

# **COMMUNITY ANNOUNCEMENTS**





## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Lynne Fasone, City Council

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Community Announcements for June 10th City Council meeting.

**4. AGENDA:**

COMMUNITY ANNOUNCEMENTS

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached:

**6. IDENTIFY STRATEGIC PRIORITY:**

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE  
ACHIEVED?**

Community Announcements for June 10th City Council meeting.

[06.10.2021.Community Announcements.pdf](#)



City of  
**Panama City Beach**

17007 PCB Parkway  
PCB, FL 32413  
P: (850) 233-5100  
F: (850) 233-5108  
[www.pcbgov.com](http://www.pcbgov.com)

**Community Announcements**

*for June 10, 2021 Council Meeting*

<b><u>Date/Time</u></b>	<b><u>Event</u></b>	<b><u>Location</u></b>
June 12-13	USSSA-USAY Softball Beach Blast	Frank Brown Park
June 14-20	Grand Slam World Series I	Frank Brown Park
June 21-27	Grand Slam World Series II	Frank Brown Park
June 28-July 4	Grand Slam World Series III	Frank Brown Park
July 4	Star Spangled Spectacular	City & County Piers

# **APPROVAL OF MINUTES**

# PRESENTATIONS



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Wayne Maddox, Police

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Recognizing Police Chaplin Woodrow.

**4. AGENDA:**

PRESENTATIONS

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached:

**6. IDENTIFY STRATEGIC PRIORITY:**

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE  
ACHIEVED?**

Recognizing Police Chaplin Woodrow.

# **CONSENT AGENDA**

## **ITEM #1**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

**1. DEPARTMENT MAKING REQUEST/NAME:**  
Cheryl Joyner, Parks & Recreation

**2. MEETING DATE:**  
June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Staff recommends approval to purchase one Field Marking Robot from Turf Tank in the amount of \$50,499.00

**4. AGENDA:**

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: No

**6. IDENTIFY STRATEGIC PRIORITY:**

Quality of Life  
Attractive Community

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

On April 28, 2021, the City advertised for bids for the procurement of a autonomous field marking paint robot along with an additional alternative for procurement of a service plan with paint supply. Bids were opened on May 21, 2021 and one bid was received from Turf Tank in the amount of \$50,499.00

This includes:

Field Marking Robot \$45,000.00  
Software Setup \$1,500.00  
Annual Service Plan with paint \$3,999.00

The additional annual service plan was an additional option for the advertisement but staff believes will benefit the City in the long run but ensuring that the vendor provides customer support, software improvements, and up to 240 gallons of premixed paint per year.

[Res 21-172.Field Marking Robot.pdf](#)  
[Field Marking Robot Bid form.pdf](#)

**RESOLUTION 21-172**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH TURF TANK FOR ONE FIELD MARKING ROBOT WITH AN ADDITIONAL SUPPORT AND PAINT PLAN FOR THE PARKS AND RECREATION DEPARTMENT FOR THE TOTAL AMOUNT OF \$50,499.**

**BE IT RESOLVED** that the appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and Turf Tank, relating to the purchase of one Field Marking Robot with an additional support and paint plan for the Parks and Recreation Department, in the total amount of Fifty Thousand, Four Hundred, Ninety Nine Dollars (\$50,499), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

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

**PASSED** in regular session this \_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mark Sheldon, Mayor

**ATTEST:**

\_\_\_\_\_  
Lynne Fasone, City Clerk



PCB21-12 ITB FIELD-MARKING ROBOT

**BID PROPOSAL FORM**

TO: City of Panama City Beach, Florida SUBMITTED: \_\_\_\_\_, 2021.

**PCB21-12 ITB Field Marking Robot**

The Undersigned, as Bidder, hereby declares that they have examined the proposal specifications and informed themselves fully regarding all conditions **pertaining to the product requirements.**

The Bidder proposes and agrees, if this proposal is accepted, to contract with the **City of Panama City Beach** for the lump sum price listed, to furnish all labor and equipment for **PCB21-12 ITB FIELD-MARKING ROBOT** bid specifications in complete accord with the described and reasonably intended requirements of the Invitation to Bid to the satisfaction of the City.

**ADDENDUM:** It is the sole responsibility of the bidder to determine if any addenda have been issued.

**Line items include all required products and services:**

Autonomous Field-Marking Robot	\$ <u>45,000</u>
Additional Required Cost (Set up, Software, etc.)	\$ <u>1,500</u>
Annual Service Plan with paint (Optional)	\$ <u>3999</u>
Annual Service Plan without Paint (Optional)	\$ <u>1999</u>
<b>Total Cost</b>	\$ <u>46,500</u>

**BIDDER:**

Turf Tank  
Name of Business

Alex Dixon  
Name of Bidder

Address  
3330 Cobb Parkway NW

Phone Number  
712 890 9665

Ste 324-380  
Acworth GA 30101

DATE 5/14/21

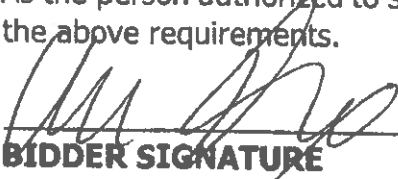
[END OF BID PROPOSAL FORM]

**DRUG FREE WORKPLACE**  
STATEMENT UNDER SECTION 287.087  
FLORIDA STATUTES, ON PREFERENCE TO BUSINESSES WITH  
DRUG-FREE WORKPLACE PROGRAMS

**IDENTICAL TIE BIDS:** Preference shall be given to businesses with drug-free workplace programs. Whenever two or more BIDS which are equal with respect to price, quality and service are received by the OWNER for this PRODUCT and SERVICE, a bid received from a BIDDER that certifies that it has implemented a drugfree workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business' policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under BID a copy of the statement specified in paragraph (1).
4. In the statement specified in paragraph (1), notify the employees that, as a condition of working on the commodities or contractual services that are under BID, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace not later than five (5) days after such conviction.
5. Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program is such is available in the employee's community, by an employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this Section.

As the person authorized to sign this statement, I certify that this firm complies fully with the above requirements.

  
\_\_\_\_\_  
**BIDDER SIGNATURE**

[END OF DRUG-FREE WORKPLACE]

**PUBLIC ENTITY CRIMES FORM**  
SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON  
PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS AND SUBMITTED WITH THE BID

1. This sworn statement is submitted to City of Panama City Beach  
by Turf Tank

For One autonomous line painting robot

Whose business address is  
3330 Cobb Pkwy NW Ste 324-380  
Acworth, GA 30101

and (if applicable) its Federal Employer Identification Number (FEIN) is  
82-4931662

(if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement): \_\_\_\_\_

2. I understand that a "public entity crime" as defined in Section 287.133 (1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

I understand that "convicted" or "conviction" as defined in Section 287.133 (1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

## PCB21-12 ITB FIELD-MARKING ROBOT

3. I understand that "affiliate" as defined in Section 287.133 (1)(a) , Florida Statutes, means:

- (a.) A predecessor or successor of a person convicted of a public entity crime, or
- (b.) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

4. I understand that a "person" as defined in Section 287.133 (1)(e), Florida Statute, means any natural person or any entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

5. Based on information and belief, the statement which I have marked below is true in relation to the person submitting this sworn statement. [indicate which statement applies.]

Neither the person submitting this sworn statement, nor any affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months.

The person submitting this sworn statement, or an affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months.

The person submitting this sworn statement, or an affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months. However, it has been determined, pursuant to Section 287.133, Florida Statutes, that

PCB21-12 ITB FIELD-MARKING ROBOT

it was not in the public interest to place the person submitting this sworn statement or its affiliate on the convicted vender list. [Attach a copy of the final order].

6. I understand by my execution of this document, I acknowledge that the person submitting this sworn statement has been informed by the City of Panama City Beach, of the terms of Section 287.133(2)(a) of the Florida Statutes which read as follows:

"A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a Bidder, supplier, sub-Bidder, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list."

7. I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THE PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY IMMEDIATELY OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

PCB21-12 ITB FIELD-MARKING ROBOT

By: *[Signature]*

Print name: Alex Dixon

Its: Sales

Sworn to and subscribed before me this 14<sup>th</sup> day of May, 2021.

Personally known  OR Produced identification

Notary Public- State of Nebraska

My commission expires 12/20/2023

*Serena Leo Stach*  
[printed, typed, or stamped  
Commissioned Name of Notary Public]

SERENA L. STACH  
General Notary - State of Nebraska  
My Commission Expires Dec 20, 2023

[END OF PUBLIC ENTITY CRIMES]



**CITY OF PANAMA CITY BEACH**  
**E-VERIFY FORM**


**PER FLORIDA STATUTE 448.095, CONTRACTORS AND SUBCONTRACTORS MUST REGISTER WITH AND USE THE E-VERIFY SYSTEM TO VERIFY THE WORK AUTHORIZATION STATUS OF ALL NEWLY HIRED EMPLOYEES.**

**THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE BID/ PROPOSAL. FAILURE TO SUBMIT THIS FORM AS REQUIRED MAY DEEM YOUR SUBMITTAL NONRESPONSIVE.**

The affiant, by virtue of the signature below, certifies that:

1. The Contractor and its Subcontractors are aware of the requirements of Florida Statute 448.095.
2. The Contractor and its Subcontractors are registered with and using the E-Verify system to verify the work authorization status of newly hired employees.
3. The Contractor will not enter into a contract with any Subcontractor unless each party to the contract registers with and uses the E-Verify system.
4. The Subcontractor will provide the Contractor with an affidavit stating that the Subcontractor does not employ, contract with, or subcontract with unauthorized alien.
5. All employees hired by Contractor on or after January 1, 2021 have had their work authorization status verified through the E-Verify system.
6. The City may terminate this Contract on the good faith belief that the Contractor or its Subcontractors knowingly violated Florida Statutes 448.09(1) or 448.095(2)(c).
7. If this Contract is terminated pursuant to Florida Statute 448.095(2)(c), the Contractor may not be awarded a public contract for at least 1 year after the date on which this Contract was terminated.
8. The Contractor is liable for any additional cost incurred by the City as a result of the termination of this Contract.

STATE OF Florida  
COUNTY OF Bay County

  
Authorized Signature  
Rachel Lindsey  
Printed Name  
Account Manager  
Title  
Turf Tank  
Name of Entity/Corporation

PCB21-12 ITB FIELD-MARKING ROBOT

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on, this 14<sup>th</sup> day of May, 2021, by Alan Dixon (name of person whose signature is being notarized) as the Salesperson (title) of \_\_\_\_\_ (name of corporation/entity), Turf Tank personally known \_\_\_\_\_, or produced \_\_\_\_\_ (type of identification) as identification, and who did not take an oath.

SERENA L. STACH  
 General Notary - State of Nebraska  
 My Commission Expires Dec 20, 2023

My Commission Expires: 12/20/2023  
 NOTARY SEAL ABOVE

[Signature]  
 Notary Public  
Serena L. Stach  
 Printed Name

SERENA L. STACH  
 General Notary - State of Nebraska  
 My Commission Expires Dec 20, 2023

[END OF E-VERIFY FORM]



PCB21-12 ITB FIELD-MARKING ROBOT

**NOTICE TO AWARD**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PRODUCT DESCRIPTION:

**PCB21-12 ITB FIELD-MARKING ROBOT**

The City of Panama City Beach ("City") has considered the BID submitted by you for the above-described Product in response to its Advertisement for Bids dated \_\_\_\_\_, 2021 and associated Information for Bidders.

You are hereby notified that your Bid in the not to exceed Bid amount of \$\_\_\_\_\_ and the additional optional cost of \$\_\_\_\_\_ has been accepted by the City. Provided, however, nothing in this Notice or your delivery to the City of the Agreement executed by you shall in any manner or way be deemed to create any contract between you and the City. No such contract shall be created unless and until the City signs the Agreement.

You are required by the Information for Bidders to execute the Agreement.

If you fail to execute said Agreement within ten (10) calendar days from the date of this Notice, City will be entitled to consider all your rights arising out of City's acceptance of your BID as abandoned.

You must return an acknowledged copy of this Notice of Award to the City, with the executed Agreement and required Certificates of Insurance and Bonds, within the above noted ten (10) calendar day period.

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

[REMIAINER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

PCB21-12 ITB FIELD-MARKING ROBOT

CITY OF PANAMA CITY BEACH  
Owner

By \_\_\_\_\_

Name: Drew Whitman

Title: City Manager

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award is hereby acknowledged

By \_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name \_\_\_\_\_

Title \_\_\_\_\_

[END OF NOTICE OF AWARD]

**CONSENT AGENDA**  
**ITEM #2**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Mark Shaeffer, Utilities

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Staff requests Council approval for repair of Lift Station 96 pump in the amount of \$13,215.94.

**4. AGENDA:**

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:** Quality of Life  
Financial Health

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

Pump 3 of the four pumps in Lift Station 96 is removed from service for routine maintenance by our local, manufacturer-certified repair center, AAG of Panama City, Florida. Upon disassembly of the pump, a scope of work for repairs and associated costs developed as detailed in the attached quote. In order to secure another quote for the work, a listing of the proposed repairs in AAG's quote with costs redacted was provided to another pump repair shop, Jim House & Associates. Attached is their quote for the same scope of work for \$18,954.00.

Staff requests Council approval of this repair expenditure to AAG in the amount of \$13,215.94.

[Res 21-173.Pump 96 Emergency Repair.pdf](#)

[PCB EMU 80hp LS96 Job 21971.pdf](#)

[Est\\_15574\\_from\\_Jim\\_House\\_Associates\\_Inc.\\_78104.pdf](#)

**RESOLUTION 21-173**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH AAG ELECTRIC MOTORS & PUMPS, INC. FOR LIFT STATION 96 PUMP REPAIR IN THE BASIC AMOUNT OF \$13,215.94.**

**BE IT RESOLVED** that the appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and AAG Electric Motors & Pumps, Inc., relating to a pump repair for Lift Station 96, in the basic amount of Thirteen Thousand, Two Hundred Fifteen Dollars and Ninety Four Cents (\$13,215.94), in substantially the terms and conditions of the quote attached and presented to the Council today, draft dated May 5, 2021, 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 June, 2021.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mark Sheldon, Mayor

**ATTEST:**

\_\_\_\_\_  
Lynne Fasone, City Clerk



AAG Electric Motors & Pumps, Inc  
2340 Industrial Drive  
Panama City, Florida 32405  
850-763-9386

May 5, 2021

City of Panama City Beach  
Attn: Keith

Re: LS 96

**AAG Job # 21971**

AAG Services is pleased to offer the following quote for your consideration.

**Sold New:** 4/2008  
**Repaired:** 3/2016, Power Cables Only  
9/2012, Power Cables Only

Wilo-EMU 80hp, T30-4/44, FA15.77Z-306, s/n 650036825

Wash and Bake Stator Perform Electrical Testing	\$ 550.00
2ea. 7316 BECBY Bearings	\$ 943.68
1ea. 6312 LL Bearing	\$ 233.72
75MM Mechanical Seal	\$ 1,837.58
O-Ring Kit	\$ 163.50
Dynamic Balance Rotor and Impeller	\$ 150.00
55' 2/4 Power Cable	\$ 851.10
55' 16/2 Sensor Cable	\$ 132.68
1ea. Power Cable Trumpet and Entry	\$ 238.00
3ea. 3M Epoxy Kits	\$ 120.00
Oil	\$ 148.48
Machine Work Shaft Bearing Fit	\$ 625.00
Mobile Wear Ring, Special Hardened	\$ 820.00
Stationary Wear Ring, Special Hardened	\$ 1,155.00
Shop Labor	\$ 1,625.00
Apply Two Coats of Belzona 1321 to Impeller	\$ 1,250.00
Apply Two Coats of Belzona 1321 to Volute	\$ 2,250.00
1ea. 6" Dual Pipe Sealing Rubber and Supporting Ring	\$ 122.20
<b>Total</b>	<b>\$13,215.94</b>

Delivery on Repair 2 Weeks ARO.

New Replacement  
New Wilo-EMU 80hp, T30-4/44, FA15.77Z \$ 28,316.30 16-18 weeks A.R.O. Without Coatings

If you have any questions please do not hesitate to contact me.

Thank you,  
Keith Gay

Jim House & Associates, Inc.  
 1401 Georgia Road  
 Irondale, AL 35210  
 PO Box 101957 (35210)  
 (205) 592-6302 (800) 292-6335  
 Fax: (205) 951-0291



Since 1957

Gulf Coast Office  
 24312 Highway 98  
 Fairhope, AL 36532  
 (251) 928-7867 (800) 919-7867  
 Fax: (251) 928-7804

# Quote

Date
5/28/2021

Quote #
<b>15574</b>

Name / Address
CITY OF PANAMA CITY BEACH 110 SOUTH ARNOLD ROAD PANAMA CITY BCH FL 32413

Ship To
CITY OF PANAMA CITY BEACH ATTN: Mark Shaeffer 206 N. GULF BLVD PANAMA CITY BEACH, FL 32413

Dear customer,  
 As requested, we are pleased to provide a quotation for the following equipment:

Qty	Manufacturer	Item Description
1		CITY OF PANAMA CITY BEACH - LIFT STATION 96  Wilo-EMU 80hp, T30-4/44, FA15.77Z-306, s/n 650036825  Wash and Bake Stator Perform Electrical Testing 2ea. 7316 BECBY Bearings 1ea. 6312 LL Bearing 75MM Mechanical Seal O-Ring Kit Dynamic Balance Rotor and Impeller 55' 2/4 Power Cable 55' 16/2 Sensor Cable 1ea. Power Cable Trumpet and Entry 3ea. 3M Epoxy Kits Oil Machine Work Shaft Bearing Fit Mobile Wear Ring, Special Hardened Stationary Wear Ring, Special Hardened 1ea. 6" Dual Pipe Sealing Rubber and Supporting Ring Shop Labor Apply Two Coats of Belzona 1321 to Impeller Apply Two Coats of Belzona 1321 to Volute Freight Allowed

Only the items mentioned specifically herein are included. Additional equipment required for installation such as main electrical service, conduit and wire, discharge piping and/or valves, concrete, or any other necessary items are not included in our proposal and are to be provided by others. Pricing is subject to the attached terms and conditions. Service is available at the per diem rates shown in the attached terms and conditions. All pricing is firm for 30 days from the above date.

<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total:</b>	\$18,954.00

# **REGULAR AGENDA**

## **ITEM #1**





## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Mel Leonard, Building & Planning

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Staff recommends the City Council hold a public hearing to consider the Planning Board recommendation, the application, Staff report, comments from any adversely affected parties as well as all other competent substantial evidence and approve or deny the requests to amend the Future Land Use Map of the Comprehensive Plan.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED (IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:**

Economic Development

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

Alvin's Stores, Inc. is requesting a Future Land Use Map Small-Scale Plan Amendment (under 10 acres) from Single Family Residential to Tourist for 0.573 acres located at 285 Poinsettia Drive. The Planning Board considered the request at a properly advertised public hearing on December 9, 2020. After considering the applicant's presentation, comments from the public and the data and analysis report from City staff, the Planning Board voted (6 - 0) to recommend approval of the requested Future Land Use Map designation of "Tourist".

The attached Ordinance addresses the requested change to the City's FLUM for 285 Poinsettia Drive.

- [Ordinance 1544, Small Scale Comp Plan.pdf](#)
- [Alvins Planning Board Order, Staff Report, Application.pdf](#)
- [Alvins Planning Board Minutes.pdf](#)
- [Alvins Rezoning Request 285 poinsettia zoning.jpg](#)
- [Alvins Rezoning Request 285 poinsettia.jpg](#)
- [alvins rezoning and plan amendment 285 Poinsettia Drive.pdf](#)
- [Aff 30436NH.PDF](#)

ORDINANCE NO. 1544

AN ORDINANCE AMENDING ORDINANCE 1143, KNOWN AS "THE 2009 AMENDED AND RESTATED PANAMA CITY BEACH COMPREHENSIVE GROWTH DEVELOPMENT PLAN"; ACTING UPON THE APPLICATION OF ALVIN'S STORES INC TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PARCEL OF LAND FROM SINGLE FAMILY RESIDENTIAL TO TOURIST; DESIGNATING FOR TOURIST LAND USE THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONSISTING OF APPROXIMATELY 0.573 ACRES; PARCEL ID 33962-000-000; SAID PARCEL LOCATED AT 285 POINSETTIA DRIVE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR TOURIST DESIGNATION FOR THE PARCEL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

WHEREAS, the Panama City Beach Council approved Ordinance No. 1143 (the "2009 Amended and Restated Panama City Beach Comprehensive Growth Development Plan") on December 10, 2009; and

WHEREAS, Alvin's Stores Inc (the "Applicant"), submitted an application requesting an amendment to the Comprehensive Plan; and

WHEREAS, the Panama City Beach Planning Board reviewed the land use request, conducted a public hearing on December 9, 2020, and recommended approval of the request by a vote of 6-0; and

WHEREAS, on \_\_\_\_\_, the City Council conducted a properly

noticed adoption hearing as required by Section 163.3184(11), Florida Statutes, and adopted this Ordinance in the course of that hearing;

WHEREAS, the subject parcel involves a use of ten (10) acres or less and the cumulative effect of the acreage for all small scale amendments adopted by the City this calendar year, including the subject parcel, does not involve a text change to the goals, policies and objectives of the City's Comprehensive Plan, and the subject parcel otherwise qualifies for a small scale amendment pursuant to Section 163.3187(1), Florida Statutes; and

WHEREAS, all conditions required for the enactment of this Ordinance to amend the 2009 Amended and Restated Panama City Beach Comprehensive Growth Development Plan to make the respective FLUM designation for the subject parcel have been met;

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

SECTION 1. The following described parcel of real property situated within the municipal limits of the City of Panama City Beach, Florida, is designated for Tourist land use under the City's Comprehensive Plan, to-wit,

LOTS 2 THROUGH 6, BLOCK K, OPEN SANDS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 67, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

and the City's Future Land Use Map is amended accordingly.

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

SECTION 3. This ordinance shall take effect as provided by law.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_ of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mark Sheldon, Mayor

ATTEST:

\_\_\_\_\_  
Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mark Sheldon, Mayor

PUBLISHED in the Panama City News-Herald on the \_\_\_\_ day of \_\_\_\_\_ 2021.

POSTED on pcb.gov.com on the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Lynne Fasone, City Clerk

## MEMORANDUM

**TO:** Amy Myers, City Attorney

**FROM:** Mel Leonard, Director  
Building and Planning Department

**DATE:** December 16, 2020

**RE:** Alvin's Stores, Inc. is requesting a rezoning from Single Family Residential (R-1c) to Commercial High Intensity (CH) for approximately .573 acres and .229 acres. A Small-Scale Plan Amendment from Single Family Residential to Tourist is also requested. Parcel Numbers 33962-000-00 and 33963-000-000.

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Alvin's Stores Inc. requested a rezoning and a plan amendment for the above referenced properties. The Planning Board considered the requests at a properly advertised public hearing on December 9, 2020.

After considering the applicant's presentation, comments from the public, and the data analysis report from City staff, the Planning Board voted (6-0) to recommend a lesser zoning of **CL (Commercial Low Intensity) for 285 Poinsettia Drive and a Denial of the request for 283 Poinsettia Drive, recommending it remain R-1c (Single Family Residential).**

**REZONING TRANSMITTAL SHEET**  
**City of Panama City Beach**

**TO:** Amy Myers, City Attorney

**DATE:** December 16, 2020

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- (1) **Name of Applicant:** Alvin's Stores Inc.
- (2) **Request:** A rezoning from Single Family Residential (R-1c) to Commercial High Intensity (CH), Small-Scale Amendment to change the Future Land Use Map Designation from Single Family Residential to Tourist for approximately .573 acres located at 285 Poinsettia Drive and for approximately .229 acres located at 283 Poinsettia Drive.
- Zoning:** Single Family Residential (R-1c) to Commercial High Intensity (CH)
- (3) **Planning Board Action Date:** December 9, 2020
- (4) **Council Action Date:** TBA  
**Restrictions or Special Conditions:** N/A
- (5) **Applicant to pay costs and fees:** Yes   X   No
- (6) **Legal Description to be copied from:** Survey to be provided.  
 (Deed, Survey, etc., please indicate.)
- (7) **Name and Address of Property Owner according to most recent ad valorem tax records:** Please see attached legal description.

## **PLANNING BOARD OF THE CITY OF PANAMA CITY BEACH**

**IN RE: Request for a Small-Scale Plan Amendment to change the Future Land Use Map from Single Family Residential to Tourist, a Rezoning from R-1c to CH for 285 Poinsettia Dr. Parcel Id# 33962-000-000 (.573 acres) and 283 Poinsettia Dr. Parcel Id# 33963-000-000 (.229 acres)**

**Submitted by: Alvin's Stores Inc.**

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### **ORDER**

**THE PLANNING BOARD OF THE CITY OF PANAMA CITY BEACH, having received testimony and reviewed the exhibits produced at the Quasi-Judicial/Legislative Hearing held on this matter on December 9, 2020 for a Small-Scale Plan Amendment to change the Future Land Use Map from, Single Family Residential to Tourist, a Rezoning from R-1c to CH, makes the following Findings of Fact and Conclusions of Law.**

#### **FINDINGS OF FACT**

1. Planning Department Staff delivered information to the Planning Board that recommended approval of 285 Poinsettia Dr. but recommended denial of 283 Poinsettia Dr.
2. The Planning Board listened to the applicant's request and recommended approval of the Small-Scale Plan Amendment to change the Future Land Use Map from Single Family Residential to Tourist and a Rezoning from R-1c to CL rather than the requested CH for 285 Poinsettia Dr. Parcel Id# 33962-000-000 with a 6-0 decision.

The Planning Board listened to the applicant's request and recommended denial of the Small-Scale Plan Amendment to change the Future Land Use Map from Single Family Residential to Tourist and a Rezoning from R-1c to CH for 283 Poinsettia Dr. Parcel Id# 33963-000-000 with a 6-0 decision.

**CONCLUSIONS OF LAW**

- 3. Pursuant to Section 166.041(3)(c), Florida Statutes and Sections 8.03.03(A) and (C), 10.04.03, 10.04.04 and 10.07.02 of the City’s Land Development Code, the Planning Board has jurisdiction to conduct a quasi-judicial /Legislative hearing on these matters and make a recommendation to the City Council on whether the request should be granted by adoption of ordinances.
  
- 4. The request is consistent with the City’s Comprehensive Plan.

**THEREFORE, IT IS ORDERED AND ADJUDGED** that the subject rezoning / Small Scale amendment for Parcel Id# 33962-000-000 is hereby recommended for **APPROVAL** and accordingly, the associated Ordinance should be **ADOPTED**. In addition, the subject rezoning / Small Scale amendment for Parcel Id# 33963-000-000 is hereby recommended for **DENIAL**.

If any part of this Order is deemed invalid or unlawful, the invalid or unlawful part shall be severed from this Order and the remaining parts shall continue to have full force and effect.

DONE this 16 day of December, 2020.

**Josh Wakstein, Chairman**  


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**JOSH WAKSTEIN, CHAIRMAN**

ATTEST:


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**CHARLES SILKY, SENIOR PLANNER**



**Signature:**   
Josh Wakstein, Chairman (Dec 16, 2020 17:07 CST)  
**Email:** [jwakstein@pcb.gov](mailto:jwakstein@pcb.gov)

## **DATA AND ANALYSIS**

- I. APPLICANT:** Alvin's Stores Inc.
- II. PROJECT LOCATION:** 285 Poinsettia Dr. Parcel Id# 33962-000-000 (.573 acres) and 283 Poinsettia Dr. Parcel Id# 33963-000-000 (.229 acres).
- III. REQUEST:** This request is for a Small Scale Plan Amendment and Rezoning. The applicant is requesting a Future Land Use Map change from Single Family Residential Future Land Use designation to Tourist and a Rezoning from R-1c to CH for the subject parcels.
- IV. REASON FOR REQUEST:** The owners were unaware the property was rezoned and are now seeking to have that corrected to match the historic use of the property since 1979 as a warehouse.

### **VI. SITE EVALUATION:**

#### **A. IMPACT ON PUBLIC FACILITIES:**

##### **1. Transportation Facilities:**

The western most parcel has and is expected to continue to be used as a warehouse with traffic generation levels to remain the same. If the site were redeveloped, a Development Order with an accompanying traffic study will be required.

##### **2. Sewer:**

The City wastewater treatment plant (WWTP) provides Advanced Wastewater Treatment (AWT) quality effluent, with an accompanying wetlands effluent discharge system in a 2,900-acre facility containing 2,000 acres of receiving wetlands. Currently, the operating permit allows 14 mgd maximum monthly average (10 mgd annual average) treatment and disposal capacity. Monthly average plant flows for January 1, 2019 through December 31, 2019 ranged from 4.4 mgd to 10.3 mgd on a monthly average. In addition, the City's reclaimed water system has been in operation since 2006 and provided between 1.5 and 3.3 mgd of irrigation

water per month in the last fiscal year, depending on the time of year and demands, to residential and commercial areas of the City.

Based on previous historic growth rates of wastewater generation, it is anticipated that there will be a 4% yearly growth in wastewater generation within the City's service area (from the Hathaway Bridge to the West Bay Bridge to the Phillips Inlet Bridge). Accordingly, the City has planned for facilities to be upgraded to coincide with the increased demand.

### 3. Potable Water:

The City has a franchise from Bay County authorizing the City to provide water service to the incorporated City limits and unincorporated Bay County west of St Andrew Bay, and south of West Bay and the contiguous Intracoastal Waterway. The City utility system also purchases 100% of its potable water from Bay County via contract. The term of the agreement is through 2042 and states that 26.4 million gallons per day (mgd) will be available to the City in 2011 with best efforts by the County to be able to provide increasing amounts each year up to 33.79 mgd in 2020. The City receives the treated County water via two delivery points at bridges crossing St. Andrew Bay and West Bay. That water is stored and re-pumped on demand to meet the City's water needs. The City's current available pumping and transmission capacity is approximately 37.8 mgd. The contract with the County has been designed to increase capacity by approximately 4% per year in order to continue to have capacity available for growth. Additionally, the City has two (2) - 7 million gallon storage tanks at its West Bay storage and pumping facility, and 2, 4 and 5 million gallon storage tanks at its McElvey Road storage and pumping facility near the St. Andrew Bay delivery point, which gives the City an additional 25 million gallons of working reserve for peak season and fire flow demand.

Daily water demand for January 1, 2018 through December 31, 2019 ranged from 9.2 mgd to 15.7 mgd on a monthly average, with an annual average of 12.1 mgd. The maximum single-day demand was 18.5 mgd. The County's projected available capacity to supply potable water to the City in 2019 was to be 28.4 mgd, which leaves an excess monthly average capacity ranging from 19.2 mgd to 12.7 mgd with an annual average excess of 16.3 mgd. The excess on the single-day maximum is expected to be 10.8 mgd.

The City has also implemented a reclaimed water system that makes highly treated effluent from the wastewater system available for irrigation to new subdivisions and commercial developments. With the implementation of this reclaim system, it is estimated that the 20% of total potable water

consumption previously used by similar developments will be replaced by reclaimed water in these new subdivisions.

**B. SITE SUITABILITY:**

1. Wetlands: According to information supplied by Bay County GIS there are no wetlands located on the subject site.
2. Plant and Wildlife Resources: Information regarding natural resources is based on information from the Florida Natural Areas Inventory "FNAI", which is a non-profit organization administered by The Florida State University. This group is involved in gathering, interpreting, and disseminating information critical to the conservation of Florida's biological diversity.

According to information supplied by FNAI, there are no threatened or endangered species located on the subject site.

3. Flood Zones:

According to information supplied by FEMA, the site is located in Flood Zone X, which is defined as an area determined to be located outside of the 100 and 500-year floodplains.

**C. COMPATABILITY WITH SURROUNDING LAND USES:**

Compatibility is generally defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

The current use of the site as a warehouse is generally considered an incompatible use without the implementation of lighting controls and buffering.

**CONCLUSION:**

It appears one of the subject parcels, the western most parcel; Id# 33962-000-000 was rezoned from commercial to residential sometime after 1988. However, staff has concluded that the eastern most parcel, Id# 33963-000-000 has always been Residential. See the attached zoning maps from 1977, 1988 and 2020 with delineated boundaries.

Staff proposes the Planning Board recommend the requested Future Land Use Map change of the westernmost parcel, Id# 33962-000-000 from Single Family Residential Future Land Use designation to Tourist and a Rezoning from R-1c to CH. In addition, there is no evidence or compelling reason to support the requested change and rezoning of the eastern most parcel, Id #33963-000-000, staff recommends denial of this portion of the request.



**CITY OF PANAMA CITY BEACH**  
**Building and Planning Department**  
 116 S. Arnold Road, Panama City Beach, FL 32413  
 850-233-5054. ext. 2313 Fax: 850-233-5049  
 Email: [achester@pcb.gov](mailto:achester@pcb.gov)

**REQUEST FOR ZONING or REZONING – Section 10.02.10**

**Applicant:** Alvin's Stores Inc  
 Name(s): \_\_\_\_\_  
 Address: 10800 NW 106th St Suite #6  
 City: Medley State: FL Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: drorlevy@marcodestin.net

Name of Acting Agent: Burke & Blue  
 Statement acknowledged before a notary public authorizing the representative to act on behalf of the property owner with regard to the application and associated procedures. Attached to the application.

Parcel Number of Property for Zoning or Rezoning: 33962-000-000 & 33963-000-000  
 (Information from Property Appraiser's Office)

Address/Location of Property for Zoning or Rezoning: 285 Poinsettia Dr & 283 Poinsettia Dr

Please provide a survey obtained no more than two (2) years prior to the filing of the application, containing legal description, land area and existing improvements located on the site. Please submit a total of ten (10) copies.

Small Scale Amendment: \$1500.00 Large Scale Amendment: \$2100.00 Date Collected \_\_\_\_\_  
 If a plan amendment is necessary, please provide an analysis of the consistency of the proposed amendment with all requirements of the Comprehensive Plan and LDC.

The procedure for review of application is found in Sections 10.02.01 and 10.02.10 of the LDC.

**Basic Submittal Requirements - LDC Section 10.02.02**

Name: Alvin's Stores Inc  
 Address: 10800 NW 106th St Suite #6 Email Address: \_\_\_\_\_  
 City: Medley State: FL Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Date of Preparation: 05/12/2020 Date(s) of any modifications: \_\_\_\_\_

Legal Description: (Consistent with the Required Survey) \_\_\_\_\_

A vicinity map showing the location of the property.


Present Zoning Designation: R-1c Requested Zoning Designation: CH Future Land Use Map: TD

Deed Restrictions or Private Covenants apply to this property:  Yes (Please submit a copy)  No

**Applicant's Signature(s):**

**Dror Levy**

Print Name of Applicant

  
Signature

Date: 10/4/2020

Print Name of Applicant

Signature

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

**FEES:**

Rezoning Application Fee: \$900.00

Small Scale Amendment Fee: \$1500.00

Includes the rezoning fee.

Large Scale Amendment Fee: \$2100.00

Includes the rezoning fee.

Date Collected: \_\_\_\_\_

**CITY OF PANAMA CITY BEACH  
PUBLIC NOTICE OF SMALL-SCALE AMENDMENT AND  
REZONING REQUEST**

The City of Panama City Beach Planning Board will consider the following request:

**APPLICANT:** Alvin Stores, Inc.

**ADDRESS/LOCATION:** 285 Poinsettia Drive & 283 Poinsettia Drive  
Panama City Beach, FL Panama City Beach, FL  
33962-000-000 33963-000-000

This is being requested because, the properties have been used as a warehouse  
for the Alvin's Island store at 14520 Front Beach Road since at least 1979  
and was zoned appropriately until a City initiated zoning change in 2012.

The owners were unaware that the property had been rezoned and are now  
seeking to have that corrected to match the historical use of the property.

**MEETING INFORMATION:**

**Date:** December 9, 2020

**Time:** 1:00 p.m.

**Place:** City Council Meeting Room  
17007 Panama City Beach Parkway  
Panama City Beach

**The applicant for this rezoning request is required by the City of Panama City Beach to send you this letter because, the tax rolls show you own property, in whole or in part, within three hundred (300) feet of the subject property.**

Any questions you may have regarding this request please contact someone at the City of Panama City Beach Building and Planning Department at 850-233-5100, ext. 2313.





**Legend**

- PCB\_Parcels
- Major Road
- Minor Road

**Zoning\_PCB**

**Panama City Beach Zoning**

- Commercial - Low Intensity (CL)
- Commercial - Medium Intensity (CM)
- Single Family, High Density Manufactured Home (R-1c T)
- Single Family, Low Density (R-1a)
- Single Family, Medium Density (R 1b)
- Planned Unit Developments (PUD)
- Single Family High Density (R-1c)
- Residential - Zero Lot Line (RO)
- Light Industry (M-1)
- Recreation (R)
- Conservation (C)
- Agricultural and Rural Residential (AR)
- Townhouse (RTH)
- Limited Multi-family (R-2)
- Unlimited Multi-family (R-3)
- Commercial - High Intensity (CH)
- Public Facilities (PF)



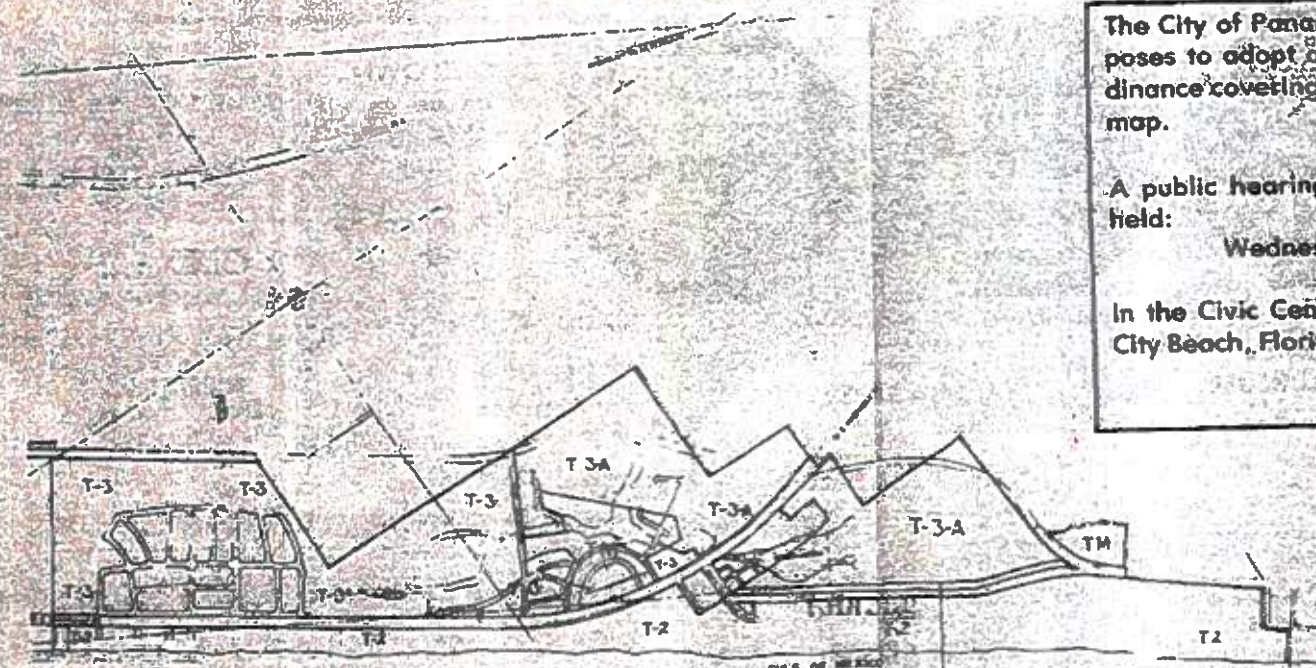
Prepared by The  
City of Panama City Beach  
Planning Department

2020





**CENTER SECTION**



**EAST SECTION**

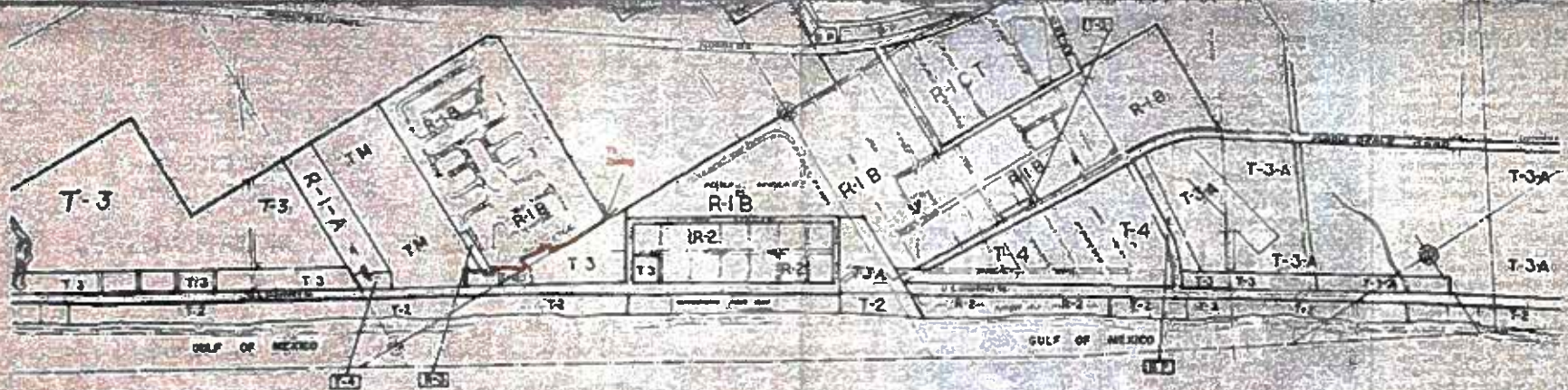
The City of Panama City Beach, Florida proposes to adopt a comprehensive zoning ordinance covering the land area shown in this map.

A public hearing on the ordinance will be held:  
**Wednesday April 27, 1977**  
**AT 5:05 P.M.**  
 In the Civic Center Counsel Room, Panama City Beach, Florida.

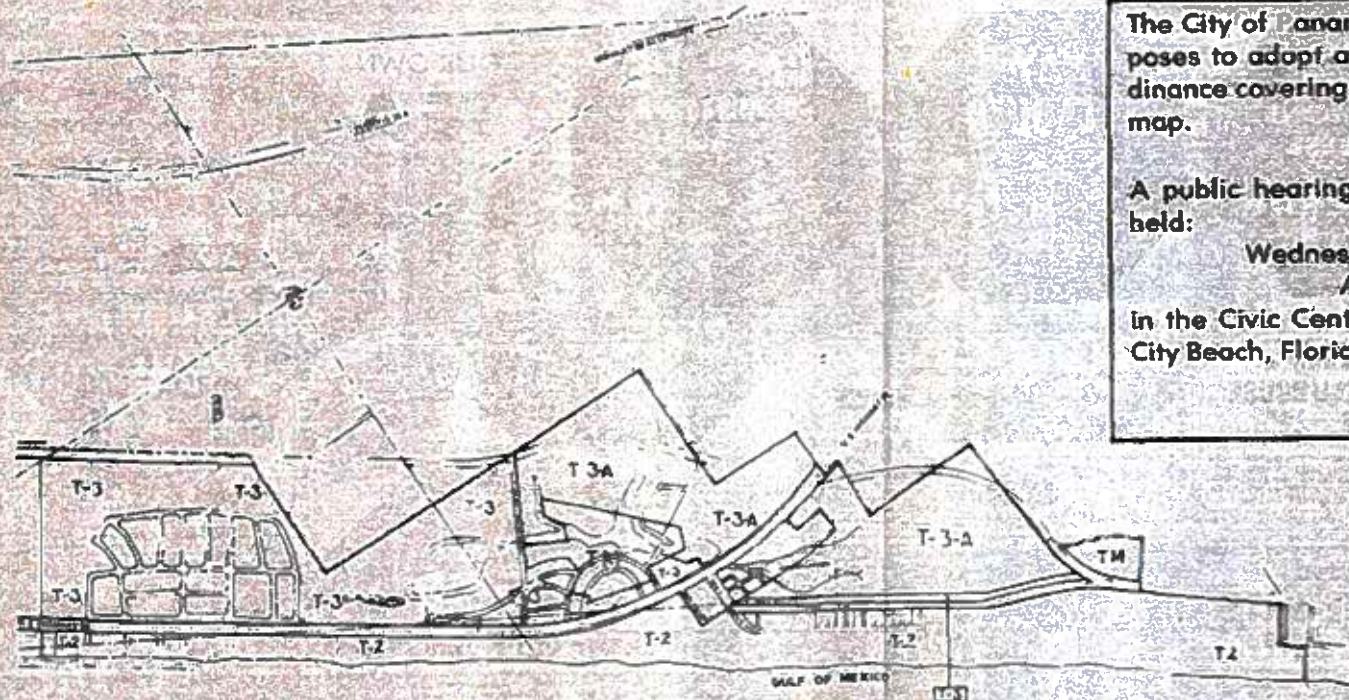
Roy Kingsmill  
 City Clerk

6





### CENTER SECTION



### EAST SECTION

The City of Panama City Beach, Florida, proposes to adopt a comprehensive zoning ordinance covering the land area shown in this map.

A public hearing on the ordinance will be held:

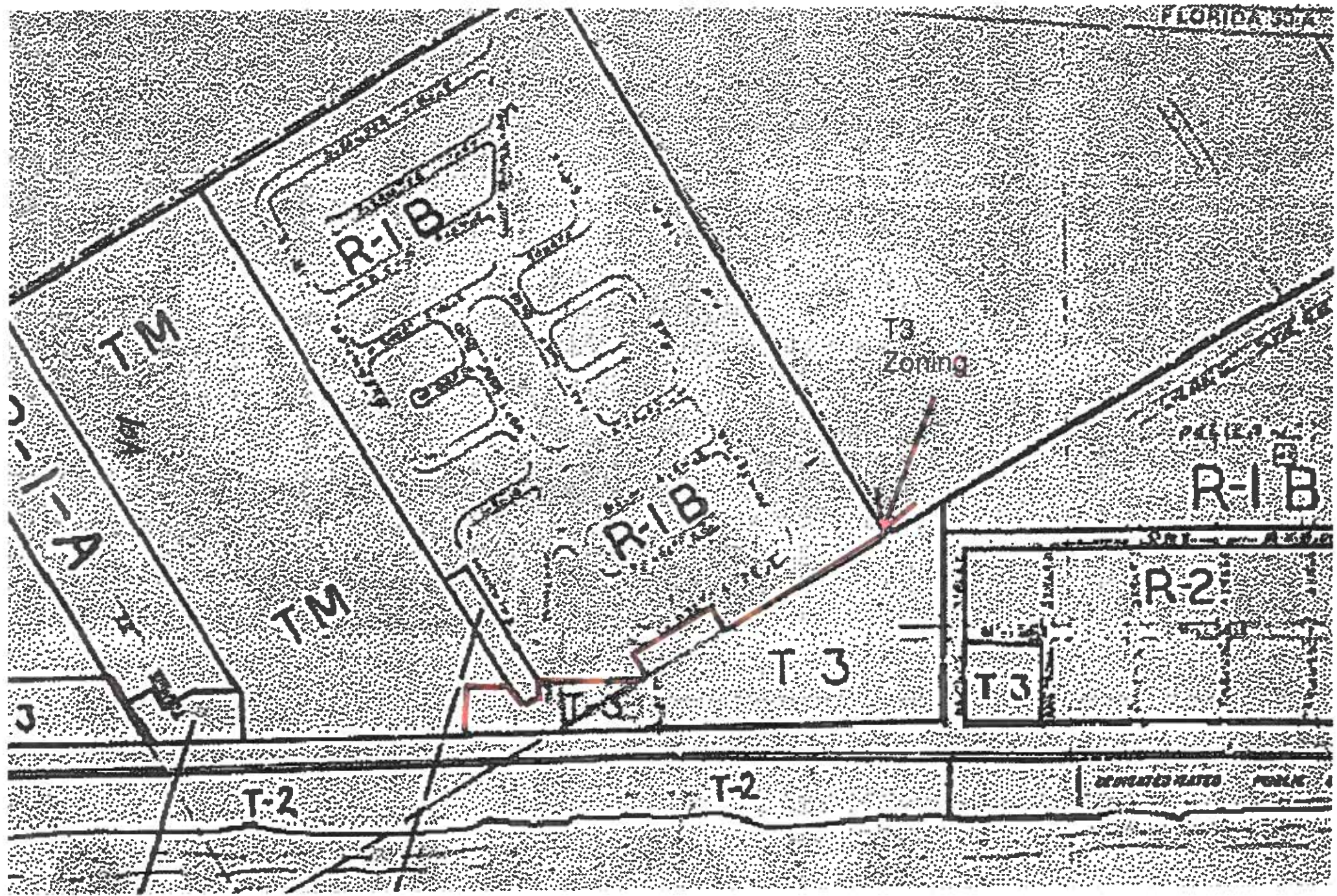
Wednesday April 27, 1977,  
At 5:05 P.M.

in the Civic Center Counsel Room, Panama City Beach, Florida.

Roy Kingsmill  
City Clerk

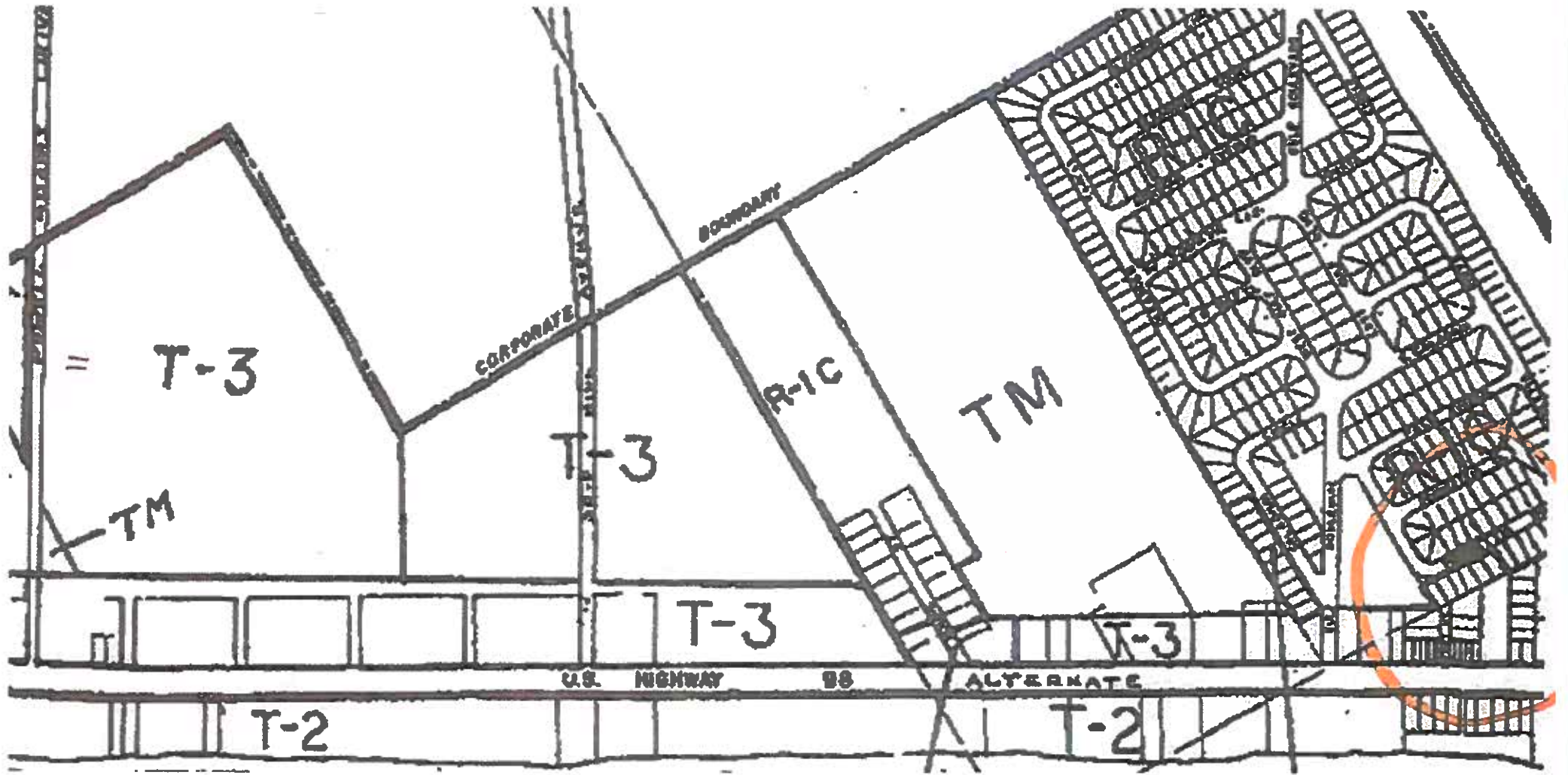
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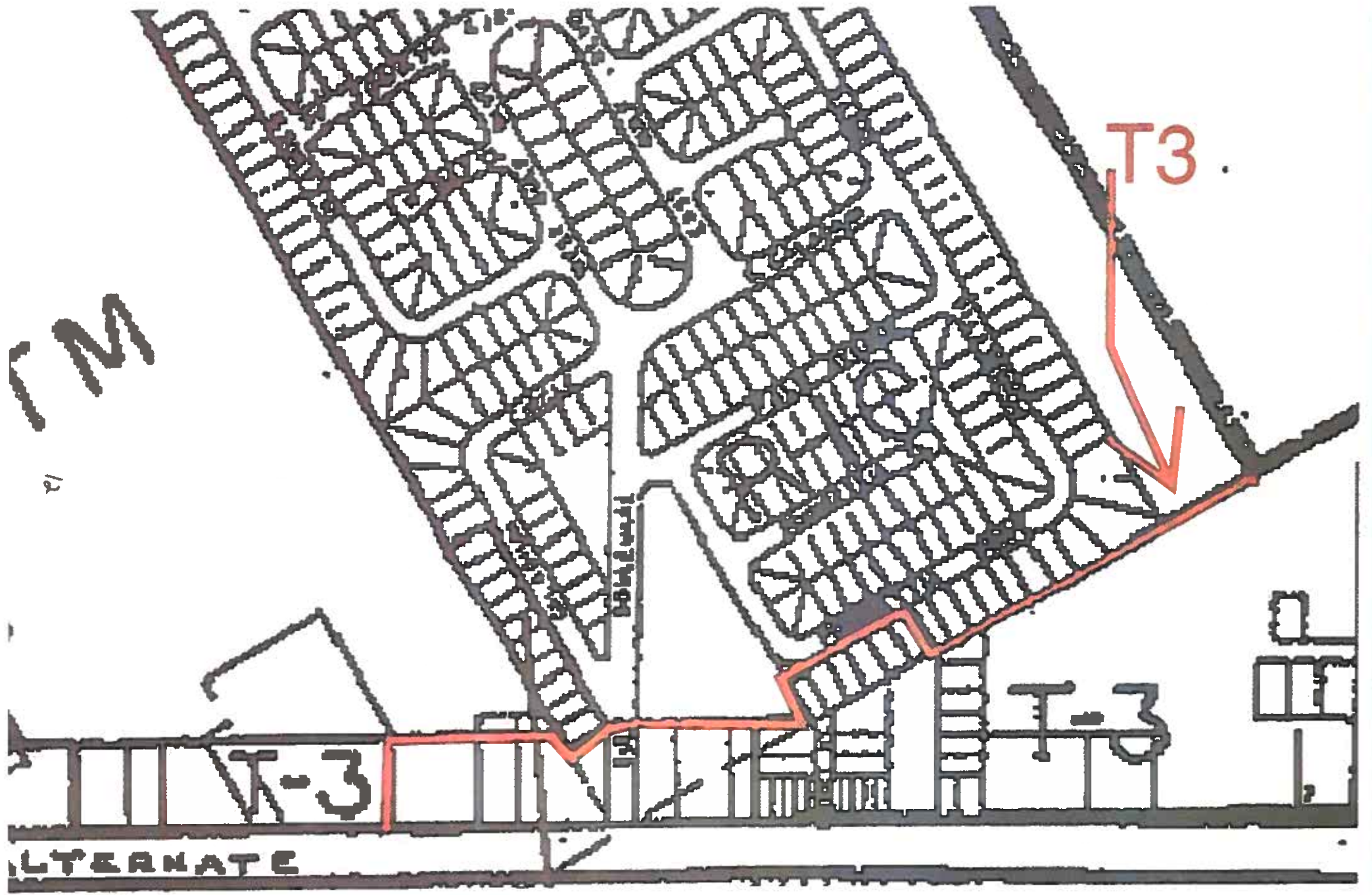




1977





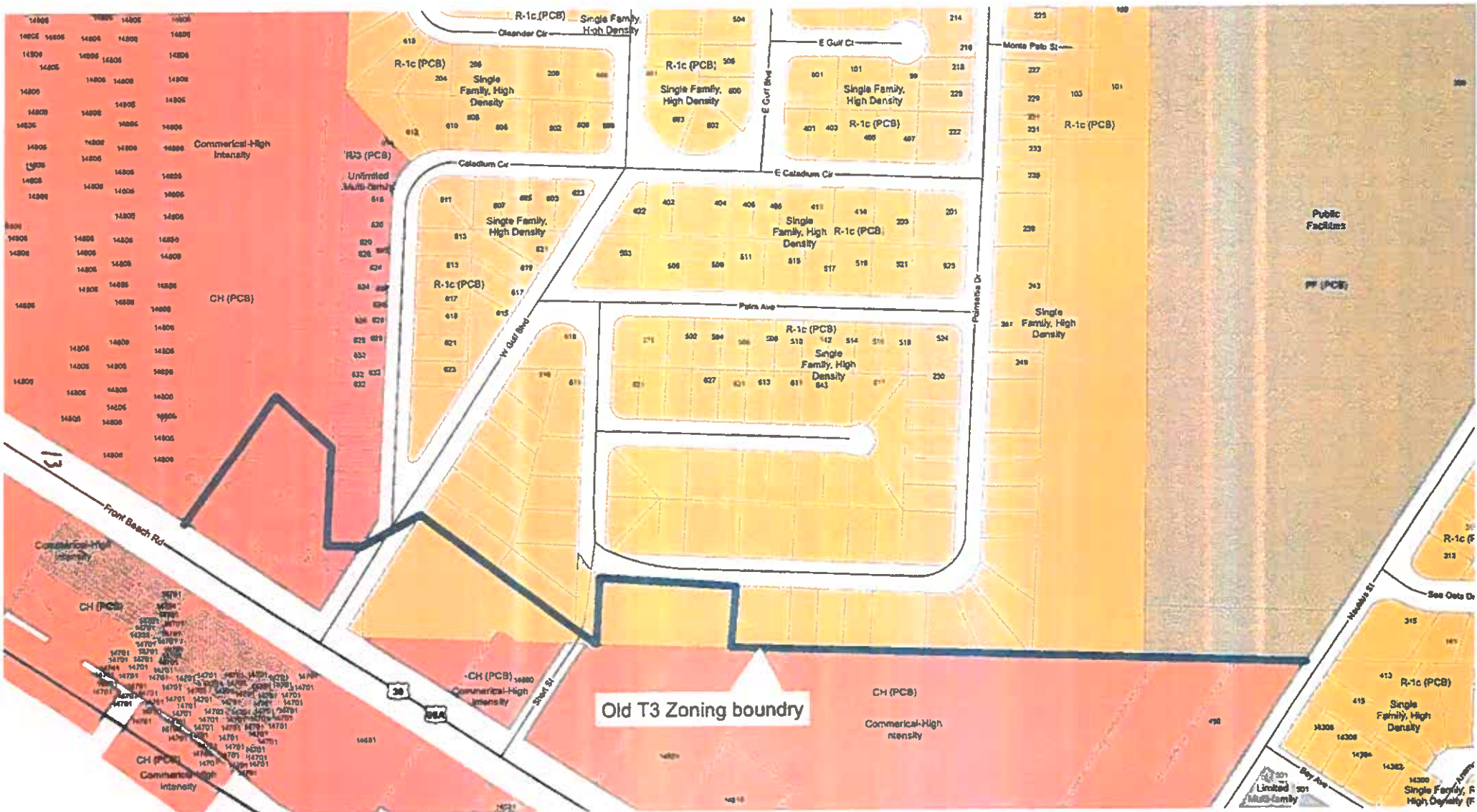


1988





N



2020

**NOTICE OF PUBLIC HEARING TO CONSIDER  
SMALL-SCALE FUTURE LAND USE MAP AMENDMENT  
AND A REZONING REQUEST**

Notice is hereby given by the Planning Board of the City of Panama City Beach, Florida, that, having received an application from Alvin's Stores, Inc., it intends to consider a Small-Scale Future Land Use Map Amendment to Tourist and a Rezoning designation of CH (Commercial High Intensity), for properties located at 285 Poinsettia Drive and 283 Poinsettia Drive. The Planning Board will hold a public hearing to consider the request at the Board's regular meeting to be conducted at 1:00 P.M. on December 9, 2020 at City Hall Annex, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413. A copy of the proposed request may be inspected at the office of the City Clerk at City Hall.

Further information on this item may be obtained from Andrea Chester or Charles Silky by calling 850-233-5100. All interested persons are invited to attend and present information for the City Council's consideration. Anyone not appearing in person may submit written comments to the City Clerk at any time prior to the stated meeting time at City Hall or by email to [achester@pcb.gov](mailto:achester@pcb.gov). The meeting will also be live-streamed on the City website [www.pcb.gov](http://www.pcb.gov).

An appeal of the Planning Board's decision may be made to the City Council. If a person decides to appeal any decision made by the Planning Board with respect to any matter considered, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation to participate in this proceeding because of a disability or physical impairment should contact Andrea Chester, at Building and Planning Department, 116 South Arnold Road, Panama City Beach, Florida, 32413 or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or (800) 955-8771 (TDD).

CITY OF PANAMA CITY BEACH, FL  
BY: TONY O'ROURKE, CITY MANAGER



**CITY OF PANAMA CITY BEACH  
PLANNING BOARD MEETING MINUTES  
December 9, 2020  
MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Wakstein at 1:00 p.m. and Ms. Chester was asked to call the roll. Members present were Mr. Scruggs, Mr. Johns, Mr. Hodges (arrived late) Mr. Morehouse, Ms. Simmons, and Chairman Wakstein. Member absent was Mr. Caron.

**Mr. Scruggs led the Pledge of Allegiance.**

**ITEM NO. 3 Approval of the October 14, 2020 Planning Board Meeting Minutes**

Chairman Wakstein asked if there were any comments or corrections to the meeting minutes. A motion was made by Mr. Scruggs to approve the meeting minutes and it was seconded by Mr. Johns. Ms. Chester was asked to call roll.

Mr. Johns	Yes	Mr. Scruggs	Yes
Ms. Simmons	Yes	Chairman Wakstein	Yes
Mr. Morehouse	Yes		

**ITEM NO. 4 Public Comments – Non-Agenda Items - No public comment.**

**ITEM NO. 5 Alvin's Stores Inc. is requesting approval for a Small-Scale Plan Amendment and Rezoning Requests for a Future Land Use Map change from Single Family Residential to a Future Land Use designation to Tourist and a Rezoning from R-1c (Single Family Residential) to CH (Commercial High Intensity) for two parcels. The parcels are located at 285 Poinsettia Drive, approximately .573 acres and 283 Poinsettia Drive, approximately .229 acres.**

Chairman Wakstein introduced the item and verified all the requirements of the application had been met. Ms. Chester was asked to call for the Jennings Act. Mr. Johns visited the property. Mr. Hodges, nothing to disclose. Ms. Simmons visited the property. Mr. Morehouse, nothing to disclose. Mr. Scruggs, nothing to disclose. Chairman Wakstein received email from Mr. Klomps and had visited the property.

Mr. Mike Burke, 16215 Panama City Beach Parkway, representative for Alvin's Island, Inc. Mr. Burke explained the history of these two parcels and the use of the one property has been a warehouse since 1979 as property records reflect. He explained his client was not aware of the rezoning to the property from the City and they were asking for the original zoning to be granted. Mr. Johns asked if there were any plans for the vacant lot at this time, Mr. Burke replied he was not aware of any other than a possible expansion of the retail space.

Chairman Wakstein asked for a staff report. Mr. Silky commented the rezoning from commercial to residential occurred sometime after 1988 for the parcel located at 285 Poinsettia Drive, but that the parcel located at 283 Poinsettia Drive has always been zoned residential. Mr. Silky commented all the maps reflecting this information is part of the staff report in the record and that staff supports the rezoning request for 285 Poinsettia Drive to commercial, but objects to the rezoning request for 283 Poinsettia Drive. Chairman Wakstein opened the meeting up for public comment.

Paul Turner, 407 Oleander Circle commented the neighbors had been fighting the commercial uses from entering the neighborhood for a long time. He stated the allowable uses in Commercial High Intensity zones would be detrimental and have a negative impact on everyone. Mr. Turner commented he understood and supported the request for 285 Poinsettia Drive where the warehouse was currently located.

Bobby Seay, 611 Poinsettia Court commented he was not opposed to the lot where the warehouse was located being rezoned as requested but did oppose the request for the vacant lot. Mr. Seay commented this would have a negative impact on the neighborhood.

Kurt Anderson, 217 Poinsettia Drive stated to allow commercial encroachment into the neighborhood would impact all Open Sands.

Tom Pickrell, 270 Poinsettia Drive commented he supported the request to rezone where the warehouse is currently located but did not support the vacant zoned single-family parcel. Mr. Pickrell stated the neighborhood currently endures large trucks in the neighborhood and this would only further the commercial encroachment into Open Sands.

Joyce Wolf, 242 Poinsettia Drive commented she was new to the neighborhood and appreciated businesses, but not the rezoning requests for the two parcels.

Larry Baxter, 238 Poinsettia Drive explained currently there are trucks that block Short Street and requested there be a fence be placed around the warehouse lot to limit the view of all the containers, etc.

Linda Woehrman, 259 Poinsettia Drive stated that granting the requests for rezoning would open doors for additional lots in the neighborhood to request the same and bring commercial into the neighborhood.

L.T. Smith, 261 Poinsettia Drive reiterated the sentiments of the neighborhood to not approve the requests and stated again how the trucks block Short Street.

Ms. Chester added there were two emails received, Ken Thompson, not in favor of the requests. Mr. Tom Klomps, email received by all board members, not in favor of the requests. Emails were added to the record. Chairman Wakstein closed the public portion of the meeting.

Mr. Burke commented the consensus from the public is the warehouse has always been present and commercial. He stated his client purchased as commercial and the intent was to always have them as commercial for use with Alvin's Island. He asked the board to consider the rezoning requests for both parcels.

Mr. Scruggs agreed the warehouse predates some of the current residents and should be rezoned to allow for the use, but did not agree with the undeveloped lot rezoning, should remain as R-1C. Mr. Johns also agreed. Mr. Hodges asked if the use of 285 Poinsettia Drive could always remain as a warehouse to be less intrusive on the neighbors and asked that a fence be required to shield the neighbors from the storage area. Mr. Morehouse asked if restrictions could be associated with the rezoning for the parcel. Ms. Simmons also agreed with the idea of conditions on the request and reiterated the buffering should meet the requirements of the LDC. Ms. Simmons asked if a lesser zoning could be granted. Discussion ensued.

Mr. Cole Davis explained this was a rezoning request and could not be tailor made into a different zoning. Mr. Leonard explained the use of the property was an accessory to the retail store, which was allowed in the commercial zones. He mentioned that a lesser zone, such as CM or CL also allows for an accessory use and would reflect the same on the Future Land Use map and the Comprehensive Plan of Tourist for all CL, CM or CH. Discussion ensued. Staff was given direction to address any nuisance or code violations that may be present on the property.

Mr. Hodges made a motion to approve a rezoning of CL (Commercial Low Intensity) for parcel located at 285 Poinsettia Drive and denied the rezoning request for parcel located at 283 Poinsettia Drive, it will remain as R-1c (Single Family Residential) and it was seconded by Mr. Scruggs. Ms. Chester was asked to call roll.

Mr. Johns	Yes	Mr. Morehouse	Yes
Mr. Hodges	Yes	Mr. Scruggs	Yes
Ms. Simmons	Yes	Chairman Wakstein	Yes

END Recommended to City Council for consideration.

END

**ITEM NO. 6      Planned Unit Development Master Plan Recommendations - Discussion Continued**

Mr. Leonard explained currently the submitted plan the board reviews is a "bubble plan" with general details for them to decide on the impact and public benefit of the development. Mr. Leonard recommends requiring more specific information, such as transportation impacts and environmental limitations (wetlands, flood zones, protected species, etc.) of a site for the board's consideration. Discussion ensued. Ms. Simmons mentioned if details of the composition of Open Space could be required, the current information is too general. The board agreed with requiring more information for Open Space. Mr. Leonard will bring specific language for Open Space requirements at the next meeting.

Mr. Hodges made a motion to approve the submitted changes to the requirements for Planned Unit Development Master Plan submittals with the addition of composition details for Open Space and it was seconded by Mr. Johns. Ms. Chester was asked to call roll.

### Alvin's Stores Request



Prepared by The  
City of Panama City Beach  
Planning Department

**Alvin's Stores Request**



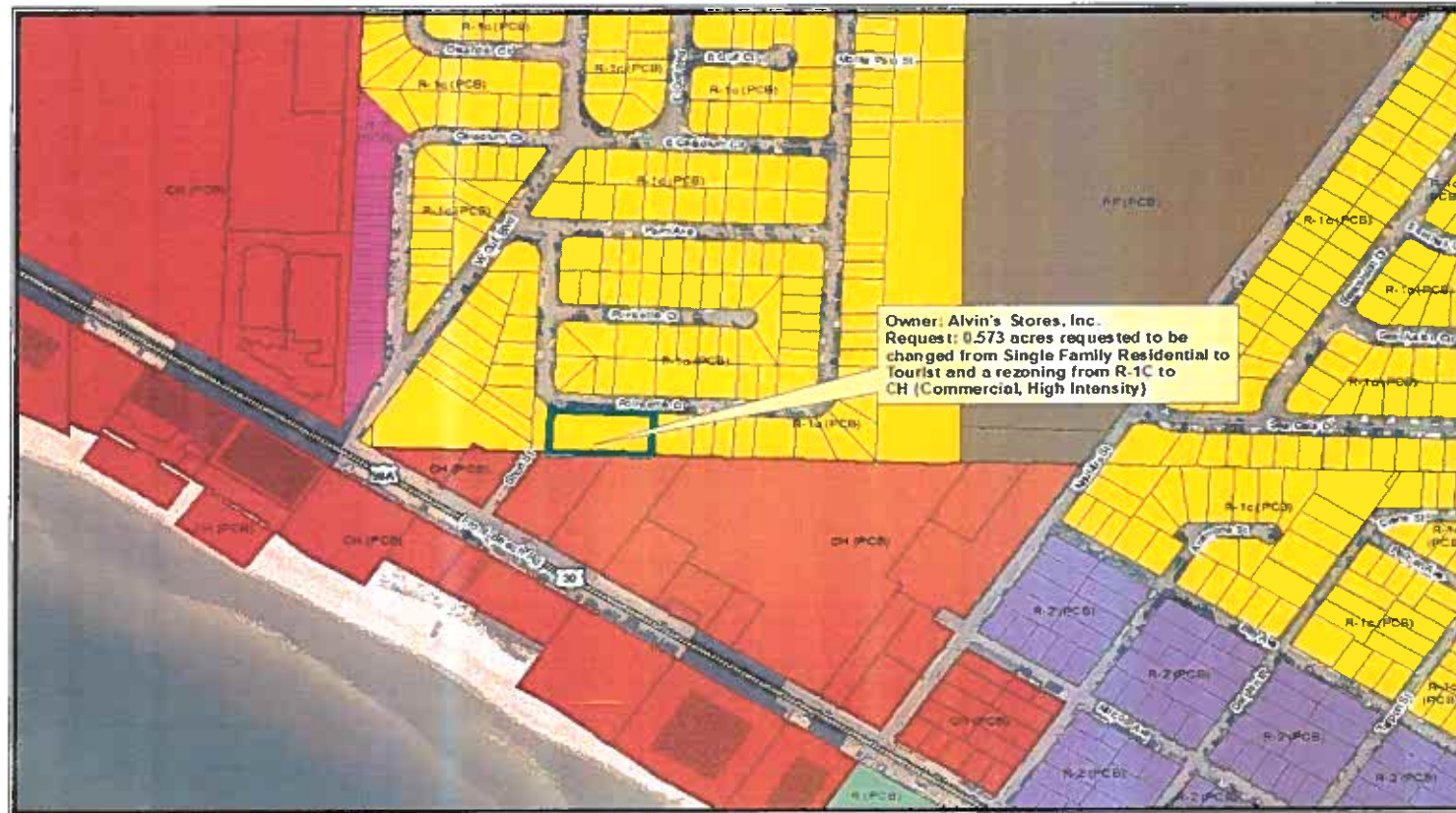
Prepared by The  
City of Panama City Beach  
Planning Department



# Alvin's Stores

- ▶ Future Land Use Map Amendment request from Single Family Residential to Tourist and a Rezoning Request from R-1C (Single Family Residential) to CH (Commercial - High Intensity)

## Alvin's Stores Request



0 100 200 400 600 800 Feet



Prepared by The  
City of Panama City Beach  
Planning Department

**Alvin's Stores Request**



0 100 200 400 600 800 Feet



Prepared by The  
City of Panama City Beach  
Planning Department



## Differences Between CH (Commercial High Intensity) and CL (Commercial Low Intensity)

1. The CH zoning district allows up to 43 more land uses than the CL district;
2. The CL zoning district does not allow any land use that is not already allowed in the CH zoning district;
3. The maximum residential density in the CL zoning district is 3 dwelling units per acre compared to the CH zoning district which allows 45 dwelling units per acre;
4. The maximum floor area ratio in the CL zoning district is 80% compared to the CH zoning district which allows 100%; and,
5. The maximum building height in the CL zoning district is 35' compared to the CH zoning district which allows a maximum height of 65'.



# 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 Toni Brown, who on oath says that (s)he is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy, being a Legal Advertisement #34433489, was published in said newspaper in the issue(s) of

05/24/2021

Affiant further says that 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 the said newspaper.

Signature of Affiant

*Toni Brown*

Sworn to and subscribed before me this

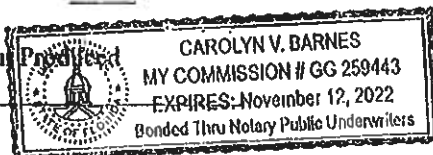
24 day of May 2021  
*Carolyn V. Barnes*  
Signature of Notary Public

Name of Notary typed, printed or stamped

Personally known

or produced identification

Type of Identification



30436NH

### NOTICE OF FUTURE LAND USE AND ZONING CHANGE

The City Council of the City of Panama City Beach will hold a public hearing to consider the following entitled, proposed ordinances for adoption at the regularly scheduled meeting of June 10, 2021.

Adoption of these ordinances may change the actual list of permitted, conditional, or prohibited uses for the property.

ORDINANCE NO.  
1544

AN ORDINANCE AMENDING ORDINANCE 1143, KNOWN AS "THE 2009 AMENDED AND RESTATED PANAMA CITY BEACH COMPREHENSIVE GROWTH DEVELOPMENT PLAN"; ACTING UPON THE APPLICATION OF ALVIN'S STORES INC TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PARCEL OF LAND FROM SINGLE FAMILY RESIDENTIAL TO TOURIST; DESIGNATING FOR TOURIST LAND USE THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH,

FLORIDA, CONSISTING OF APPROXIMATELY 0.573 ACRES; PARCEL ID 33962-000-000; SAID PARCEL LOCATED AT 285 POINSETTIA DRIVE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR TOURIST DESIGNATION FOR THE PARCEL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

AND

ORDINANCE NO.  
1545

AN ORDINANCE REZONING FROM SINGLE FAMILY RESIDENTIAL (R1c) TO COMMERCIAL LOW INTENSITY (CL) THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONTAINING APPROXIMATELY 0.573 ACRES; LOCATED AT 285 POINSETTIA DRIVE, PARCEL ID 33962-000-000, ALL AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE

ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

A public hearing on the ordinances will be held on June 10, 2021, at 6:00 p.m. or as soon thereafter as may be heard, at the City Council's regular meeting at City Hall located at 17007 Panama City Beach Parkway. All interested persons are encouraged to attend and be heard. During the public hearing, the ordinances will be presented to the City Council for adoption. The ordinances may be adopted during or following the public hearing.

The public is invited to review the proposals at City Hall between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday. Public comment will be received either verbally or in written form. Anyone not appearing in person may submit written comments to the City Manager at 17007 Panama City Beach Parkway, Panama City Beach FL 32407, any time prior to the stated meeting time. All comments received will be consid-

# The News Herald

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Signature of Affiant

Toni Brown

Sworn to and subscribed before me this

24 day of May, 2021

Carolyn V. Barnes  
Signature of Notary Public

Name of Notary typed, printed or stamped

Personally known

or produced identification \_\_\_\_\_

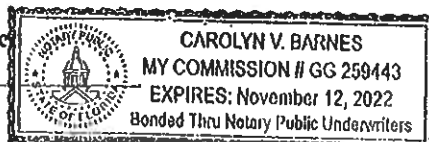
Type of Identification Produced \_\_\_\_\_

ered before final action is taken.

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 to be based.

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, or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or (800) 955-8771 (TDD).

CITY OF PANAMA  
CITY BEACH, FLORIDA  
5/24/2021  
30436NH



# **REGULAR AGENDA**

## **ITEM #2**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Mel Leonard, Building & Planning

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Open a public hearing and consider second reading of the Ordinance rezoning property.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:** Economic Development

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

Alvin's Stores, Inc. is requesting a rezoning of 0.573 acres located at 285 Poinsettia Drive. The request also consists of a rezoning request from R-1C (Single Family Residential) to CH (Commercial - High Intensity). The Planning Board considered the request at a properly advertised public hearing on December 9, 2020. After considering the applicant's presentation, comments from the public and the data and analysis report from City staff, the Planning Board voted (6 - 0) to recommend a lesser zoning of CL (Commercial- Low Intensity).

The attached ordinance specifically addresses the rezoning of property located at 285 Poinsettia Drive.

The Planning Board's recommendation is not binding on the Council. The City Council may approve or deny the Ordinance. The City's decision to approve or deny must be made based on a determination of whether the requested change is consistent with the currently applicable Comprehensive Growth Development Plan and will reasonably accomplish a legitimate public purpose.



## ***CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY***

[Ordinance 1545.2nd Reading.pdf](#)

[Alvins Planning Board Order Staff Report Application.pdf](#)

[Alvins Planning Board Minutes.pdf](#)

[Alvins Rezoning Request 285 poinsettia zoning.jpg](#)

[Alvins Rezoning Request 285 poinsettia.jpg](#)

[alvins rezoning and plan amendment 285 Poinsettia Drive.pdf](#)

[Aff 30436NH.PDF](#)

ORDINANCE NO 1545

AN ORDINANCE REZONING FROM SINGLE FAMILY RESIDENTIAL (R1c) TO COMMERCIAL LOW INTENSITY (CL) THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONTAINING APPROXIMATELY 0.573 ACRES; LOCATED AT 285 POINSETTIA DRIVE, PARCEL ID 33962-000-000, ALL AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

WHEREAS, Alvin's Stores Inc, the owner of real property designated herein, has initiated this ordinance by filing a petition praying that said real property, being more particularly described below be rezoned from Single Family Residential (R1c) to Commercial High Intensity (CH); and

WHEREAS, this ordinance changes only the zoning map designation of the real property described herein; and

WHEREAS, the Panama City Beach Planning Board reviewed the land use request, conducted a public hearing on December 9, 2020, and recommended denial of the request; and

WHEREAS, on May 13, 2021, the City Council approved the Planning Board's recommendation that the parcel be rezoned to Commercial Light Intensity (CL); and

WHEREAS, after consideration of evidence adduced in a properly advertised public hearing conducted on June \_\_\_\_\_, 2021, the City found the requested change to be consistent with the currently applicable Comprehensive Growth Development Plan and to reasonably accomplish a legitimate public purpose.

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

SECTION 1. The following described parcel of real property situate within the municipal limits of the City of Panama City Beach, Florida, is rezoned from Single Family Residential (R1c) to Commercial Low Intensity (CL), to wit,

LOTS 2 THROUGH 6, BLOCK K, OPEN SANDS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 67, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

and the City's Zoning Map is amended accordingly.

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

SECTION 3. This ordinance shall take effect immediately upon passage, and the land use changes approved herein shall take effect upon, and only upon, adoption by the City Council of Ordinance 1544 adopting a comprehensive plan amendment respecting the lands which are the subject of this ordinance, and that comprehensive plan amendment subsequently becoming effective as provided by law.

PASSED, APPROVED and ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mark Sheldon, Mayor

ATTEST:

\_\_\_\_\_  
Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mark Sheldon, Mayor

PUBLISHED in the Panama City News-Herald on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

POSTED on pcbgov.com on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Lynne Fasone, City Clerk



# MEMORANDUM

**TO:** Amy Myers, City Attorney

**FROM:** Mel Leonard, Director  
Building and Planning Department

**DATE:** December 16, 2020

**RE:** Alvin's Stores, Inc. is requesting a rezoning from Single Family Residential (R-1c) to Commercial High Intensity (CH) for approximately .573 acres and .229 acres. A Small-Scale Plan Amendment from Single Family Residential to Tourist is also requested. Parcel Numbers 33962-000-00 and 33963-000-000.

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Alvin's Stores Inc. requested a rezoning and a plan amendment for the above referenced properties. The Planning Board considered the requests at a properly advertised public hearing on December 9, 2020.

After considering the applicant's presentation, comments from the public, and the data analysis report from City staff, the Planning Board voted (6-0) to recommend a lesser zoning of **CL (Commercial Low Intensity) for 285 Poinsettia Drive and a Denial of the request for 283 Poinsettia Drive, recommending it remain R-1c (Single Family Residential).**

**REZONING TRANSMITTAL SHEET**  
**City of Panama City Beach**

**TO:** Amy Myers, City Attorney

**DATE:** December 16, 2020

---

- (1) **Name of Applicant:** Alvin's Stores Inc.
- (2) **Request:** A rezoning from Single Family Residential (R-1c) to Commercial High Intensity (CH), Small-Scale Amendment to change the Future Land Use Map Designation from Single Family Residential to Tourist for approximately .573 acres located at 285 Poinsettia Drive and for approximately .229 acres located at 283 Poinsettia Drive.
- Zoning:** Single Family Residential (R-1c) to Commercial High Intensity (CH)
- (3) **Planning Board Action Date:** December 9, 2020
- (4) **Council Action Date:** TBA  
**Restrictions or Special Conditions:** N/A
- (5) **Applicant to pay costs and fees:** Yes   X   No
- (6) **Legal Description to be copied from:** Survey to be provided.  
 (Deed, Survey, etc., please indicate.)
- (7) **Name and Address of Property Owner according to most recent ad valorem tax records:** Please see attached legal description.

## **PLANNING BOARD OF THE CITY OF PANAMA CITY BEACH**

**IN RE: Request for a Small-Scale Plan Amendment to change the Future Land Use Map from Single Family Residential to Tourist, a Rezoning from R-1c to CH for 285 Poinsettia Dr. Parcel Id# 33962-000-000 (.573 acres) and 283 Poinsettia Dr. Parcel Id# 33963-000-000 (.229 acres)**

**Submitted by: Alvin's Stores Inc.**

---

### **ORDER**

**THE PLANNING BOARD OF THE CITY OF PANAMA CITY BEACH, having received testimony and reviewed the exhibits produced at the Quasi-Judicial/Legislative Hearing held on this matter on December 9, 2020 for a Small-Scale Plan Amendment to change the Future Land Use Map from, Single Family Residential to Tourist, a Rezoning from R-1c to CH, makes the following Findings of Fact and Conclusions of Law.**

#### **FINDINGS OF FACT**

1. Planning Department Staff delivered information to the Planning Board that recommended approval of 285 Poinsettia Dr. but recommended denial of 283 Poinsettia Dr.
2. The Planning Board listened to the applicant's request and recommended approval of the Small-Scale Plan Amendment to change the Future Land Use Map from Single Family Residential to Tourist and a Rezoning from R-1c to CL rather than the requested CH for 285 Poinsettia Dr. Parcel Id# 33962-000-000 with a 6-0 decision.

The Planning Board listened to the applicant's request and recommended denial of the Small-Scale Plan Amendment to change the Future Land Use Map from Single Family Residential to Tourist and a Rezoning from R-1c to CH for 283 Poinsettia Dr. Parcel Id# 33963-000-000 with a 6-0 decision.

**CONCLUSIONS OF LAW**

- 3. Pursuant to Section 166.041(3)(c), Florida Statutes and Sections 8.03.03(A) and (C), 10.04.03, 10.04.04 and 10.07.02 of the City’s Land Development Code, the Planning Board has jurisdiction to conduct a quasi-judicial /Legislative hearing on these matters and make a recommendation to the City Council on whether the request should be granted by adoption of ordinances.
  
- 4. The request is consistent with the City’s Comprehensive Plan.

**THEREFORE, IT IS ORDERED AND ADJUDGED** that the subject rezoning / Small Scale amendment for Parcel Id# 33962-000-000 is hereby recommended for **APPROVAL** and accordingly, the associated Ordinance should be **ADOPTED**. In addition, the subject rezoning / Small Scale amendment for Parcel Id# 33963-000-000 is hereby recommended for **DENIAL**.

If any part of this Order is deemed invalid or unlawful, the invalid or unlawful part shall be severed from this Order and the remaining parts shall continue to have full force and effect.

DONE this 16 day of December, 2020.

**Josh Wakstein, Chairman**

**JOSH WAKSTEIN, CHAIRMAN**

ATTEST:

  
\_\_\_\_\_

**CHARLES SILKY, SENIOR PLANNER**

**Signature:**   
Josh Wakstein, Chairman (Dec 16, 2020 17:07 CST)  
**Email:** [jwakstein@pcb.gov](mailto:jwakstein@pcb.gov)

## **DATA AND ANALYSIS**

- I. APPLICANT:** Alvin's Stores Inc.
- II. PROJECT LOCATION:** 285 Poinsettia Dr. Parcel Id# 33962-000-000 (.573 acres) and 283 Poinsettia Dr. Parcel Id# 33963-000-000 (.229 acres).
- III. REQUEST:** This request is for a Small Scale Plan Amendment and Rezoning. The applicant is requesting a Future Land Use Map change from Single Family Residential Future Land Use designation to Tourist and a Rezoning from R-1c to CH for the subject parcels.
- IV. REASON FOR REQUEST:** The owners were unaware the property was rezoned and are now seeking to have that corrected to match the historic use of the property since 1979 as a warehouse.
- VI. SITE EVALUATION:**
- A. IMPACT ON PUBLIC FACILITIES:**
1. Transportation Facilities:

The western most parcel has and is expected to continue to be used as a warehouse with traffic generation levels to remain the same. If the site were redeveloped, a Development Order with an accompanying traffic study will be required.
  2. Sewer:

The City wastewater treatment plant (WWTP) provides Advanced Wastewater Treatment (AWT) quality effluent, with an accompanying wetlands effluent discharge system in a 2,900-acre facility containing 2,000 acres of receiving wetlands. Currently, the operating permit allows 14 mgd maximum monthly average (10 mgd annual average) treatment and disposal capacity. Monthly average plant flows for January 1, 2019 through December 31, 2019 ranged from 4.4 mgd to 10.3 mgd on a monthly average. In addition, the City's reclaimed water system has been in operation since 2006 and provided between 1.5 and 3.3 mgd of irrigation

water per month in the last fiscal year, depending on the time of year and demands, to residential and commercial areas of the City.

Based on previous historic growth rates of wastewater generation, it is anticipated that there will be a 4% yearly growth in wastewater generation within the City's service area (from the Hathaway Bridge to the West Bay Bridge to the Phillips Inlet Bridge). Accordingly, the City has planned for facilities to be upgraded to coincide with the increased demand.

### 3. Potable Water:

The City has a franchise from Bay County authorizing the City to provide water service to the incorporated City limits and unincorporated Bay County west of St Andrew Bay, and south of West Bay and the contiguous Intracoastal Waterway. The City utility system also purchases 100% of its potable water from Bay County via contract. The term of the agreement is through 2042 and states that 26.4 million gallons per day (mgd) will be available to the City in 2011 with best efforts by the County to be able to provide increasing amounts each year up to 33.79 mgd in 2020. The City receives the treated County water via two delivery points at bridges crossing St. Andrew Bay and West Bay. That water is stored and re-pumped on demand to meet the City's water needs. The City's current available pumping and transmission capacity is approximately 37.8 mgd. The contract with the County has been designed to increase capacity by approximately 4% per year in order to continue to have capacity available for growth. Additionally, the City has two (2) - 7 million gallon storage tanks at its West Bay storage and pumping facility, and 2, 4 and 5 million gallon storage tanks at its McElvey Road storage and pumping facility near the St. Andrew Bay delivery point, which gives the City an additional 25 million gallons of working reserve for peak season and fire flow demand.

Daily water demand for January 1, 2018 through December 31, 2019 ranged from 9.2 mgd to 15.7 mgd on a monthly average, with an annual average of 12.1 mgd. The maximum single-day demand was 18.5 mgd. The County's projected available capacity to supply potable water to the City in 2019 was to be 28.4 mgd, which leaves an excess monthly average capacity ranging from 19.2 mgd to 12.7 mgd with an annual average excess of 16.3 mgd. The excess on the single-day maximum is expected to be 10.8 mgd.

The City has also implemented a reclaimed water system that makes highly treated effluent from the wastewater system available for irrigation to new subdivisions and commercial developments. With the implementation of this reclaim system, it is estimated that the 20% of total potable water



consumption previously used by similar developments will be replaced by reclaimed water in these new subdivisions.

**B. SITE SUITABILITY:**

1. Wetlands: According to information supplied by Bay County GIS there are no wetlands located on the subject site.
2. Plant and Wildlife Resources: Information regarding natural resources is based on information from the Florida Natural Areas Inventory "FNAI", which is a non-profit organization administered by The Florida State University. This group is involved in gathering, interpreting, and disseminating information critical to the conservation of Florida's biological diversity.

According to information supplied by FNAI, there are no threatened or endangered species located on the subject site.

3. Flood Zones:

According to information supplied by FEMA, the site is located in Flood Zone X<sub>1</sub>, which is defined as an area determined to be located outside of the 100 and 500-year floodplains.

**C. COMPATABILITY WITH SURROUNDING LAND USES:**

Compatibility is generally defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

The current use of the site as a warehouse is generally considered an incompatible use without the implementation of lighting controls and buffering.

**CONCLUSION:**

It appears one of the subject parcels, the western most parcel; Id# 33962-000-000 was rezoned from commercial to residential sometime after 1988. However, staff has concluded that the eastern most parcel, Id# 33963-000-000 has always been Residential. See the attached zoning maps from 1977, 1988 and 2020 with delineated boundaries.

Staff proposes the Planning Board recommend the requested Future Land Use Map change of the westernmost parcel, Id# 33962-000-000 from Single Family Residential Future Land Use designation to Tourist and a Rezoning from R-1c to CH. In addition, there is no evidence or compelling reason to support the requested change and rezoning of the eastern most parcel, Id #33963-000-000, staff recommends denial of this portion of the request.



**CITY OF PANAMA CITY BEACH**  
**Building and Planning Department**  
 116 S. Arnold Road, Panama City Beach, FL 32413  
 850-233-5054, ext. 2313 Fax: 850-233-5049  
 Email: [achester@pcb.gov](mailto:achester@pcb.gov)

**REQUEST FOR ZONING or REZONING – Section 10.02.10**

**Applicant:** Alvin's Stores Inc  
 Name(s): \_\_\_\_\_  
 Address: 10800 NW 106th St Suite #6  
 City: Medley State: FL Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: drorlevy@marcodestin.net

Name of Acting Agent: Burke & Blue  
 Statement acknowledged before a notary public authorizing the representative to act on behalf of the property owner with regard to the application and associated procedures. Attached to the application.

Parcel Number of Property for Zoning or Rezoning: 33962-000-000 & 33963-000-000  
 (Information from Property Appraiser's Office)

Address/Location of Property for Zoning or Rezoning: 285 Poinsettia Dr & 283 Poinsettia Dr

Please provide a survey obtained no more than two (2) years prior to the filing of the application, containing legal description, land area and existing improvements located on the site. Please submit a total of ten (10) copies.

Small Scale Amendment: \$1500.00 Large Scale Amendment: \$2100.00 Date Collected \_\_\_\_\_  
 If a plan amendment is necessary, please provide an analysis of the consistency of the proposed amendment with all requirements of the Comprehensive Plan and LDC.

The procedure for review of application is found in Sections 10.02.01 and 10.02.10 of the LDC.

**Basic Submittal Requirements - LDC Section 10.02.02**

Name: Alvin's Stores Inc  
 Address: 10800 NW 106th St Suite #6 Email Address: \_\_\_\_\_  
 City: Medley State: FL Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Date of Preparation: 05/12/2020 Date(s) of any modifications: \_\_\_\_\_

Legal Description: (Consistent with the Required Survey) \_\_\_\_\_

A vicinity map showing the location of the property.


Present Zoning Designation: R-1c Requested Zoning Designation: CH Future Land Use Map: TD

Deed Restrictions or Private Covenants apply to this property:  Yes (Please submit a copy)  No

**Applicant's Signature(s):**

**Dror Levy**

Print Name of Applicant

  
Signature

Date: 10/14/2020

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Signature

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

**FEES:**

Rezoning Application Fee: \$900.00

Small Scale Amendment Fee: \$1500.00

Includes the rezoning fee.

Large Scale Amendment Fee: \$2100.00

Includes the rezoning fee.

Date Collected: \_\_\_\_\_

**CITY OF PANAMA CITY BEACH  
PUBLIC NOTICE OF SMALL-SCALE AMENDMENT AND  
REZONING REQUEST**

The City of Panama City Beach Planning Board will consider the following request:

**APPLICANT:** Alvin Stores, Inc.

**ADDRESS/LOCATION:** 285 Poinsettia Drive & 283 Poinsettia Drive  
Panama City Beach, FL Panama City Beach, FL  
33962-000-000 33963-000-000

This is being requested because, the properties have been used as a warehouse  
for the Alvin's Island store at 14520 Front Beach Road since at least 1979  
and was zoned appropriately until a City initiated zoning change in 2012.

The owners were unaware that the property had been rezoned and are now  
seeking to have that corrected to match the historical use of the property.

**MEETING INFORMATION:**

**Date:** December 9, 2020

**Time:** 1:00 p.m.

**Place:** City Council Meeting Room  
17007 Panama City Beach Parkway  
Panama City Beach

**The applicant for this rezoning request is required by the City of Panama City Beach to send you this letter because, the tax rolls show you own property, in whole or in part, within three hundred (300) feet of the subject property.**

Any questions you may have regarding this request please contact someone at the City of Panama City Beach Building and Planning Department at 850-233-5100, ext. 2313.





8

**Legend**

- PCB\_Parcels
- Major Road
- Minor Road
- Zoning\_PCB**
- Panama City Beach Zoning**
- Commercial - Low Intensity (CL)
- Commercial - Medium Intensity (CM)
- Single Family, High Density Manufactured Home (R-1c T)
- Single Family, Low Density (R-1a)
- Single Family, Medium Density (R-1b)
- Planned Unit Development (PUD)
- Single Family, High Density (R-1c)
- Residential - Zero Lot Line (RO)
- Light Industry (M-1)
- Recreation (R)
- Conservation (C)
- Agricultural and Rural Residential (AR)
- Townhouse (RTH)
- Limited Multi-family (R-2)
- Unlimited Multi-family (R-3)
- Commercial - High Intensity (CH)
- Public Facilities (PF)



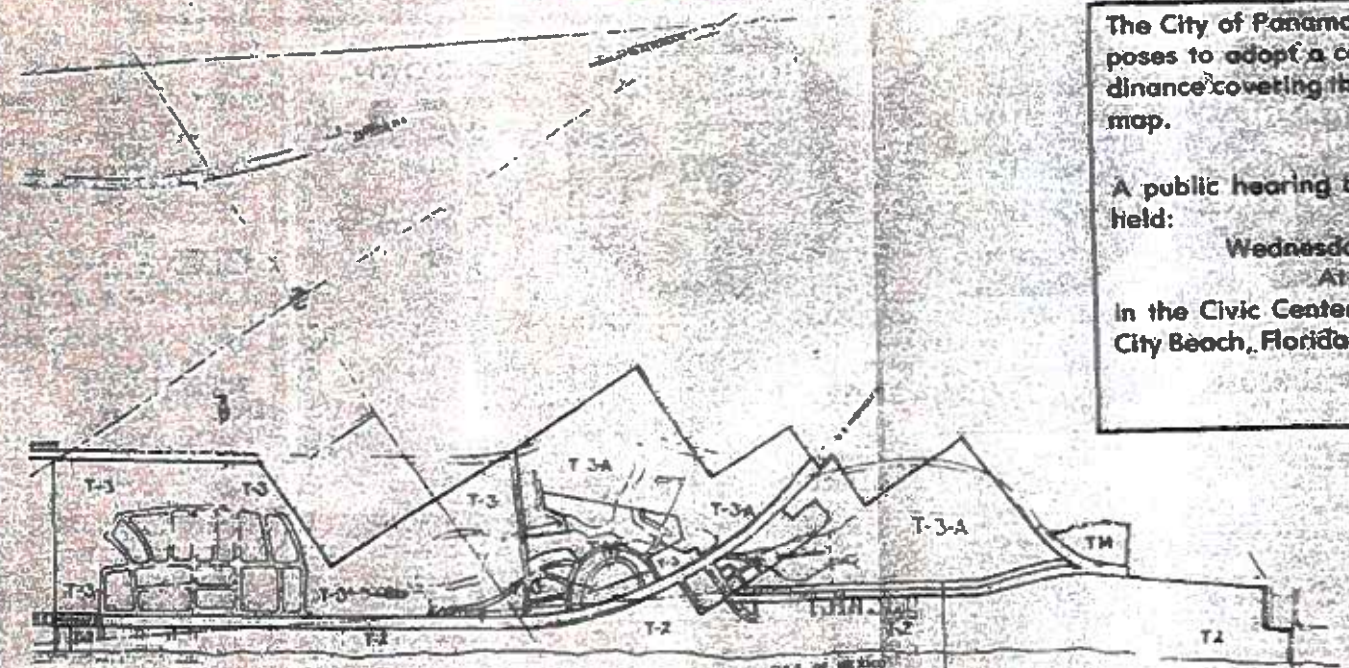
Prepared by The  
City of Panama City Beach  
Planning Department

2020





**CENTER SECTION**



**EAST SECTION**

The City of Panama City Beach, Florida proposes to adopt a comprehensive zoning ordinance covering the land area shown in this map.

A public hearing on the ordinance will be held:

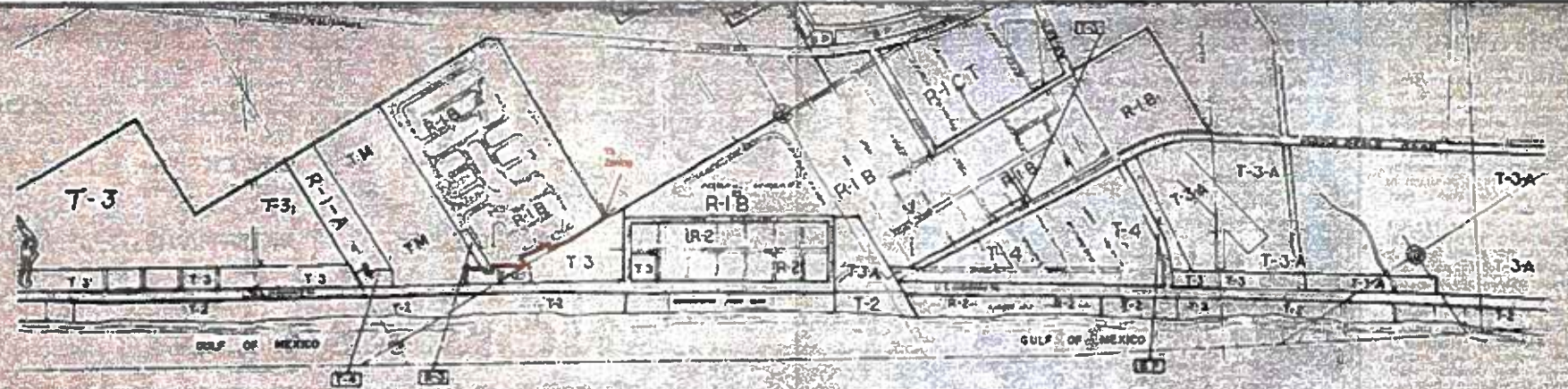
Wednesday April 27, 1977,  
At 5:05 P.M.

In the Civic Center Counsel Room, Panama City Beach, Florida.

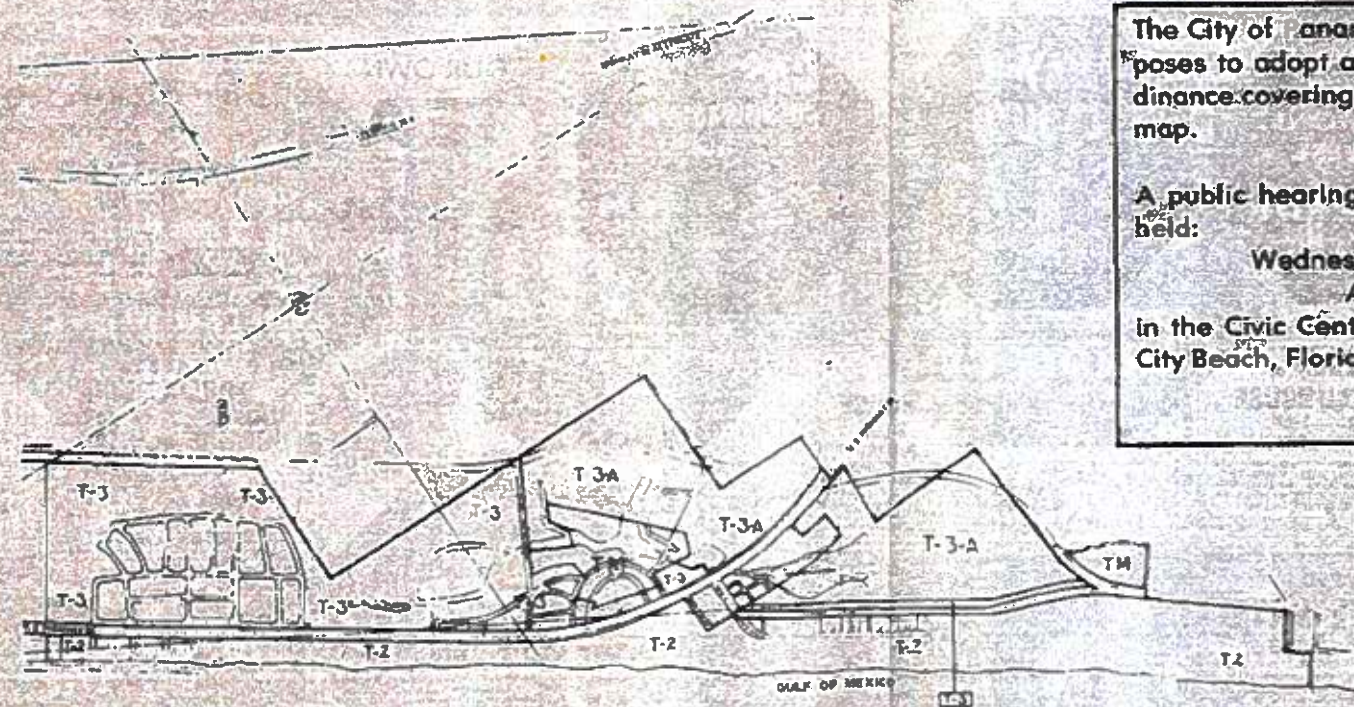
Roy Kingsmill  
City Clerk

7





## CENTER SECTION



## EAST SECTION

The City of Panama City Beach, Florida proposes to adopt a comprehensive zoning ordinance covering the land area shown in this map.

A public hearing on the ordinance will be held:

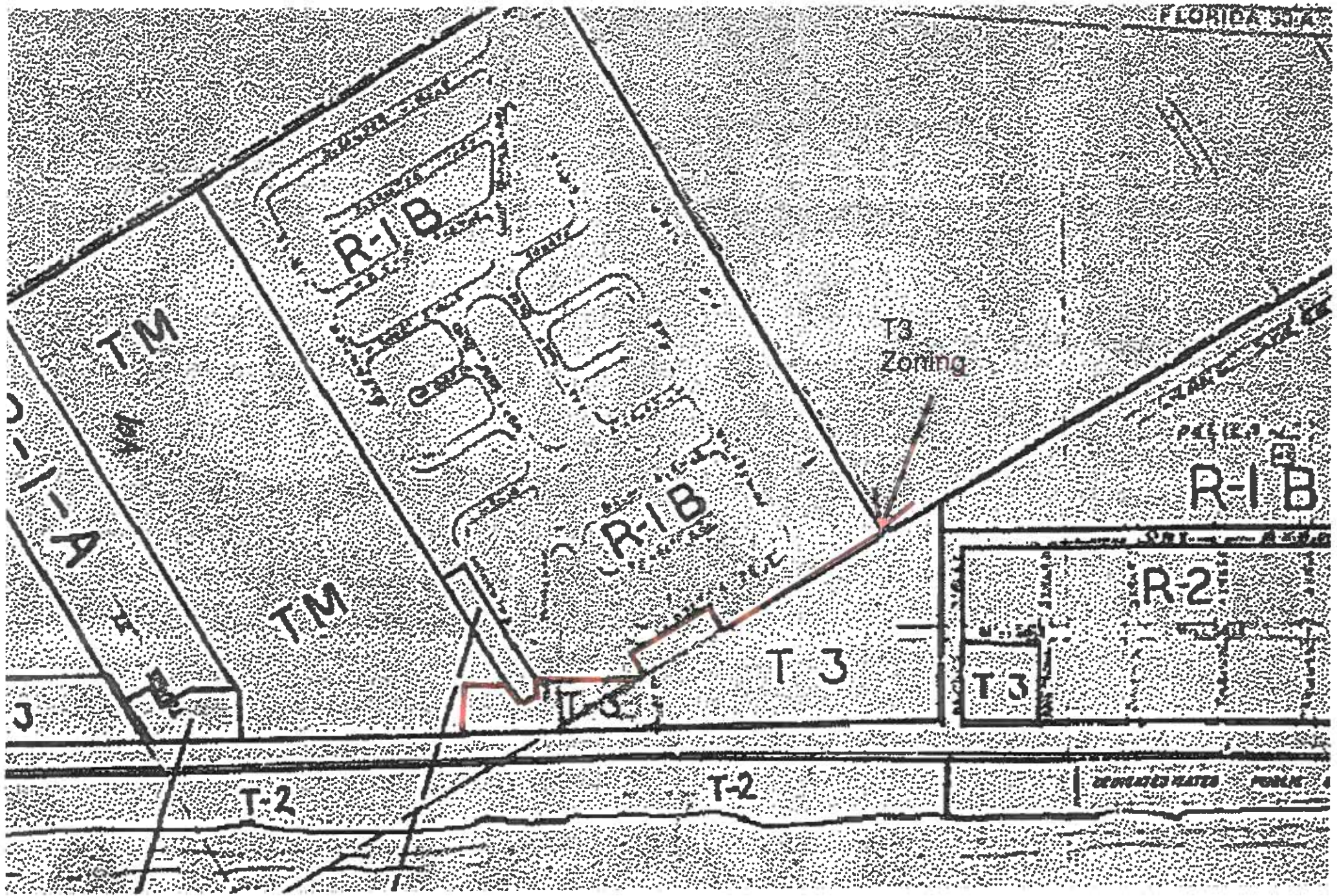
Wednesday April 27, 1977,  
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Roy Kingsmill  
City Clerk

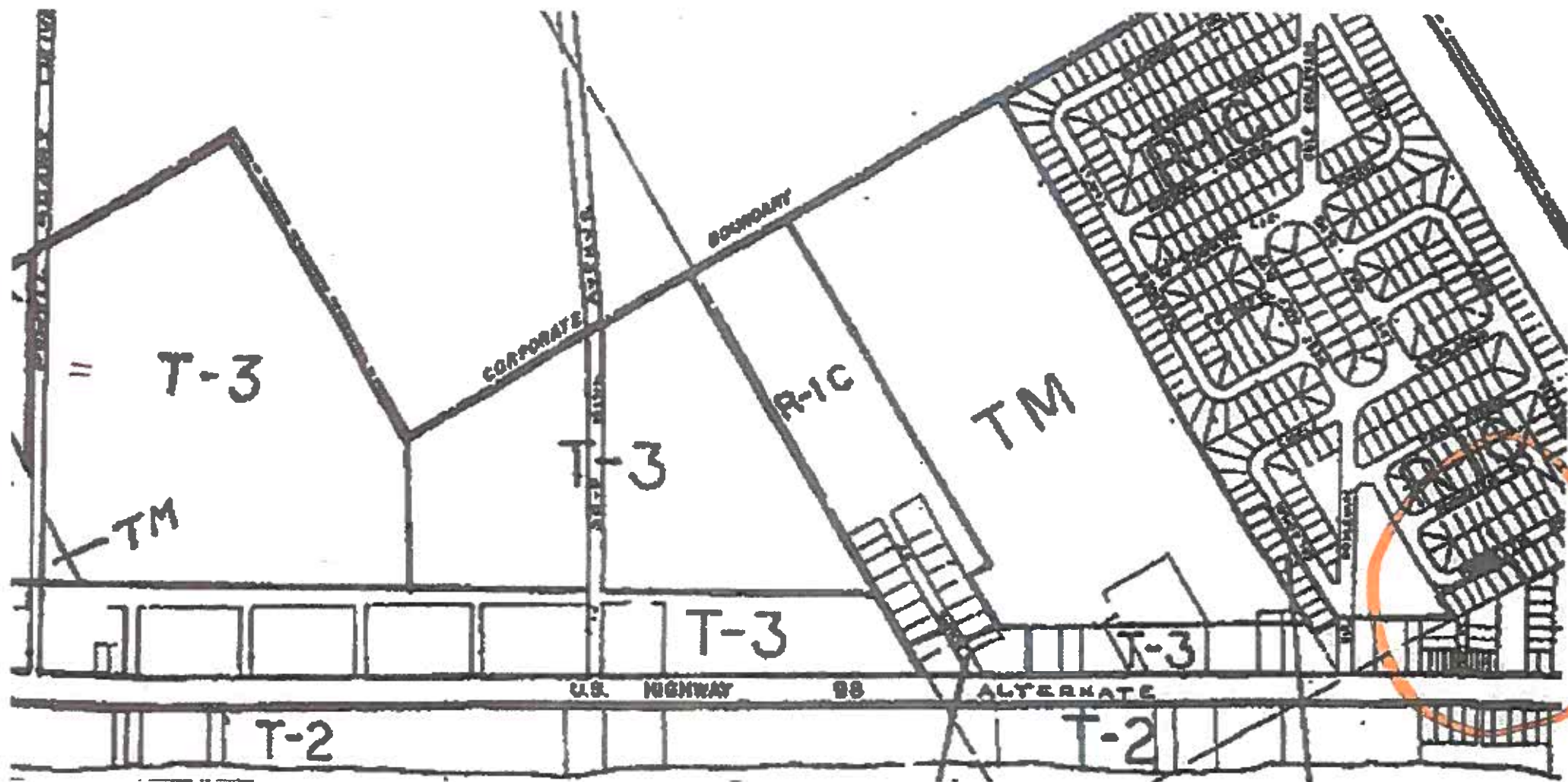
10



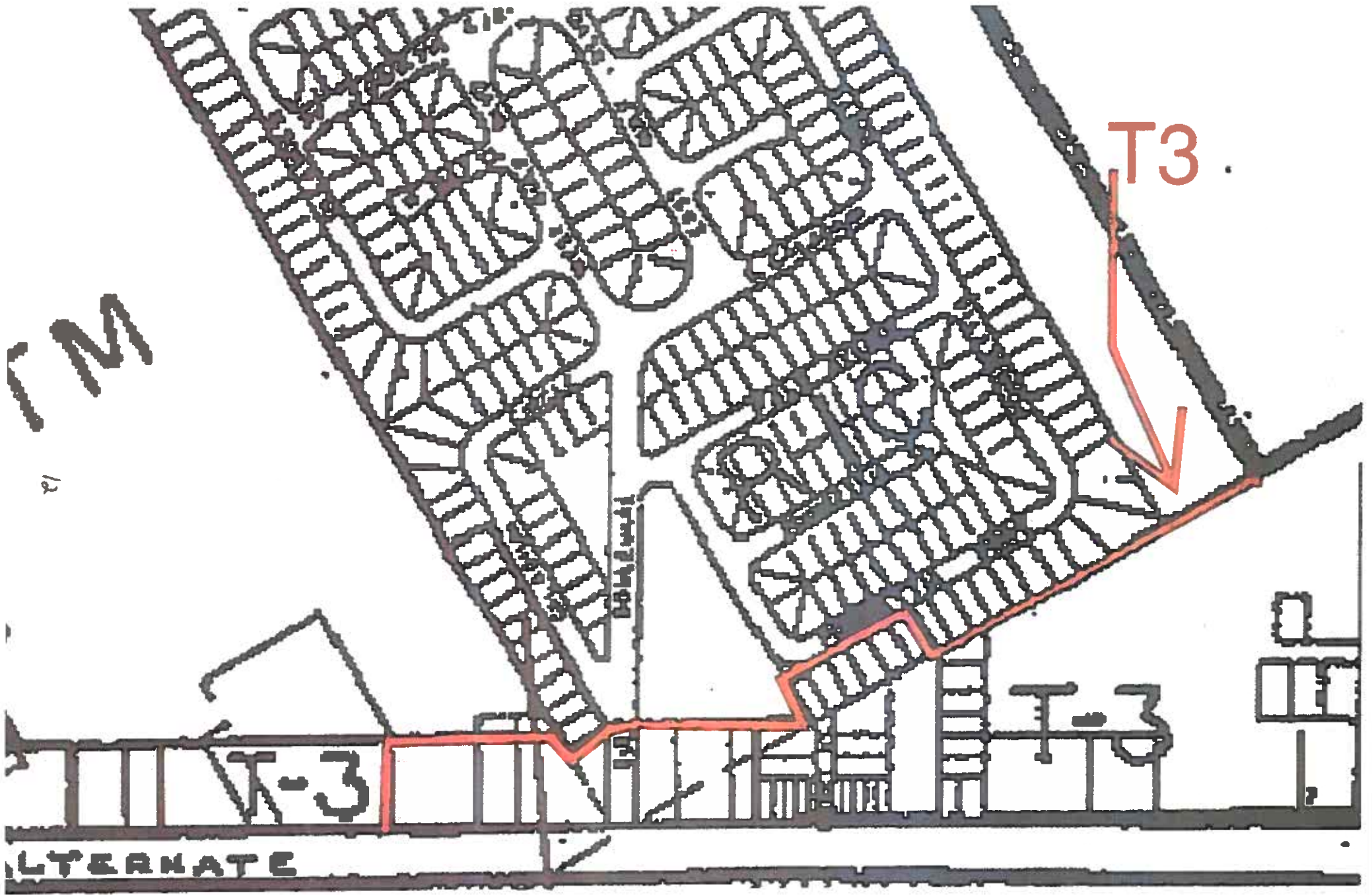


1977





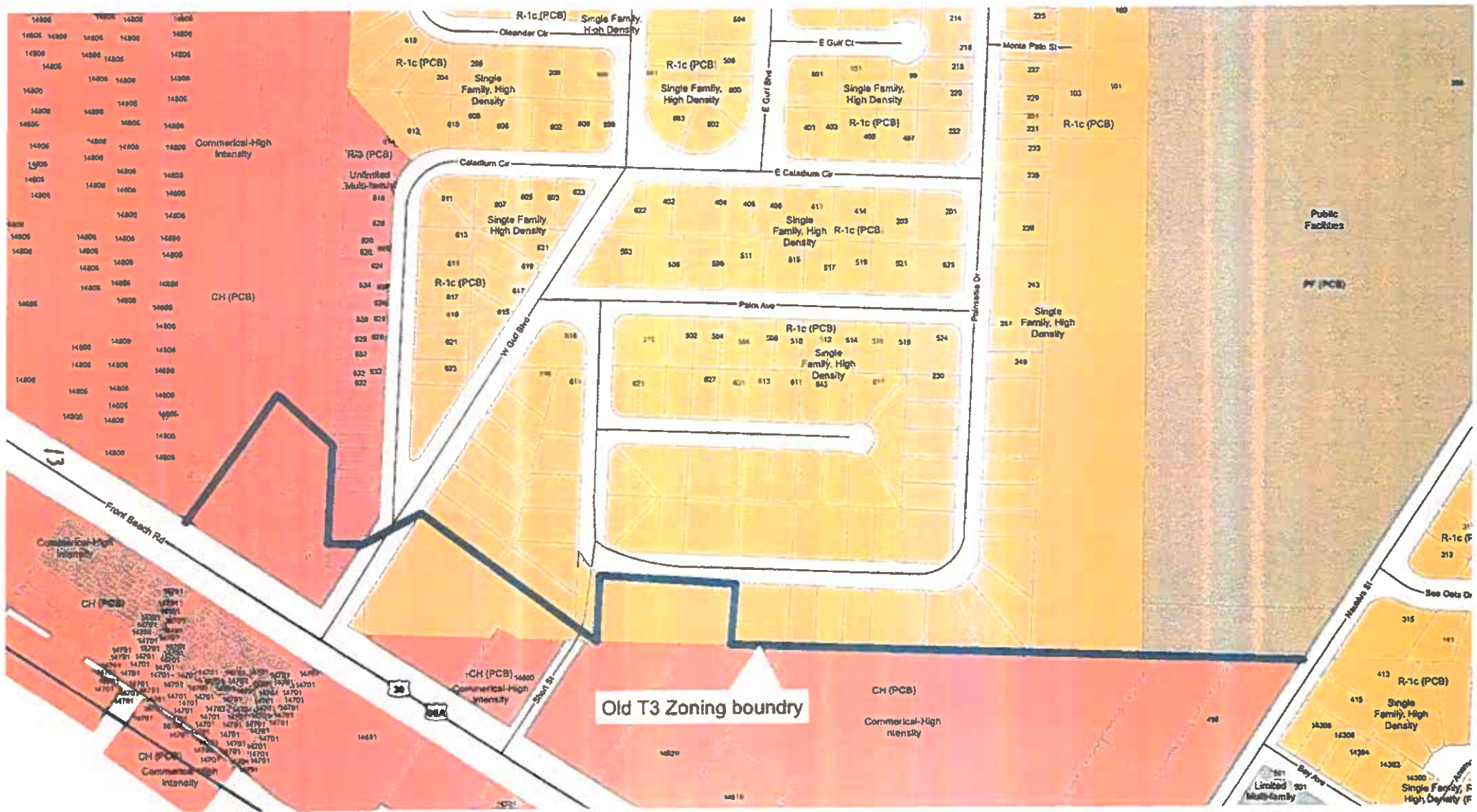




ALTERNATE

1988

↑  
N



2020



**NOTICE OF PUBLIC HEARING TO CONSIDER  
SMALL-SCALE FUTURE LAND USE MAP AMENDMENT  
AND A REZONING REQUEST**

Notice is hereby given by the Planning Board of the City of Panama City Beach, Florida, that, having received an application from Alvin's Stores, Inc., it intends to consider a Small-Scale Future Land Use Map Amendment to Tourist and a Rezoning designation of CH (Commercial High Intensity), for properties located at 285 Poinsettia Drive and 283 Poinsettia Drive. The Planning Board will hold a public hearing to consider the request at the Board's regular meeting to be conducted at 1:00 P.M. on December 9, 2020 at City Hall Annex, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413. A copy of the proposed request may be inspected at the office of the City Clerk at City Hall.

Further information on this item may be obtained from Andrea Chester or Charles Silky by calling 850-233-5100. All interested persons are invited to attend and present information for the City Council's consideration. Anyone not appearing in person may submit written comments to the City Clerk at any time prior to the stated meeting time at City Hall or by email to [achester@pcb.gov](mailto:achester@pcb.gov). The meeting will also be live-streamed on the City website [www.pcb.gov](http://www.pcb.gov).

An appeal of the Planning Board's decision may be made to the City Council. If a person decides to appeal any decision made by the Planning Board with respect to any matter considered, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation to participate in this proceeding because of a disability or physical impairment should contact Andrea Chester, at Building and Planning Department, 116 South Arnold Road, Panama City Beach, Florida, 32413 or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or (800) 955-8771 (TDD).

**CITY OF PANAMA CITY BEACH, FL  
BY: TONY O'ROURKE, CITY MANAGER**

**CITY OF PANAMA CITY BEACH  
PLANNING BOARD MEETING MINUTES  
December 9, 2020  
MINUTES TO THE REGULAR MEETING**

The meeting was called to order by Chairman Wakstein at 1:00 p.m. and Ms. Chester was asked to call the roll. Members present were Mr. Scruggs, Mr. Johns, Mr. Hodges (arrived late) Mr. Morehouse, Ms. Simmons, and Chairman Wakstein. Member absent was Mr. Caron.

**Mr. Scruggs led the Pledge of Allegiance.**

**ITEM NO. 3 Approval of the October 14, 2020 Planning Board Meeting Minutes**

Chairman Wakstein asked if there were any comments or corrections to the meeting minutes. A motion was made by Mr. Scruggs to approve the meeting minutes and it was seconded by Mr. Johns. Ms. Chester was asked to call roll.

Mr. Johns	Yes	Mr. Scruggs	Yes
Ms. Simmons	Yes	Chairman Wakstein	Yes
Mr. Morehouse	Yes		

**ITEM NO. 4 Public Comments – Non-Agenda Items - No public comment.**

**ITEM NO. 5 Alvin's Stores Inc. is requesting approval for a Small-Scale Plan Amendment and Rezoning Requests for a Future Land Use Map change from Single Family Residential to a Future Land Use designation to Tourist and a Rezoning from R-1c (Single Family Residential) to CH (Commercial High Intensity) for two parcels. The parcels are located at 285 Poinsettia Drive, approximately .573 acres and 283 Poinsettia Drive, approximately .229 acres.**

Chairman Wakstein introduced the item and verified all the requirements of the application had been met. Ms. Chester was asked to call for the Jennings Act. Mr. Johns visited the property. Mr. Hodges, nothing to disclose. Ms. Simmons visited the property. Mr. Morehouse, nothing to disclose. Mr. Scruggs, nothing to disclose. Chairman Wakstein received email from Mr. Klomps and had visited the property.

Mr. Mike Burke, 16215 Panama City Beach Parkway, representative for Alvin's Island, Inc. Mr. Burke explained the history of these two parcels and the use of the one property has been a warehouse since 1979 as property records reflect. He explained his client was not aware of the rezoning to the property from the City and they were asking for the original zoning to be granted. Mr. Johns asked if there were any plans for the vacant lot at this time, Mr. Burke replied he was not aware of any other than a possible expansion of the retail space.

Chairman Wakstein asked for a staff report. Mr. Silky commented the rezoning from commercial to residential occurred sometime after 1988 for the parcel located at 285 Poinsettia Drive, but that the parcel located at 283 Poinsettia Drive has always been zoned residential. Mr. Silky commented all the maps reflecting this information is part of the staff report in the record and that staff supports the rezoning request for 285 Poinsettia Drive to commercial, but objects to the rezoning request for 283 Poinsettia Drive. Chairman Wakstein opened the meeting up for public comment.

Paul Turner, 407 Oleander Circle commented the neighbors had been fighting the commercial uses from entering the neighborhood for a long time. He stated the allowable uses in Commercial High Intensity zones would be detrimental and have a negative impact on everyone. Mr. Turner commented he understood and supported the request for 285 Poinsettia Drive where the warehouse was currently located.

Bobby Seay, 611 Poinsettia Court commented he was not opposed to the lot where the warehouse was located being rezoned as requested but did oppose the request for the vacant lot. Mr. Seay commented this would have a negative impact on the neighborhood.

Kurt Anderson, 217 Poinsettia Drive stated to allow commercial encroachment into the neighborhood would impact all Open Sands.

Tom Pickrell, 270 Poinsettia Drive commented he supported the request to rezone where the warehouse is currently located but did not support the vacant zoned single-family parcel. Mr. Pickrell stated the neighborhood currently endures large trucks in the neighborhood and this would only further the commercial encroachment into Open Sands.

Joyce Wolf, 242 Poinsettia Drive commented she was new to the neighborhood and appreciated businesses, but not the rezoning requests for the two parcels.

Larry Baxter, 238 Poinsettia Drive explained currently there are trucks that block Short Street and requested there be a fence be placed around the warehouse lot to limit the view of all the containers, etc.

Linda Woehrman, 259 Poinsettia Drive stated that granting the requests for rezoning would open doors for additional lots in the neighborhood to request the same and bring commercial into the neighborhood.

L.T. Smith, 261 Poinsettia Drive reiterated the sentiments of the neighborhood to not approve the requests and stated again how the trucks block Short Street.

Ms. Chester added there were two emails received, Ken Thompson, not in favor of the requests. Mr. Tom Klomps, email received by all board members, not in favor of the requests. Emails were added to the record. Chairman Wakstein closed the public portion of the meeting.

Mr. Burke commented the consensus from the public is the warehouse has always been present and commercial. He stated his client purchased as commercial and the intent was to always have them as commercial for use with Alvin's Island. He asked the board to consider the rezoning requests for both parcels.

Mr. Scruggs agreed the warehouse predates some of the current residents and should be rezoned to allow for the use, but did not agree with the undeveloped lot rezoning, should remain as R-1C. Mr. Johns also agreed. Mr. Hodges asked if the use of 285 Poinsettia Drive could always remain as a warehouse to be less intrusive on the neighbors and asked that a fence be required to shield the neighbors from the storage area. Mr. Morehouse asked if restrictions could be associated with the rezoning for the parcel. Ms. Simmons also agreed with the idea of conditions on the request and reiterated the buffering should meet the requirements of the LDC. Ms. Simmons asked if a lesser zoning could be granted. Discussion ensued.

Mr. Cole Davis explained this was a rezoning request and could not be tailor made into a different zoning. Mr. Leonard explained the use of the property was an accessory to the retail store, which was allowed in the commercial zones. He mentioned that a lesser zone, such as CM or CL also allows for an accessory use and would reflect the same on the Future Land Use map and the Comprehensive Plan of Tourist for all CL, CM or CH. Discussion ensued. Staff was given direction to address any nuisance or code violations that may be present on the property.

Mr. Hodges made a motion to approve a rezoning of CL (Commercial Low Intensity) for parcel located at 285 Poinsettia Drive and denied the rezoning request for parcel located at 283 Poinsettia Drive, it will remain as R-1c (Single Family Residential) and it was seconded by Mr. Scruggs. Ms. Chester was asked to call roll.

Mr. Johns	Yes	Mr. Morehouse	Yes
Mr. Hodges	Yes	Mr. Scruggs	Yes
Ms. Simmons	Yes	Chairman Wakstein	Yes

END Recommended to City Council for consideration.

END

**ITEM NO. 6** **Planned Unit Development Master Plan Recommendations - Discussion Continued**

Mr. Leonard explained currently the submitted plan the board reviews is a "bubble plan" with general details for them to decide on the impact and public benefit of the development. Mr. Leonard recommends requiring more specific information, such as transportation impacts and environmental limitations (wetlands, flood zones, protected species, etc.) of a site for the board's consideration. Discussion ensued. Ms. Simmons mentioned if details of the composition of Open Space could be required, the current information is too general. The board agreed with requiring more information for Open Space. Mr. Leonard will bring specific language for Open Space requirements at the next meeting.

Mr. Hodges made a motion to approve the submitted changes to the requirements for Planned Unit Development Master Plan submittals with the addition of composition details for Open Space and it was seconded by Mr. Johns. Ms. Chester was asked to call roll.



**Alvin's Stores Request**



Prepared by The  
City of Panama City Beach  
Planning Department

**Alvin's Stores Request**

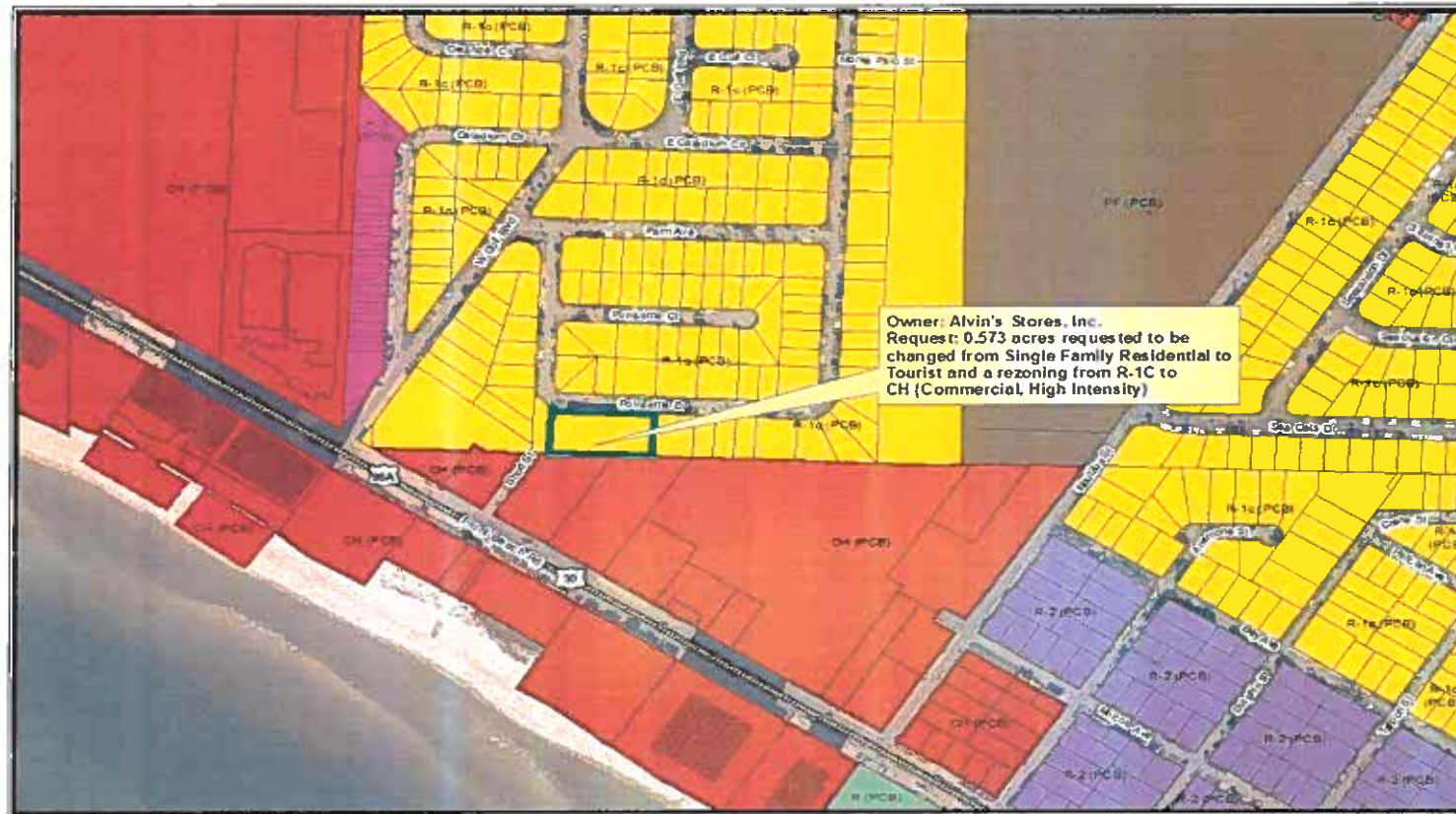


Prepared by The  
City of Panama City Beach  
Planning Department

# Alvin's Stores

- ▶ Future Land Use Map Amendment request from Single Family Residential to Tourist and a Rezoning Request from R-1C (Single Family Residential) to CH (Commercial - High Intensity)

## Alvin's Stores Request



0 100 200 400 600 800 Feet



Prepared by The  
City of Panama City Beach  
Planning Department



## Alvin's Stores Request



0 100 200 400 600 800 Feet



Prepared by The  
City of Panama City Beach  
Planning Department



## Differences Between CH (Commercial High Intensity) and CL (Commercial Low Intensity)

1. The CH zoning district allows up to 43 more land uses than the CL district;
2. The CL zoning district does not allow any land use that is not already allowed in the CH zoning district;
3. The maximum residential density in the CL zoning district is 3 dwelling units per acre compared to the CH zoning district which allows 45 dwelling units per acre;
4. The maximum floor area ratio in the CL zoning district is 80% compared to the CH zoning district which allows 100%; and,
5. The maximum building height in the CL zoning district is 35' compared to the CH zoning district which allows a maximum height of 65'.

# The News Herald

601 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 Toni Brown, who on oath says that (s)he is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy, being a Legal Advertisement #34433489, was published in said newspaper in the issue(s) of

05/24/2021

Affiant further says that 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 the said newspaper.

Signature of Affiant

*Toni Brown*

Sworn to and subscribed before me this

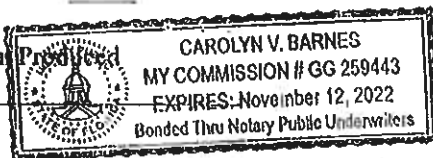
24 day of May 2021  
*Carolyn Barnes*  
Signature of Notary Public

Name of Notary typed, printed or stamped

Personally known

or produced identification

Type of Identification



30436NH

### NOTICE OF FUTURE LAND USE AND ZONING CHANGE

The City Council of the City of Panama City Beach will hold a public hearing to consider the following entitled, proposed ordinances for adoption at the regularly scheduled meeting of June 10, 2021.

Adoption of these ordinances may change the actual list of permitted, conditional, or prohibited uses for the property.

ORDINANCE NO.  
1544

AN ORDINANCE AMENDING ORDINANCE 1143, KNOWN AS "THE 2009 AMENDED AND RESTATED PANAMA CITY BEACH COMPREHENSIVE GROWTH DEVELOPMENT PLAN"; ACTING UPON THE APPLICATION OF ALVIN'S STORES INC TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PARCEL OF LAND FROM SINGLE FAMILY RESIDENTIAL TO TOURIST; DESIGNATING FOR TOURIST LAND USE THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH,

FLORIDA, CONSISTING OF APPROXIMATELY 0.573 ACRES; PARCEL ID 33962-000-000; SAID PARCEL LOCATED AT 285 POINSETTIA DRIVE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR TOURIST DESIGNATION FOR THE PARCEL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

AND

ORDINANCE NO  
1545

AN ORDINANCE REZONING FROM SINGLE FAMILY RESIDENTIAL (R1c) TO COMMERCIAL LOW INTENSITY (CL) THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF PANAMA CITY BEACH, FLORIDA, CONTAINING APPROXIMATELY 0.573 ACRES; LOCATED AT 285 POINSETTIA DRIVE, PARCEL ID 33962-000-000, ALL AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE

ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

A public hearing on the ordinances will be held on June 10, 2021, at 8:00 p.m. or as soon thereafter as may be heard, at the City Council's regular meeting at City Hall located at 17007 Panama City Beach Parkway. All interested persons are encouraged to attend and be heard. During the public hearing, the ordinances will be presented to the City Council for adoption. The ordinances may be adopted during or following the public hearing.

The public is invited to review the proposals at City Hall between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday. Public comment will be received either verbally or in written form. Any person not appearing in person may submit written comments to the City Manager at 17007 Panama City Beach Parkway, Panama City Beach FL 32407, any time prior to the stated meeting time. All comments received will be consid-

# The News Herald

501 W. 11<sup>th</sup> Street  
P.O. Box 1940, Panama City, FL 32401  
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Signature of Affiant

Toni Brown

Sworn to and subscribed before me this

24 day of May 2021

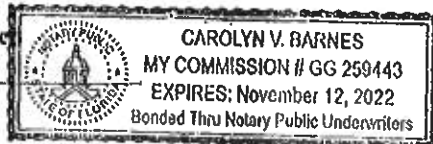
Carolyn V. Barnes  
Signature of Notary Public

Name of Notary typed, printed or stamped

Personally known

or produced identification

Type of Identification Produced



ered before final action is taken.

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CITY OF PANAMA  
CITY BEACH, FLORIDA  
5/24/2021  
30436NH

# **REGULAR AGENDA**

## **ITEM #3**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

**1. DEPARTMENT MAKING REQUEST/NAME:**  
Holly White, Administration

**2. MEETING DATE:**  
June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Hold Public Hearing, Consider and Approve Ordinance 1555

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached:

**6. IDENTIFY STRATEGIC PRIORITY:** N/A

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

Currently, employees of the City who retire as participants from the General Employees' Pension Plan under normal retirement and who are under the age of 62 may not return to work for the City in any capacity without suspending the receipt of their retirement benefits during the period they resume employment. Staff recommends that this provision be changed to allow such retirees to return to work in a part-time or seasonal capacity regardless of age without having to suspend receipt of their retirement benefits. The City benefits greatly from the institutional knowledge of such retirees and finds the ability to employ them on part-time or seasonal basis to be both desirable and cost effective. Staff recommends approval of this ordinance.

The Council considered first reading of this ordinance on May 13, 2021. Notice of a public hearing and second reading was advertised on May 27, 2021.

[Ordinance 1555.2nd Reading.pdf](#)

[Impact Proposed Ord \(Allowing Inservice Distribution General\)\[2305843009222814176\].pdf](#)

[PanamaCityNewsHerald\\_20210527\\_C07\\_5 \(1\).pdf](#)



**ORDINANCE NO. 1555**

**AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA; FURTHER AMENDING THE CITY OF PANAMA CITY BEACH GENERAL MUNICIPAL EMPLOYEES' PENSION PLAN ADOPTED BY ORDINANCE NUMBER 1363, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 26, REEMPLOYMENT AFTER RETIREMENT BY ADDING SECTION 26 SUBSECTION 9 TO ALLOW FOR IN-SERVICE DISTRIBUTIONS AFTER RETIREMENT FOR PART TIME EMPLOYEES REHIRED BY THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of Trustees of the Panama City Beach Municipal Employees' Pension Plan has prepared this ordinance to amend, effective upon passage of this ordinance; and

WHEREAS, the Board of Trustees of the Panama City Beach General Municipal Employees' Pension Plan believes that implementation of this ordinance is in the best interests of the citizens of the City of Panama City Beach; and

WHEREAS, passage of this ordinance will allow the City of Panama City Beach to retain certain highly skilled employees after retiring from the Panama City Beach General Municipal Employees' Pension Plan;

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

**SECTION 1:** That the City of Panama City Beach General Municipal Employees' Retirement Plan, adopted by Ordinance number 1363, as subsequently amended, is hereby further amended by adding Section 26, Reemployment after Retirement, subsection 7 as follows:

**Section 26. – Reemployment after Retirement.**

7. Any Retiree who is retired under normal retirement pursuant to this System and who is reemployed by the City as a part time or seasonal employee shall be eligible to receive retirement benefits from this System during the period of reemployment. In order to receive these in-service distributions, the Retiree must have reached his or her "normal retirement age" specified in 26 CFR §1.401(a)-1(b)(2) (in consideration of safe harbor regulations as may be effective and applicable or which may become effective and applicable). Such in-service distribution shall be approved by the board of trustees as having no effect on the general municipal employees' retirement plan being a qualified plan under section 401(a) of the Internal Revenue Code.

**SECTION 2:** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 3:** It is the intention of the City Council that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Mayor or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

**SECTION 4:** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5:** The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of Ordinance 1363, as subsequently amended since September 24, 2015, and specifically by this Ordinance 1555, within the Panama City Beach City Code. Unless a contrary ordinance is adopted within ninety (90) days following publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

**SECTION 6:** This Ordinance shall become effective immediately upon adoption, unless otherwise provided.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, this \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF PANAMA CITY BEACH, FLORIDA

\_\_\_\_\_  
MARK SHELDON, MAYOR

Attest:

\_\_\_\_\_  
LYNNE FASONE, CITY CLERK

Published in the Panama City News Herald on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Posted on pcbgov.com on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Coding:        Words in ~~strikeout~~ type are deletions from existing text.  
                  Words in underline type are additions.



May 18, 2021

Ms. Holly White  
Finance Director  
City of Panama City Beach, Florida  
110 South Arnold Road  
Panama City Beach, Florida 32407

Re: General Employees' Pension Plan – Actuarial Impact Statement

Dear Holly:

As requested, we have performed an appropriate actuarial analysis of the changes to the General Employees' Pension Plan to be enacted by the proposed ordinance. We received a draft of this ordinance from you, via email on May 7, 2021.

Currently, under the plan provisions a member who retires under the General Employees' plan must suspend benefits if they are rehired by the City. The proposed amendment would allow a retired General Employee to continue their retirement benefits, if rehired as a General Employee in a part time or seasonal capacity.

There are potential impacts to the plan that will depend on experience in the future. However, we do not expect this provision to materially affect participant behavior in aggregate. While there may be an employee who has their benefit affected due to this provision, we expect the vast majority of the participants will see no change in their benefits. We also do not currently make any provisions in the actuarial valuation assumptions for potential suspension of benefits, so no changes to the valuation would be necessary.

As a result, I have concluded that there should be no significant impact on the City's funding requirements due to the changes and no formal Actuarial Impact Statement is required for this change.

Sincerely yours,

Stephen Lambert-Oswald FSA, EA, MAAA

cc: Douglas Beckendorf

P:\CoreRet\National Valuation Team\2008757 City of Panama City Beach\Client Specific Information\Plan Documents\01 QP\Police\Impact Proposed Ord. (Allowing Inservice Distribution Police) Mar. 2021.docx



**LEGAL  
ADVERTISING**  
**1100**

are invited to be present at the meeting.

CITY OF PANAMA  
CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
30494NH

30496NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit.

**ORDINANCE NO.  
1555**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA; FURTHER AMENDING THE CITY OF PANAMA CITY BEACH GENERAL MUNICIPAL EMPLOYEES' PENSION PLAN ADOPTED BY ORDINANCE NUMBER 1363, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 26, REEMPLOYMENT AFTER RETIREMENT BY ADDING SECTION 26 SUBSECTION 9 TO ALLOW FOR IN-SERVICE DISTRIBUTIONS AFTER RETIREMENT FOR PART TIME EMPLOYEES REHIRED BY THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbfl.gov](http://www.pcbfl.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

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

All interested persons desiring to be heard on the adoption of the aforesaid ordinance are invited to be present at the meeting.

**LEGAL ADVERTISING**  
**1100**

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
30496NH  
30498NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on **Thursday, June 10, 2021**, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit.

**ORDINANCE NO. 1556**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE ENFORCEMENT PROVISIONS OF THE CITY'S NOISE ORDINANCE TO INCREASE PENALTIES FOR VIOLATIONS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbfl.gov](http://www.pcbfl.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

Any person requiring a special accommodation to participate in this meeting because of a disability or physical impairment should contact the Panama City Beach City Clerk, [lynne.fasone@pcbfl.gov](mailto:lynne.fasone@pcbfl.gov) or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or

**LEGAL ADVERTISING**  
**1100**

(800) 955-8771 (TDD).

All interested persons desiring to be heard on the adoption of the aforesaid ordinance are invited to be present at the meeting.

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
30498NH

**FOUND**  
**1170**

**FOUND PURSE IN MILLVILLE**

Pocketbook belonging to MB. To claim call Liberty Tax 850-481-1547 or email [millville@libertytax.com](mailto:millville@libertytax.com)



**3100-3350**  
**MERCHANDISE**

- 3100 - Antiques
  - 3110 - Appliances
  - 3120 - Arts & Crafts
  - 3130 - Auctions
  - 3140 - Baby Items
  - 3150 - Building Supplies
  - 3160 - Business Equipment
  - 3170 - Collectibles
  - 3180 - Computers
  - 3190 - Electronics
  - 3200 - Firewood
  - 3210 - Free Pass It On
  - 3220 - Furniture
  - 3230 - Garage/Yard Sales
  - 3240 - Guns
  - 3250 - Good Things to Eat
  - 3260 - Health & Fitness
  - 3270 - Jewelry/Clothing
  - 3280 - Machinery/Equipment
  - 3290 - Medical Equipment
  - 3300 - Miscellaneous
  - 3310 - Musical Instruments
  - 3320 - Plants & Shrubs/Supplies
  - 3330 - Restaurant/Hotel
  - 3340 - Sporting Goods
  - 3350 - Tickets (Buy & Sell)
- 2019 STACKABLE GE WASHER/ DRYER**  
White laundry center. 2.3 cubic feet washer. 4.4 cubic feet 240 volt vented electric dryer. \$800 OBO  
**850-252-0748**

**FURNITURE**  
**3220**

**Beautiful Solid Wood 4 Poster Bed**  
With designs on post. complete with new mattress & box spring. Must see! \$900 For quick sale or best offer.  
**850-867-5417**

**FURNITURE**  
**3220**

**DEN FURNITURE FOR SALE!**

3 Piece Faux black leather sofa, loveseat, chair & TV entertainment center. \$600 or best offer.

Contact number  
**229-878-1049**

**GARAGE/ YARD SALES**  
**3230**

**PANAMA CITY:**

3111 Lanny Lane  
(St. Andrews Blvd., Hwy 390 & Lisenby area)

May 28th & 29th  
8:00 AM - 2:00 PM

**BIG MEMORIAL WEEKEND SALE!!**

Anything you might need for your home, family, projects, & garden, I just may have!! Upholstery fabrics, sewing notions, chairs, sound system, bar stools, repurposed China cabinet/2 matching bar stools, clothing, jewelry, accessories, lamps, accent pillows, plate/glassware and so much more!

**PANAMA CITY:**

**SAMPAGUITA FILIPINO AMERICAN ASSOCIATION MEMORIAL DAY YARD SALE!**

The VFW Post 2185 at 2136 Sherman Ave Saturday, May 29th 7:00am - till

Rain or Shine  
**Food for Sale!**  
**Tons of Items!**

Including clothes, electronics, Etc.!!

**MEDICAL EQUIPMENT**  
**3290**

**Medical Necessities**

Electric Hospital Bed In good condition. Semi used, needs mattress but everything else is good on is it. \$200 or best offer. 2 Shower chairs \$25 each, Potty chair \$35. Two elevated toilets seats \$10.  
**850-276-8621**



# **REGULAR AGENDA**

## **ITEM #4**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Amy Myers, Legal

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Hold a public hearing, consider and approve second reading of Ordinance 1556.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached:

**6. IDENTIFY STRATEGIC PRIORITY:**

Public Safety  
Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

At a special City Council meeting held on May 11, 2021, the City Council directed staff to increase the penalties for violations of the City's Noise Ordinance, among other things. The attached Ordinance changes the City's existing penalties to provide for a \$500 fine for a first violation, and a \$1000 fine for second and subsequent violations.

The Council considered first reading of this Ordinance on May 13, 2021. Notice of a public hearing and second reading was properly advertised on May 27, 2021. If adopted by the Council, the Ordinance will go immediately into effect.

[Ordinance 1556.2nd Reading.pdf](#)

[PanamaCityNewsHerald\\_20210527\\_C08\\_7 \(1\).pdf](#)



ORDINANCE NO. 1556

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE ENFORCEMENT PROVISIONS OF THE CITY'S NOISE ORDINANCE TO INCREASE PENALTIES FOR VIOLATIONS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance Section 16-91 of the Code of Ordinances of the City of Panama City Beach, related to Enforcement of Noise Violations is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 16-91. - Enforcement.**

- A. This section governs the initiation of enforcement actions, the issuance of citations or summons for violations of this article, and the imposition of penalties for violations of this article.
- B. If a person violates any provision of this article, or an order issued pursuant thereto, the enforcement agency may issue a citation or summons, institute an action in a court of competent jurisdiction for injunctive relief, or any or all of them, to prohibit and prevent such violation or violations, in which event the matter shall proceed as a summary matter in a court of competent jurisdiction.
- C. Any person violating any provision of this article may be punished as follows:
1. ~~First Offense: By a fine of one hundred dollars (\$100.00).~~
  2. ~~Second Offense: By a fine of five hundred dollars (\$500.00).~~
  3. **Second** ~~Third~~ ~~offense~~ ~~or two or more violations occurring within any six months period~~: Misdemeanor of the second degree punishable by a fine of no more than \$1,000.00 or a sentence of not more than sixty (60) days in jail, or both.
  4. Any Motor Vehicle found to be in violation of **Section 16-89(F)** of this article may be subject to towing and impoundment. If the vehicle is redeemed from the auto pound within 24 hours, the redemption fee shall be seventy-five dollars (\$75.00), which is not inclusive of the fine.

5. Each day that a nuisance Noise exists shall constitute a separate violation of this article.

D. The enforcement agency shall classify a violation as a "major" or "minor" violation for the purposes of issuing an enforcement document and compliance grace period. If compliance is achieved during the grace period, then no fine shall be levied. A violation shall be classified as a major violation if it is not deemed a minor violation. A violation, regardless of how intense, is deemed to be minor if:

1. The violation is not the result of willful, reckless or grossly negligent conduct of the violator; and

2. The activity or condition constituting the violation has not been the subject of an enforcement action against the violator in the immediately preceding 12 months; and

3. The violation is not the result of the operation of a Sound Production Device of any kind, with the exception of safety warning devices.

E. If the violation is deemed to be minor, the enforcement agency shall notify the violator that the activity or condition must be corrected and compliance achieved within 30 days or less, at the discretion of the enforcement agency, or any other reasonable period of time, not to exceed 180 days, to be determined based upon the nature, extent and impact of the violation and a reasonable estimate of the time needed to correct the violation. The violator may request, from the enforcement agency, an extension of the compliance deadline and the enforcement agency may approve any reasonable request for an extension if the violator can demonstrate that a good faith effort has been made to achieve compliance. The Noise Control Administrator shall offer special consideration, during the six-month period immediately following final enactment of this ordinance, for pre-existing sound sources which will require physical plant modifications to come into compliance.

F. If the violation is deemed to be minor, the enforcement agency shall notify the violator that if s/he achieves compliance within the period of time specified in the enforcement document, the enforcement agency shall not seek to collect a civil penalty from the violator for that violation.

G. If, during the grace period, the sound emissions for which the violation has been assessed increase in duration or intensity, the Noise Control Administrator may revoke the grace period. In determining whether to revoke the grace period, the Noise Control Administrator may consider the following factors including but not limited to: the relative increase in intensity; whether the change of sound emissions is directly related to ongoing sound abatement measures, and; the anticipated duration of the increased sound levels.

H. If the violator does not correct a minor violation within the period of time specified in the enforcement document, the violation is reclassified as major, and the enforcement agency may seek injunctive relief and/or a penalty for a violation of this article. If the enforcement agency has reason to believe that the violator is not acting in good faith during the grace period, they may conduct further investigations during that period, and if the violator has not achieved compliance within the period of time specified in the

enforcement document, the enforcement agency may prosecute any violations documented during the grace period.

I. If the violation is not deemed to be minor, it shall be classified as a major violation and the enforcement agency shall notify the violator that s/he will not be allowed a period of time to correct the violation before a penalty is sought, and that s/he may be liable to a civil penalties and imprisonment for that violation, and that the enforcement agency may seek summary injunctive relief.

J. Any claims for a civil penalty may be compromised and settled based upon the following factors:

1. Mitigating or other extenuating circumstances;
2. The timely implementation by the violator of measures which lead to compliance;
3. The conduct of the violator; and
4. The compliance history of the violator.

K. The owner of the property, or any person lawfully entitled to possess the property or manage a business premises from which the offending sound is emitted at the time the offending sound is emitted shall be jointly and severally liable for compliance with this article even if not present upon or in the property and each shall be punished for its violation as shall the person or persons actually causing such sound. It shall not be a lawful defense to assert that some other person caused the sound. The lawful possessor, manager or operator in or on the property shall be responsible for operating or maintaining the property in compliance with this article, and arrest and penalties shall be applied to such person or persons as well as to the person or persons actually causing the sound.

L. Any owner, lessee, agent, supervisor, or other person in charge of operating, ordering, directing or allowing the operation or maintenance of any device or machine creating a nuisance Noise as prohibited in this article, shall be deemed guilty of violating this article.

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

**SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the**

codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

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

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Posted on pcbfl.gov on the \_\_\_\_ day of \_\_\_\_\_, 2021.



**LEGAL ADVERTISING**  
**1100**

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
30496NH

30498NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit,

**ORDINANCE NO.**  
1556

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE ENFORCEMENT PROVISIONS OF THE CITY'S NOISE ORDINANCE TO INCREASE PENALTIES FOR VIOLATIONS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbfl.gov](http://www.pcbfl.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

Any person requiring a special accommodation to participate in this meeting because of a disability or physical impairment should contact the Panama City Beach City Clerk, [lynne.fasone@pcbfl.gov](mailto:lynne.fasone@pcbfl.gov) or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or

**LEGAL ADVERTISING**  
**1100**

(800) 955-8771 (TDD).

All interested persons desiring to be heard on the adoption of the aforesaid ordinance are invited to be present at the meeting.

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
30498NH

**FOUND**  
**1170**

**FOUND PURSE IN MILLVILLE**

Pocketbook belonging to MB. To claim call Liberty Tax 850-481-1547 or email [millville@libertytax.com](mailto:millville@libertytax.com)



**3100-3350**  
**MERCHANDISE**

- 3100 - Antiques
- 3110 - Appliances
- 3120 - Arts & Crafts
- 3130 - Auctions
- 3140 - Baby Items
- 3150 - Building Supplies
- 3160 - Business Equipment
- 3170 - Collectibles
- 3180 - Computers
- 3190 - Electronics
- 3200 - Firewood
- 3210 - Free Pass It On
- 3220 - Furniture
- 3230 - Garage/Yard Sales
- 3240 - Guns
- 3250 - Good Things to Eat
- 3260 - Health & Fitness
- 3270 - Jewelry/Clothing
- 3280 - Machinery/Equipment
- 3290 - Medical Equipment
- 3300 - Miscellaneous
- 3310 - Musical Instruments
- 3320 - Plants & Shrubs/Supplies
- 3330 - Restaurant/Hotel
- 3340 - Sporting Goods
- 3350 - Tickets (Buy & Sell)

**2019 STACKABLE GE WASHER/ DRYER**  
White laundry center. 2.3 cubic feet washer. 4.4 cubic feet 240 volt vented electric dryer. \$800 OBO  
850-252-0748

**FURNITURE**  
**3220**

**Beautiful Solid Wood 4 Poster Bed**  
With designs on post. complete with new mattress & box spring. Must see! \$900 For quick sale or best offer.  
850-867-5417

**FURNITURE**  
**3220**

**DEN FURNITURE FOR SALE!**

3 Piece Faux black leather sofa, loveseat, chair & TV entertainment center. \$600 or best offer.

Contact number  
**229-878-1049**

**GARAGE/ YARD SALES**  
**3230**

**PANAMA CITY:**  
3111 Lanny Lane  
(St. Andrews Blvd., Hwy 390 & Lisenby area)

May 28th & 29th  
8:00 AM - 2:00 PM  
**BIG MEMORIAL WEEKEND SALE!!**

Anything you might need for your home, family, projects, & garden, I just may have!! Upholstery fabrics, sewing notions, chairs, sound system, bar stools, repurposed China cabinet/2 matching bar stools, clothing, jewelry, accessories, lamps, accent pillows, plate/glassware and so much more!

**PANAMA CITY:**  
**SAMPAGUITA FILIPINO AMERICAN ASSOCIATION MEMORIAL DAY YARD SALE!**

The VFW Post 2185 at 2136 Sherman Ave Saturday, May 29th 7:00am - till Rain or Shine  
**Food for Sale!**  
**Tons of Items!**

Including clothes, electronics, Etc.!!

**MEDICAL EQUIPMENT**  
**3290**

**Medical Necessities**

Electric Hospital Bed. In good condition. Semi used, needs mattress but everything else is good on is it. \$200 or best offer. 2 Shower chairs \$25 each. Potty chair \$35. Two elevated toilets seats \$10.  
**850-276-8621**



# **REGULAR AGENDA**

## **ITEM #5**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Amy Myers, Legal

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Hold public hearing, and consider and approve second reading and adoption of Ordinance 1557.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:**

Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

At a special City Council meeting held on May 11, 2021, the City Council directed staff to increase the penalties for violations of the City's Ordinance regulating drinking in parking lots, among other things. The attached Ordinance changes the City's existing penalties to provide for a \$500 fine for each violations, and applies to violations occurring in public and private parking lots.

The Council considered first reading of the Ordinance on May 13, 2021. Notice of the public hearing and second reading was properly advertised on May 27, 2021. If adopted, the Ordinance will immediately go into effect.

[Ordinance 1557.2nd Reading.pdf](#)

[PanamaCityNewsHerald\\_20210527\\_C07\\_4 \(1\).pdf](#)

ORDINANCE NO. 1557

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN PARKING LOTS AND OTHER PUBLIC PLACES TO INCREASE PENALTIES FOR VIOLATIONS; PROVIDING AN EXEMPTION FOR PARKING LOTS THAT ARE PERMITTED UNDER STATE LICENSE OR CITY SPECIAL EVENT PERMIT; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance Section 3-2 of the Code of Ordinances of the City of Panama City Beach, related to Consumption of alcoholic beverages in public parking lots and other public places, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 3-2. - Consumption of alcoholic beverages in rights-of-way, public parking lots, and public ponds and stormwater facilities prohibited; identification required on sandy beach; civil penalties.**

(a) It shall be unlawful for any person to drink or otherwise consume any alcoholic beverage or substance within the rights-of-way of streets, highways, avenues or other similar ways, within the City.

(b) It shall be unlawful for any person to drink or otherwise consume any alcoholic beverage or substance within the confines of any public parking lot located within the City. "*Public parking lot*" shall mean a parking lot owned or leased, and maintained, by a public body or governmental agency.

(c) It shall be unlawful for any person to possess or consume any alcoholic beverage on the premises of a public pond or public stormwater facility and on any publicly owned parcel of real property used predominantly for a public pond or public stormwater facility. "*Public pond or public stormwater facility*" shall mean a pond or stormwater facility owned, leased or maintained by a public body or governmental agency, as well as all associated walkways, trails, benches, greenspace, and similar features.

(d) It shall be unlawful for any person to possess or consume any alcoholic beverage on the sandy gulf beach of the Gulf of Mexico, within the City limits, without having in his or her immediate possession a government issued photo ID disclosing their name, address and age to immediately present upon the demand of law enforcement. For purposes of this section, "*sandy gulf beach*" shall mean all loose or



uncompacted sandy area, including sand dunes and vegetated area, lying between the waters of the Gulf of Mexico and the seaward boundary of the seaward most paved roadway .

(e) The City finds that a violation of this section presents a serious threat to the public health, safety and welfare which is irreparable and irreversible and of an itinerant or transient nature. Therefore, and pursuant to Florida Statutes Chapter 162, Part II, the City hereby establishes and imposes the following civil infraction penalties. Each violation shall constitute a separate, civil infraction punishable by a civil penalty in the amount of \$500.00, specified below:

~~First violation: .....\$150.00.~~

~~Second violation: .....\$200.00.~~

~~Third and all subsequent violations of: \$250.00, and as otherwise provided by law. The financial penalty for the third and all subsequent violations shall be cumulative to any other penalty which may be provided by law.~~

A person who does not contest a violation shall be subject to a civil penalty in the following amount which may pay the civil penalty be paid directly to the City Clerk,:

~~First violation: .....\$75.00.~~

~~Second violation: .....\$100.00.~~

~~Third and all subsequent violations: \$150.00, and as otherwise provided by law. The financial penalty for the third and all subsequent violations shall be cumulative to any other penalty which may be provided by law.~~

Violations may be enforced by the issuance of a civil citation by a sworn police officer of the City who has reasonable cause to believe that a person has violated this section. All sworn police officers of the City shall be considered code enforcement officers for the purpose of enforcing this section. A citation issued under this section may be contested in the County Court for Bay County, Florida. The civil citation shall contain the matters specified in § 162.21 Florida Statutes (2013), or subsequent, superseding legislation, in form approved by the Chief of Police. Any person who willfully refuses to sign and accept a citation issued pursuant to this section shall be guilty of a misdemeanor of the second degree, punishable as provided in §§ 162.21(6), 775.082 and 775.083, Florida Statutes or subsequent superseding legislation.

The civil penalties established in this section shall always be cumulative and in addition to any other civil or criminal penalties available for a violation of this section of the Panama City Beach Code of Ordinances, including the general penalty and terms set forth in **Section 1-12**, and also cumulative and in addition to any requirements proscriptions and civil or criminal penalties under state law.

**SECTION 2. From and after the effective date of this ordinance Section 3-5 of the Code of Ordinances of the City of Panama City Beach, related to Possession or consumption of alcoholic beverages in commercial parking lots, is amended to read as follows (new text bold and underlined, deleted text ~~struck through~~):**

**Sec. 3-5. - Possession or consumption of alcoholic beverages in commercial parking lots; civil penalties.**

(a) It shall be unlawful for any person to possess an open container of any alcoholic beverage or substance or to drink or otherwise consume any alcoholic beverage or substance within the confines of any commercial parking lot located within the City, unless the parking lot is **properly permitted for such possession and consumption by state license or approved city special event permit concurrently under surveillance and control by the associated business or commercial use.** "Commercial parking lot" shall mean a parking lot or vehicular use area associated with a commercial activity or business use.

(b) The City finds that a violation of this section presents a serious threat to the public health, safety and welfare which is irreparable and irreversible and of an itinerant or transient nature. Therefore, and pursuant to Florida Statutes Chapter 162, Part II, the City hereby establishes and imposes the following civil infraction penalties. Each violation shall constitute a separate, civil infraction punishable by a civil penalty in the amount **of \$500.00, specified below:**

~~First violation: .....\$50.00.~~

~~Second violation: ..... \$100.00.~~

~~Third and all subsequent violations of \$200.00, and as otherwise provided by law.~~ The financial penalty for the third and all subsequent violations shall be cumulative to any other penalty which may be provided by law.

A person who does not contest a violation shall be subject to a civil penalty in the following amount which may **pay the civil penalty** be paid directly to the City Clerk.:

~~First violation: .....\$25.00.~~

~~Second violation: .....\$50.00.~~

~~Third and all subsequent violations: \$150.00, and as otherwise provided by law.~~ The financial penalty for the third and all subsequent violations shall be cumulative to any other penalty which may be provided by law.

Violations may be enforced by the issuance of a civil citation by a sworn police officer of the City who has reasonable cause to believe that a person has violated this section. All sworn police officers of the City shall be considered code enforcement officers for the purpose of enforcing this section. A citation issued under this section may be contested in the County Court for Bay County, Florida. The civil citation shall contain the matters specified in § 162.21 Florida Statutes (2013), or subsequent, superseding legislation, in form approved by the Chief of Police. Any person who willfully refuses to sign and accept a citation issued pursuant to this section shall be guilty of a misdemeanor of the second degree, punishable as provided in §§ 162.21(6), 775.082 and 775.083, Florida Statutes or subsequent superseding legislation.

The civil penalties established in this section shall always be cumulative and in addition to any other civil or criminal penalties available for a violation of this section of the Panama City Beach Code of Ordinances, including the general penalty and terms set forth in **Section 1-12**, and also cumulative and in addition to any requirements proscriptions and civil or criminal penalties under state law.

(Ord. No. 1348, § 1, 6-11-2015)

**SECTION 3. All ordinances or parts of ordinances in conflict herewith are**

repealed to the extent of such conflict.

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

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

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Posted on pcbfl.gov on the \_\_\_\_ day of \_\_\_\_\_, 2021.

**LEGAL ADVERTISING**  
**1100**

The date of first publication of this Notice is May 20, 2021.

**BRANDY ROBBINS WILSON**  
Personal Representative  
606 E. 5th Street  
Panama City, FL 32401

**WHITE • WARREN, P.A.**

**C. JASON WHITE**  
Florida Bar No. 0357080  
516 McKenzie Avenue  
Panama City, FL 32401  
850.784.0809 (phone)  
850.784.0806 (fax)  
jason@whitewarren-law.com  
Attorneys for Personal Representative

5/20, 5/27/2021  
30450NH

30492NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit,

**ORDINANCE NO. 1558**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO CONTROL AND SUPERVISION OF COMMERCIAL PARKING LOTS TO INCREASE PENALTIES FOR VIOLATIONS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbll.gov](http://www.pcbll.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

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

**LEGAL ADVERTISING**  
**1100**

All interested persons desiring to be heard on the adoption of the aforesaid ordinance are invited to be present at the meeting.

CITY OF PANAMA CITY BEACH, FL

BY: *lynnefasone* Lynne Fasone  
City Clerk

5/27/2021  
30492NH  
30494NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit,

**ORDINANCE NO. 1557**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN PARKING LOTS AND OTHER PUBLIC PLACES TO INCREASE PENALTIES FOR VIOLATIONS, PROVIDING AN EXEMPTION FOR PARKING LOTS THAT ARE PERMITTED UNDER STATE LICENSE OR CITY SPECIAL EVENT PERMIT, AUTHORIZING CODIFICATION, REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbll.gov](http://www.pcbll.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

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

All interested persons desiring to be heard on the adoption of the aforesaid ordinance



# **REGULAR AGENDA**

## **ITEM #6**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

**1. DEPARTMENT MAKING REQUEST/NAME:**  
Amy Myers, Legal

**2. MEETING DATE:**  
June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Open public hearing, consider second reading and adoption of Ordinance 1558.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:** Public  
Safety  
Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE  
ACHIEVED?**

At a special City Council meeting held on May 11, 2021, the City Council directed staff to increase the penalties for violations of the City's Ordinance requiring the closure or management of parking lots, among other things. The attached Ordinance changes the City's existing penalties to provide for a \$500 fine for each violation of the Ordinance.

The Council considered first reading of the Ordinance on May 13, 2021. Notice of the public hearing and second reading was properly advertised on May 27, 2021. If adopted by the Council, the Ordinance will immediately go into effect.

[Ordinance 1558.2nd Reading.pdf](#)

[PanamaCityNewsHerald\\_20210527\\_C07\\_4.pdf](#)

ORDINANCE NO. 1558

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO CONTROL AND SUPERVISION OF COMMERCIAL PARKING LOTS TO INCREASE PENALTIES FOR VIOLATIONS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance Section 22-26 of the Code of Ordinances of the City of Panama City Beach, related to Enforcement and penalties for parking lots violations, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 22-26. - Enforcement and penalties for parking lot violations of section 22-25.**

(a) The City finds that a violation of any provision in Section 22-25, or similar superseding section, (collectively Section 22-25) by an owner or a person using a parking lot presents a serious threat to the public health, safety and welfare which is irreparable and irreversible and of an itinerant or transient nature.

(b) Each violation of Section 22-25 shall constitute a separate, civil infraction within the meaning of Florida Statutes Chapter 162, Part II, punishable by a civil penalty in the amount of **\$500.00** ~~specified below~~.

~~First violation of this Article: .....\$100.~~

~~Second violation of this Article: .....\$200.~~

~~Third and all subsequent violations of this Article: .....\$500.~~

~~A person who does not contest the civil citation for violation of Section 22-25 shall be subject to a civil penalty in the following amount:~~

~~First violation of this Article: .....\$50.~~

~~Second violation of this Article: .....\$100.~~

~~Third and all subsequent violations of this Article: .....\$250.~~

The penalty for uncontested civil citations may be paid directly to the City Clerk.

(c) Section 22-25 may be enforced by the issuance of a civil citation by a sworn police officer of the City who has reasonable cause to believe that a person has violated any section of this Article. All sworn police officers of the City shall be considered code enforcement officers for the purpose of enforcing every section of this Article. A citation issued under any section of this Article may be contested in the county court for Bay County, Florida. The civil citation shall contain the matters specified in § 162.21 Florida Statutes (2013), or subsequent, superseding legislation, in form approved by the Chief of Police. Any person who willfully refuses to sign and accept a citation issued pursuant to this section shall be guilty of a misdemeanor of the second degree, punishable as provided in §§ 162.21(6), 775.082 & 775.083, Florida Statutes or subsequent, superseding legislation. In addition to the penalties specified in this Article, a person voluntarily paying a civil citation or convicted of a civil citation shall be required to bear all costs and fees imposed by the County Court or the office of the Clerk.

(d) The penalties provided here are cumulative to any other civil or criminal penalties available for violation of this the Panama City Beach Code of Ordinances or state law. Each calendar day that a violation shall occur or continue shall constitute a separate, and cumulative, offence.

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

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

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

PASSED, APPROVED AND ADOPTED at the regular meeting of the



City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Posted on pcbfl.gov on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Section 22-25 FOR REFERENCE:

**Sec. 22-25. - Control and use of business parking lots when business closed.**

(a) The following words shall have the following meanings in this section:

*Manager of a business parking lot* means, all persons, jointly and severally, with a legally enforceable, exclusive or non-exclusive real property right to exclude others from entry, regardless of where each such person may reside or have its principle place of business, and includes owners or fee holders and their agents, tenants and their agents, and licensees and their agents who hold such a right.

*Business parking lot (or sometimes parking spaces within a common or shared parking lot)* means the private, real property designated, used or intended to be used by a business as the vehicular use or parking area required for that business by the City's Land Development Code, and for the purpose of this section such a lot and business are referred to as being associated with each other. In determining which spaces in a common or shared parking lot are associated with a business and hence constitute the *business parking lot* for that particular business, the number of spaces required for the business by the City's Land Development Code and the proximity of that number of spaces to the business shall control, even though a particular space or spaces may be associated with more than one (1) business.

*Close a parking lot* means to prohibit unauthorized public parking of vehicles in the lot, to arrange to have unauthorized vehicles promptly towed from the lot and to post **warning** and information signs required by City Code Section 22-19 or similar law.

*Supervise a parking lot* means to provide active, continuous and onsite supervision of the lot by a parking lot attendant who at a minimum is authorized and responsible to control vehicular access to the lot, to maintain peace and order within the lot and require persons in the lot to obey the law, to require offenders to leave the lot and to immediately seek assistance from law enforcement if needed to maintain order or enforce the law.

(b) Whenever the business associated with a business parking lot is not open to the public for business, then the associated parking lot must be closed or supervised, and each manager of the lot, jointly and severally, is obligated to make or cause to be made that closure or supervision.

(c) Whenever all the businesses associated with proximate parking spaces located in a common or shared parking lot are not open to the public for business, then the parking spaces associated with those businesses must be closed or supervised, and each manager of the common or shared lot is obligated to make or cause to be made that closure or supervision.

(d) Where a business parking lot is closed by one (1) or more physical barriers, no person shall disturb any such barrier, or break the close of the lot, or enter the lot after the close is broken by another, regardless of whether any physical or permanent damage is done to the barrier.

(e) Nothing in this section shall be construed to prohibit owners, employees, vendors or others authorized by an owner, or emergency personnel, from entering a closed parking lot.

**LEGAL ADVERTISING**  
**1100**

The date of first publication of this Notice is May 20, 2021.

**BRANDY ROBBINS WILSON**  
Personal Representative  
606 E. 5th Street  
Panama City, FL 32401

**WHITE + WARREN, PA.**

**C. JASON WHITE**  
Florida Bar No. 0357060  
516 McKenzie Avenue  
Panama City, FL 32401  
850.784.0809 (phone)  
850.784.0806 (fax)  
jason@whitewarren-law.com  
Attorneys for Personal Representative

5/20, 5/27/2021  
30450NH

30492NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida to-wit,

**ORDINANCE NO. 1558**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO CONTROL AND SUPERVISION OF COMMERCIAL PARKING LOTS TO INCREASE PENALTIES FOR VIOLATIONS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbfl.gov](http://www.pcbfl.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

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

**LEGAL ADVERTISING**  
**1100**

All interested persons desiring to be heard on the adoption of the aforesaid ordinance are invited to be present at the meeting.

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
30492NH  
30494NH

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida to-wit,

**ORDINANCE NO. 1557**

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN PARKING LOTS AND OTHER PUBLIC PLACES TO INCREASE PENALTIES FOR VIOLATIONS, PROVIDING AN EXEMPTION FOR PARKING LOTS THAT ARE PERMITTED UNDER STATE LICENSE OR CITY SPECIAL EVENT PERMIT; AUTHORIZING CODIFICATION, REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbfl.gov](http://www.pcbfl.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

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

All interested persons desiring to be heard on the adoption of the aforesaid ordinance

# **REGULAR AGENDA**

## **ITEM #7**





## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Amy Myers, Legal

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Approve and adopt Ordinance 1559 which declares that properties which have high frequency of certain offenses to be public nuisances and authorizes preemptive abatement of the same.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:**

Public Safety  
Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

On May 13, 2021, the City Council approved first reading of Ordinance 1559 defining a new category of public nuisance to the City's nuisance abatement code. Ordinance 1559 declares that a property which has been the site of 3 incidents of certain federal, state, and local violations of law in 30 days shall be considered a public nuisance. The Ordinance further authorizes the City Manager to order that a property owner take affirmative steps to prevent further nuisance behavior as well as allow the City to take affirmative actions if the property owners fails to do so.

The criteria which establishes a nuisance under this Ordinance has been modified since first reading. Incidents of theft, battery, or assault have been removed and replaced with violations of law related to the possession of firearms or drugs which occur in parking lots. Further, violations of the City's disorderly conduct ordinance which occur in parking lots have also been added to the criteria. The timeframe has also been modified from 3 incidence in 6 months to 3 incident in 30 days.

Staff recommends approval.

[Aff 6063NH.pdf](#)

[Parking Lot Nuisance v3.0 2nd Read.pdf](#)

ORDINANCE NO. 1559

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO PUBLIC NUISANCES; DECLARING PROPERTIES UPON WHICH CERTAIN REPEAT VIOLATIONS OF LOCAL AND STATE LAW OCCUR TO BE PUBLIC NUISANCES; SETTING FORTH THE CITY MANAGER'S AUTHORITY TO REQUIRE PREEMPTIVE MEASURES TO ABATE THE NUISANCE; AUTHORIZING THE CITY TO TAKE PREEMPTIVE MEASURES UPON A VIOLATOR'S FAILURE TO COMPLY; PROVIDING THAT COMPLIANCE SHALL NOT BE STAYED DURING THE PENDENCY OF APPEAL; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance Section 15-17, of the Code of Ordinances of the City of Panama City Beach, related to public nuisance definitions is hereby amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 15-17. - Definitions.

As used in this article, the following words and phrases shall have the meanings respectively ascribed to them:

*Improved property* shall mean land on which buildings or other structures are located, or which has been prepared for development by the installation, addition or construction of utilities or other improvements.

*Inspector* shall mean the Chief Building Inspector of the City or his designee. .

*Nuisance* or *Public Nuisance* shall mean any of the following:

- (1) Any public nuisance known at common law or in equity jurisprudence or as provided by the Statutes of the State of Florida or ordinances of the City of Panama City Beach.
- (2) Storage of junked automobiles: Unsheltered storage, or unenclosed storage under a carport, for a period of thirty (30) days or more within the corporate limits of the City, except in licensed junk yards, of old and unused stripped junk or automobiles not in good and safe operating conditions,

and of any other vehicles, machinery, implements or equipment or personal property of any kind which is no longer safe or usable for the purposes for which it was manufactured.

- (3) Detrimental conditions or uses of property: Any condition or use of premises or of building exteriors, including carports, which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which the premises are located, including, but not limited to, the keeping or depositing on or the scattering over the premises of lumber, junk, trash, debris, or abandoned, discarded, unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers;
- (4) Unfit or unsafe dwelling or structure: Any dwelling or structure or any portion thereof, including accessory buildings, which is structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, constituting a fire hazard, unsuitable or improper for the use or occupancy to which they are put, constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment, dangerous to life or property, or, by reason of fire, age, decay, deterioration, structural defects, improper design, unstable foundation, termites, acts of God or other causes, dangerous to the occupants thereof or to surrounding buildings and the occupants thereof, or a menace to the public health, or a fire hazard, or so unsafe as to endanger life or property or render the use of the public streets dangerous, or otherwise in material violation of the housing, building, electrical, plumbing, mechanical, health or fire codes of the City;
- (5) Uses Causing Threat to Public Health and Safety: Any accumulation of lumber, junk, trash, debris, or abandoned, discarded, unused objects, material, equipment, excessive grass, accumulation of weeds, vegetation, undergrowth or other plant life upon any lot, tract, or parcel of real property within the City if such lot, tract, or parcel (i) becomes or could become infested with rodents, vermin, mosquitoes, or other wild animal, or (ii) threatens the public health, safety, and welfare, or (iii) causes or tends to cause substantial diminution in value of other property in the neighborhood.
- (6) Excessive growth: Any grass, accumulation of weeds, vegetation, undergrowth, or other plant life on any lot, tract, or parcel within the City which is untended and which exceeds one (1) foot in height on improved property, or exceeds eighteen (18) inches in height on unimproved property.
- (7) Stockpiling construction material: Any accumulation of construction material including but not limited to crates, lumber, plywood, trusses, joists, nails, bricks, concrete, and sand which is not being used in active construction or the view of which is not blocked by a six (6) feet tall fence. Active construction means construction activity which is continuing from day to day or which is not interrupted by periods of physical inactivity longer than thirty (30) days.
- (8) Attractive nuisance: Any attractive nuisance which may prove detrimental to the health or safety of children and others whether in a building, on the premises of a building or upon an unoccupied lot. This includes, but is not limited to: abandoned wells, shafts, basements, excavations, unused ice boxes, refrigerators, abandoned motor vehicles and any structurally unsound fences or structures; or lumber, trash, fences, debris, or vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive persons. Abandoned buildings are attractive nuisances when they are unsecured or un-securable and when by reason of abandonment or neglect they contain unsound walls or flooring, unsafe wiring, fire hazards, or other unsafe conditions as further defined herein. Unsafe conditions may include such neglect of security that opportunities for criminal activity persist to the danger and detriment of the neighborhood.
- (9) Physical or unsanitary conditions or conditions so lacking illumination or ventilation as to be dangerous to human life or detrimental to health of persons on or near the premises where the condition exists.
- (10) Major or minor violations of this Code which cumulatively impact upon the premises to the point whereby conditions endanger human life or substantially and detrimentally affect the safety or security of occupants, nearby occupants or passers-by.

(11) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

(12) Fire hazards.

**(13) Any property that has been used on more than three (3) incidents within a thirty (30) period as the site of any of the following:**

**a. Any misdemeanor or felony related to unlawful possession of use of a firearm or controlled substance which occurs in a parking lot;**

**b. Any violation of section 3-5 of this Code;**

**c. A "pop-up event" as that term is defined in section 4-19 of this Code;**

**d. Any violation of Chapter 16, Article VI of this Code; or**

**e. Any violation of section 22-25 of this Code.**

**f. Any violation of Section 16-2 of this Code which occurs in a parking lot.**

*Unimproved property shall mean land that is not improved property.*

SECTION 2. From and after the effective date of this ordinance Section 15-20 of the Code of Ordinances of the City of Panama City Beach, related to Notice and order of abatement, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 15-20. - Notice and order of abatement.

- (a) The notice and order may require the removal of rubbish, trash or junk or such measures as are reasonably necessary to abate the nuisance.
- (b) The notice and order may require the vacation, repair, restoration or replacement of any unfit or unsafe dwelling or structure or of any part or parts thereof, including accessory building(s), provided that if the inspector shall determine that the cost to repair, restore or replace any such dwelling or structure or part thereof, including accessory building(s) in compliance with all applicable building and life safety codes, would exceed fifty (50) percent of the value of the dwelling or structure or part thereof, including accessory building(s) (as determined by reference to the most recent, final *ad valorem* tax roll prepared by the Bay County Property Appraiser), he may only order the vacation and demolition and removal of the dwelling or structure.
- (c) In addition, due to a variety of reasons, including but not limited to abandonment, neglect, inadequate property management, or obsolescence, the condition(s) constituting a danger or nuisance to the public cannot be made safe, the notice and order shall require the vacation of the dwelling or structure involved and order the demolition and removal of the dwelling or structure or any part or parts thereof, including accessory building(s), contributing to the nuisance. Factors evidencing a determination that a property cannot be made safe may include, but not be limited to: a history of unsecured or unsecurable, dangerous conditions; a history demonstrating the property owner's failure to exercise reasonable control over the property to keep it secure or safe; a history showing that the property has become an attractive nuisance to children or transients; a history showing a proliferation of criminal activity due to dilapidated conditions and lack of management and control over the premises; a history showing that notwithstanding the reasonable efforts of law enforcement or code enforcement personnel, or both, the property remains in a condition which is imminently dangerous to the public health, safety and welfare.

- (d) A notice and order requiring the repair, restoration or replacement of any dwelling, structure or part or parts thereof, including accessory building(s), shall require that the work meet the standards specified by all applicable building and life safety codes.
- (e) The notice and order shall be in writing, signed by the City Manager or his or her designee, with a description of the nuisance and a legal description of the realty where it is located, including the street address, and shall state what the City orders to be done about the condition and the date within which the work ordered to be done is to be completed. The notice and order shall state that it may be appealed within thirty (30) days by written application to the City Manager. The notice and order shall describe the condition(s) found by the inspector to constitute a public nuisance pursuant to this article. If the notice and order requires demolition and removal of an unfit or unsafe dwelling or structure, or part or parts thereof, including accessory building(s), it shall describe the condition(s) found by the inspector, upon consultation with the City Attorney, to constitute such a public nuisance pursuant to this chapter as to make demolition reasonable. A notice and order requiring demolition and removal shall also state that interested parties may elect to abate the nuisance by repair, restoration or replacement of the subject unfit or unsafe dwelling or structure, or part or parts thereof, including accessory building(s).
- (f) Except as otherwise provided below for unsafe or unfit dwellings or structures, the City Manager shall order any such work to be completed within such time as he may determine to be reasonable considering the nature of the nuisance, the danger to the public, and the amount of work involved to abate the nuisance.
- (g) In the case of an unfit or unsafe dwelling or structure or part or parts thereof, including accessory building(s), the notice and order shall require the owner or other interested parties to obtain a permit and begin specified repairs or improvements, or to begin to demolish and remove the dwelling or structure or portion thereof, within thirty (30) days after service of the notice and order. The notice and order shall require the work to be completed within thirty (30) days from the date of the permit for repair or demolition. Any repair or demolition permit necessary as a result of any notice and order shall not require a fee.
- (h) When the inspector verifies the existence of a rodent infestation in any dwelling or structure, or in any accumulation of rubbish, trash or junk, that is to be demolished or removed, in order to preclude the migration of rodents the notice and order shall require that effective rodent extermination methods be employed by a licensed structural pest control operator prior to demolition or removal. Extermination techniques shall include ectoparasite control measures.
- (i) An order to vacate, demolish and remove an unfit or unsafe dwelling or structure or any part or parts thereof, including accessory building(s), shall not preclude the immediate repair, restoration or replacement thereof by an interested party entitled to effect such work (herein collectively an applicant). In order to make the election available in this subsection and avoid the demolition and removal, within thirty (30) days after service of the notice and order of demolition, the applicant must submit a competent application for all or a material portion of the work needed to abate the nuisance and in good faith commence and diligently and continuously pursue all the work through completion. The work must meet the standards specified by all applicable building and life safety codes. In the event that the initial permit application does not cover all the work, the application must be accompanied by a description of the remainder of the work to be done and include a schedule of all the work with milestones reasonable and customary in the construction industry. The City Manager shall either accept or reject the application as covering a material portion of the work, the overall work described as sufficient to abate the nuisance and the schedule of work/milestones as reasonable. Should the City Manager find that the initial application does not cover a material portion of the work, that the overall work described is insufficient to abate the nuisance, or that the schedule of work/milestones is not reasonable, he or she shall advise the applicant who shall have ten days to correct the deficiency in writing or appeal in writing to the City Council which shall hear the matter at its next regular or special meeting. The only issues before the City Council shall be whether to accept or reject the matter(s) rejected by the City Manager. The City Council may not amend the application, description of work or schedule without the written consent of the applicant. The appeal shall be conducted as a quasi-judicial, de novo hearing pursuant the City's Land Development Code, except



that only the applicant and the City Manager, or their respective designees, shall be entitled to present evidence. No other persons shall be considered adversely affected persons. Public comment, but only as commentary, shall be permitted. The applicant shall bear the burden of proof. If the applicant's position is accepted then the applicant shall be required to immediately commence and diligently and continuously pursue the work to abate the nuisance strictly in accord with the schedule upon penalty of demolition as provided in Section 15-25(b). If the applicant's position is not affirmed, the applicant shall have thirty (30) days after entry of the City Council's order to comply with the initial notice and order of demolition and removal, and no permit to repair, restore or replace shall be issued.

**(i) An order to abate a nuisance as defined by section 15-17(13) may place affirmative obligations on the property owner to take preemptive steps to prevent further nuisance activities from occurring on the property. The notice and order shall describe the condition(s) found by the Chief of Police or his or her designee to constitute a public nuisance pursuant to this article. If the notice and order requires preemptive measures to abate the nuisance on the property, or part or parts thereof, including the property's parking lot, it shall describe the condition(s) found by the Chief of Police, upon consultation with the City Attorney, to constitute such a public nuisance pursuant to this chapter as to make preemptive measures necessary. Preemptive measures proscribed by this section shall set forth the precise hours during which each measure shall be active, the duration of the order, which measures may include but not be limited to:**

**(i) The provision of security officers roaming the parking lot of the property who shall be certified law enforcement officers, licensed security guards under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards;**

**(ii) The provision of persons professionally trained or experienced in vehicular traffic control who shall provide active, continuous and onsite supervision of the parking lot who at a minimum are authorized and responsible to control vehicular access to the lot, to maintain peace and order within the lot and require persons in the lot to obey the law, to require offenders to leave the lot and to immediately seek assistance from law enforcement if needed to maintain order or enforce the law;**

**(iii) Flood lighting at night for any parking or other open areas included in the nuisance area;**

**(iv) Any other measures reasonably designed to prevent the nuisance activities on the property.**

SECTION 3. From and after the effective date of this ordinance Section 15-25 of the Code of Ordinances of the City of Panama City Beach, related to City action on failure to comply, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 15-25. - City action on failure to comply.

- (a) If the interested party(s) shall fail to comply with an order made pursuant to the provisions of this article within the time therein fixed or extended, the City, acting through the City Manager, is authorized to abate the nuisance in accordance with the notice and order, either with City forces or by independent contractor(s) selected through the City's procurement process.
- (b) If the interested party(s) respecting an unfit or unsafe dwelling or structure or any part or parts thereof, including accessory building(s) which are the subject of an order to demolish and remove shall timely elect repair, restoration or replacement as provided in this article but fail to timely obtain the required

permits, or fail to timely commence and continuously and diligently pursue the work, the City, acting through the City Manager, is authorized to effect the ordered demolition and removal (including work in progress if work has been commenced) either with City forces or by independent contractor(s) selected through the City's procurement process.

**(c) If the interested party(s) shall fail to comply with an order issued pursuant to section 15-17(13) which shall require preemptive steps to prevent further nuisance activities or shall fail to continuously and diligently pursue the required activities, the City, acting through the City Manager, is authorized to put such measures in place either with City forces or by independent contractor(s) in accordance with the City's procurement process.**

(e d) In the event of any failure to comply specified in this section or under this article, the City Manager and City Attorney are authorized to commence on behalf of the City an action in Circuit Court against the interested party(s) to determine the validity of this article on its face and as applied, to require the interested party(s) to comply with the notice and order and, in the absence of compliance within a time specified by the court, to authorize the City to abate the nuisance as specified in the notice and order or as pleases the court, and to determine the amount and validity of the lien or assessment to be imposed or levied against the subject property to pay the cost of abatement. In the event the City Council shall by resolution determine to borrow the funds required to pay the cost of abatement and to pledge the proceeds of the lien or assessment to repay the loan, the City Manager and City Attorney are authorized to seek on behalf of the City pursuant to Chapter 75, Florida Statutes, validation of the City's authority to incur the debt, issue the certificates or bonds evidencing the debt and the legality of all the proceedings in connection therewith. In the event validation proceedings are commenced, the City Manager is directed to serve upon the interested parties notice of their right to intervene in those proceedings.

SECTION 4. From and after the effective date of this ordinance Section 15-27 of the Code of Ordinances of the City of Panama City Beach, related to Appeals, generally, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 15-27. - Appeals generally.

- (a) Any interested party may appeal to the City Council the interpretation or application of the code section, ordinance, statute, regulation or common law principle on which the notice and order of the City Manager is based by filing with the City Clerk, within thirty (30) days after service of the City Manager's notice and order, a notice of appeal setting forth the grounds for the appeal. Upon receipt of the notice of appeal, the City Clerk shall forthwith transmit a copy of the notice of appeal, together with all related documents of the inspector's department, to the City Council members. Within ten (10) days after the filing of a notice of appeal, the City Clerk shall schedule a date for the hearing thereof and give notice of the date for the hearing to the interested parties in a manner as would afford them not less than ten (10) days notice. Under no circumstances shall the City Clerk establish a hearing date beyond sixty (60) days from the filing of the notice of appeal.
- (b) All such appeals shall be pursuant to the procedures specified in Section 10.13.00 of the City of Panama City Beach Land Development Code, as amended from time to time. In the event of an irreconcilable conflict between the procedures specified in this article and in said Section 10.13.00, this article shall control. Each interested party, as defined in this chapter, shall be deemed an "applicant" for purposes of the hearing. The City Council's decision must be supported by competent, substantial evidence and the inspector shall have the burden of proof.

(c) Any appeal of an order issued pursuant to section 15-17(13) shall not stay the interested party's compliance with abatement actions required by that order during the pendency of the appeal. In the event that the City Council reverses the City Manager's order or any portion thereof pursuant to section 15-17(13), the City Council shall order that the costs directly associated with compliance with the City's reversed order be reimbursed upon the prevailing party's submission of written proof of costs paid. The prevailing party costs provided in this subsection shall not include the costs of any abatement measures upheld by the City Council, any costs associated with any appeal or any attorney's fees.

SECTION 5. From and after the effective date of this ordinance Section 25-37 of the Code of Ordinances of the City of Panama City Beach, related to Schedule of Penalties, generally, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 25-37. - Schedule of civil penalties.

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections.

The "descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the listed Code sections, except to the extent that different types of violations of the same Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of that section may be enforced by the mechanism provided in this Chapter 25, regardless of whether all activities proscribed or required within that particular section are described in the "Description of Violation" column. To determine the exact nature of any activity proscribed or required by this Code, the relevant Code section must be examined.

Code/Appendix Section	Description of Violation	Civil Penalty
<b><u>Code Section 15-17(13)</u></b>	<b><u>Chronic nuisance property</u></b>	<b><u>\$500.00</u></b>

SECTION 6. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 7. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a

contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 8. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Posted on pcbfl.gov on the \_\_\_\_ day of \_\_\_\_\_, 2021.

# 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 Toni Brown, who on oath says that (s)he is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy, being a Legal Advertisement #34433636, was published in said newspaper in the issue(s) of

05/27/2021

Affiant further says that 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 the said newspaper.

Signature of Affiant

*Toni Brown*

Sworn to and subscribed before me this

27 day of May, 2021

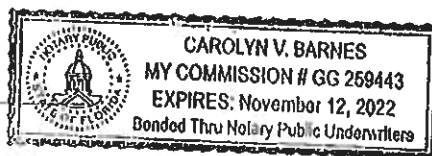
*Carolyn V. Barnes*  
Signature of Notary Public

Name of Notary typed, printed or stamped

Persoually known

or produced identification

Type of Identification Produced



6063 NH

### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the following entitled ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and final adoption at its regular meeting to be conducted at 6:00 P.M. on Thursday, June 10, 2021, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit,

ORDINANCE NO. 1559

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO PUBLIC NUISANCES; DECLARING PROPERTIES UPON WHICH CERTAIN REPEAT VIOLATIONS OF LOCAL AND STATE LAW OCCUR TO BE PUBLIC NUISANCES; SETTING FORTH THE CITY MANAGER'S AUTHORITY TO REQUIRE PREEMPTIVE MEASURES TO ABATE THE NUISANCE; AUTHORIZING THE CITY TO TAKE PREEMPTIVE MEASURES UPON A VIOLATOR'S FAILURE TO COMPLY; PROVIDING THAT COMPLI-

ANCE SHALL NOT BE STAYED DURING THE PENDENCY OF APPEAL; AUTHORIZING CODIFICATION; PROVIDING PENALTIES FOR VIOLATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on [www.pcbfl.gov](http://www.pcbfl.gov). All persons wishing to be heard on the adoption of the Ordinance are invited to appear.

Any person requiring a special accommodation to participate in this meeting because of a disability or physical impairment should contact the Panama City Beach City Clerk, [lynne.fasone@pcbfl.gov](mailto:lynne.fasone@pcbfl.gov) or by phone at (850) 233-5100 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 (Voice) or (800) 955-8771 (TDD).

All Interested persons desiring to be heard on the adoption of the aforesaid ordinance

are invited to be present at the meeting.

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone  
City Clerk

5/27/2021  
6063 NH



# **REGULAR AGENDA**

## **ITEM #8**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Mel Leonard, Building & Planning

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

It is recommended the City Council approve the City to contract with C.A.P. Government, Inc. to provide residential and commercial plans review and building inspection services.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:**

Public Safety  
Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

For several years, the Building Division has contracted for inspection and plans review services with qualified entities who are able to supplement these duties during periods of high building activity and for construction requiring specific certifications. In the 90's, the City used ICC (in Birmingham) to conduct plans review of larger buildings. In the 2000s, the City contracted with Code South to perform plans review and had an interlocal agreement with Bay County for inspections. The City extended the interlocal agreement with Bay County to include plans review as well. A short time later, Bay County contacted the City and said they needed to focus on their own jurisdiction and would no longer be providing these services. In late 2016, Gordon and Associates began providing these services. The City has again advertised for plan review and building inspection services and had one qualified bidder: C.A.P. Government Services, Inc. A public meeting was held on May 28, 2021 at 1 p.m. to review any submitted bids. Copies of the bid and response to the City's advertisement are attached for review.

[Res 21-174.Residential and Commercial Plans Review.pdf](#)

[Bid Form.pdf](#)

[CAP ITB PCB21-13.pdf](#)

[Agreement Form.pdf](#)

**RESOLUTION 21-174**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH,  
FLORIDA, APPROVING AN AGREEMENT WITH C.A.P.  
GOVERNMENT, INC. FOR PLANS REVIEW AND  
INSPECTION SERVICES.**

**BE IT RESOLVED** that the appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and C.A. P. Government, Inc., relating to the performance of residential and commercial plan review and building inspection services, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

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

**PASSED** in regular session this \_\_\_ day of June, 2021.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mark Sheldon, Mayor

**ATTEST:**

\_\_\_\_\_  
Lynne Fasone, City Clerk

PCB21-13-ITB Residential/Commercial Plan Review and Building Inspection Services

**SECTION IV**

**REQUIRED DOCUMENTS**

**BID FORM**

In accordance with the advertisement requesting Invitation to Bid for **PCB21-13 Plan Review and Building Inspection Services**, subject to the terms and conditions of the Agreement, the undersigned proposes to perform the Work for the price contained in the following schedule.

SERVICE	FEE/HOUR	MINIMUM	NOTES
Residential Plan Review	\$ 90.00	0.5 hr.	
Commercial Plan Review	\$ 90.00	1.0 hr.	*Total Fee cannot exceed 50% of permit fee.
Residential Code Inspection	\$ 82.50	2.0 hr.	
Commercial Code Inspection	\$ 85.00	2.0 hr.	
Ancillary Duties as assigned. (Investigations, complaints, meetings, etc.)	\$ 85.00	1.0 hr.	


The undersigned declares that, after examining the Bid Documents for the above referenced service, she/he does hereby submit a response to the bid and warrants that:

1. She/He is an officer of the organization.
2. She/He is authorized to offer a bid in full compliance with all requirements and conditions, as set forth in the ITB.
3. She/He has fully read and understands the ITB and has full knowledge of the scope, nature, quantity and quality of the work to be performed, and the requirements and conditions under which the work is to be performed.

In submitting this Bid, Bidder represents as more fully set forth in the agreement, that Bidder has examined copies of all the contract Documents and of the following Addenda:

Addendum No: 1 Dated: 05/20/21 Addendum No: \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No: \_\_\_\_\_ Dated: \_\_\_\_\_ Addendum No: \_\_\_\_\_ Dated: \_\_\_\_\_

 C.A.P. Government, Inc.  
 Authorized Signature Company  
Carlos A. Penin, PE, President (305) 448-1711  
 Printed Name & Title Telephone Number

05.28.21  
 Date



May 28, 2021

**INVITATION TO BID  
PCB21-13 ITB  
FOR  
RESIDENTIAL/COMMERCIAL PLAN REVIEW AND BUILDING  
INSPECTION SERVICES**



**PLAN REVIEW**



Electronic Plans Review



cap government

Submitted By:

C.A.P. Government, Inc.

343 Almeria Avenue  
Coral Gables, FL 33134  
305.448.1711



May 28, 2021



City of Panama City Beach  
17007 Panama City Beach Parkway  
Panama City Beach, FL 32413

**RE: Invitation to Bid PCB21-13 ITB  
Residential / Commercial Plan Review and Building Inspection Services**

To Whom It May Concern:

C.A.P. Government, Inc. (CAP) is proud to submit this response to the City of Panama City Beach (City) Invitation to Bid (ITB No. PCB21-13 ITB) to provide **Residential / Commercial Plan Review and Building Inspection Services** and invite you to experience **The CAP Way**. Our experience providing Building Department Services is what sets us apart.

At **CAP** we have a fundamental philosophy that as providers of services on behalf of local governments we are a conduit between the residents, business owners, visitors and stakeholders in the community and their local government. As such, we have two primary obligations: First, to provide **excellent service** with a transparency that shows our professionalism, knowledge, experience, quality of service and ethics. Second, to provide these services in an **economically efficient and effective** manner. As you review our submittal package, we call your attention to the following points:

- **Qualifications.** CAP was established over thirty years ago, in 1989 and is a pioneer in Building Department outsourcing services to municipalities throughout Florida. We currently serve over sixty- five (65) municipalities and six (6) educational clients. Our customer centered approach to these services is one of the reasons that our clients stretch throughout Florida.
- **Staff Availability.** CAP has over two hundred (200) employees who are qualified and licensed by the State of Florida Department of Business and Professional Regulations. They provide plans review, inspections, code compliance, Building Official and permit administration services.
- **Electronic Plans Review (EPR).** Since 2013 CAP has been investing, developing, and implementing an EPR platform that allows our Plans Examiners to electronically access work "real-time", with efficiency and accuracy. Our EPR services expedite the review and approval process taking full advantage of current technologies.
- **Remote Inspections.** CAP has launched the use of remote, tech-driven building inspection services to keep projects moving successfully. We conduct inspections using smart phones and tablets. The inspection process utilizes technology to reduce costs, improve compliance, increase turn-around speed, minimize the need for travel and improve customer satisfaction.
- **Location.** We currently have corporate offices in **Coral Gables, Fort Lauderdale and in West Palm Beach.**
- **Services.** CAP contracts only with governmental agencies, thus avoiding potential conflicts of interest. **Building Department outsourcing is what we do!**



May 28, 2021  
City of Panama City Beach

RE: Invitation to Bid, ITB PCB21-13 ITB  
Page Two

We hereby warrant and represent that at all times during the term of the contract we shall maintain, in good standing, all required licenses, certifications and permits required under the federal, state and local laws necessary to perform these services.

We are committed to deliver efficient, cost-effective, and quality services to City of Panama City Beach by maintaining the necessary resources to provide the services required in this Invitation to Bid. Our experience and qualifications meet or exceed the requirements and expectations listed in the ITB.

In closing, let me offer some facts that we believe set us apart from our competition. No other Company in Florida can measure up to the years of service, number of clients and number of employees in our industry. **Why us? The CAP Way, by the numbers:**

32	Years in Business (Est. in 1989).
29	Years Outsourcing Building Services Exclusively to the Government
13	Municipal Clients - Full Service
49	Municipal Clients - Supplemental Services
6	Educational Clients
68	Total Building Department Outsourcing Clients
16	Years with the City of Weston
16	Years with the Town of Cutler Bay
26	Years with the City of Aventura
8	<b>Years providing Electronic Plan Review (EPR)</b>
200+	Employees dedicated to outsourcing Building Services

If given the opportunity, we will provide the City of Panama City Beach our customer centered, innovative, efficient, and accurate **Residential / Commercial Electronic Plan Review and Building Inspection Services** with the quality that comes from working with **C.A.P. Government, Inc.** Should you require any additional information, or wish to discuss this proposal further, please contact me at 305.666.7178.

Very truly yours,  
C.A.P. Government, Inc.

  
Carlos A. Penin, PE  
President

## **SECTION IV:**

# **Required Documents**

**SECTION IV**

**REQUIRED DOCUMENTS**

**BID FORM**

In accordance with the advertisement requesting Invitation to Bid for **PCB21-13 Plan Review and Building Inspection Services**, subject to the terms and conditions of the Agreement, the undersigned proposes to perform the Work for the price contained in the following schedule.

SERVICE	FEE / HOUR	MINIMUM	NOTES
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Ancillary Duties as assigned. (Investigations, complaints, meetings, etc.)	\$ 85.00	1.0 hr.	

The undersigned declares that, after examining the Bid Documents for the above referenced service, she/he does hereby submit a response to the bid and warrants that:

1. She/He is an officer of the organization.
2. She/He is authorized to offer a bid in full compliance with all requirements and conditions, as set forth in the ITB.
3. She/He has fully read and understands the ITB and has full knowledge of the scope, nature, quantity and quality of the work to be performed, and the requirements and conditions under which the work is to be performed.

In submitting this Bid, Bidder represents as more fully set forth in the agreement, that Bidder has examined copies of all the contract Documents and of the following Addenda:

Addendum No: 1 Dated: 05/20/21 Addendum No: \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No: \_\_\_\_\_ Dated: \_\_\_\_\_ Addendum No: \_\_\_\_\_ Dated: \_\_\_\_\_

Authorized Signature

Carlos A. Penin, PE, President

Printed Name & Title

Date

05.28.21

C.A.P. Government, Inc.

Company

(305) 448-1711

Telephone Number



## CITY OF PANAMA CITY BEACH

May 20, 2021

### **ADDENDUM NO. 1**

### **PCB21-13 ITB**

## **Residential/Commercial Plan Review and Building Inspection Services**

### Question

1. Would you consider remote plan review in lieu of in-house plan review?
  - a. *The City of Panama City Beach will accept remote plan review.*
    - i. *Knowledge of local ordinances is required.*

**\*\* (See the attached update to Page 15, Responsibilities, Section 6) \*\***

6. Upon electronic notice from the City to the Bidder, the Bidder shall prepare and deliver to the City a confirmation of the plan's compliance, with applicable codes or a summary and description of code discrepancies within ten (10) working days of Bidders receipt of the plans. Bidder will perform subsequent plan review to confirm discrepancies are corrected with five (5) working days of receipt of subsequent plans.



## REFERENCES

Bidder shall provide a minimum of three references, for which they are currently providing this type of service/commodity within the State of Florida.

BIDDER submits the following four (4) professional references of contracts of similar size and scope as follows:

1. Client: Town of Southwest Ranches Contact: Mr. Andy Berns, Town Administrator

Job Name: Plans Review and Inspections

Job Start Date: 2006. Job Completion Date: On-Going

2. Client: Town of Palm Beach Contact: Mr. Kirk Blouin, Town Manager

Job Name: Plans Review and Inspections

Job Start Date: 2015. Job Completion Date: On-Going

3. Client: City of Marco Island Contact: Mr. Raul Perez, Building Official

Job Name: Plans Review and Inspections

Job Start Date: 2017. Job Completion Date: On-Going

4. Client: Village of Key Biscayne Contact: Mr. Steve Williamson, Village Manager

Job Name: Plans Review and Inspections

Job Start Date: 2019 (1992). Job Completion Date: On-Going

### DRUG-FREE WORKPLACE

In accordance with Section 287.087, Florida State Statutes, preference shall be given to businesses with drug-free workplace programs. Whenever two or more Bids that are equal with respect to price, quality, and service, are received by the State or any political subdivision for the procurement of commodities or contractual services, a Bid received from a business that certifies that has completed a drug-free workplace program shall be given preference in the award process. Established procedure for processing tie Bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibitions.
2. Inform employees about the dangers of drug abuse in the workplace the business policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under Bid a copy of the statement.
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under Bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to any violation of Florida Statutes or of any controlled substance law(s) of the United States or any state five (5) days after such conviction or plea.
5. Impose sanctions on or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, any employee who is so convicted.
6. Make a good-faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

AUTHORIZED SIGNATURE



COMPANY C.A.P. Government, Inc.

DATE 05/28/2021

## **INSURANCE REQUIREMENTS**

### **STANDARD INSURANCE REQUIREMENTS**

Before starting and until acceptance of the work by the City, the Awarded Bidder shall, as a minimum mandatory condition precedent to this work, procure and maintain insurance of the types and to the limits specified below, at their own expense and without cost to the City, until final acceptance by the City of all products or services covered by the purchase order or contract. The policy limits required are to be considered minimum amounts:

The CONTRACTOR and the CONTRACTOR'S subcontractors and sub-subcontractors shall be solely responsible for all of their property, including but not limited to any materials, temporary facilities, equipment, and vehicles, and for obtaining adequate and appropriate insurance covering any damage or loss to such property. The CONTRACTOR and the CONTRACTOR'S sub-contractors and sub-subcontractors expressly waive any claim against OWNER arising out of or relating to any damage or loss of such property, even if such damage or loss is due to the fault or neglect of the OWNER or anyone for whom the OWNER is responsible. The CONTRACTOR is obligated to include, or cause to be included, provisions similar to this paragraph in all of the CONTRACTOR'S subcontracts and its subcontractors' contracts with their sub-subcontractors.

The Certificate of insurance shall be made to the City of Panama City Beach, 17007 Panama City Beach Parkway, Panama City Beach, FL 32413 and list the City of Panama City Beach as additional insured.

Prior to renewal, non-renewal, cancellation, or change or modification of any insurance policy, at least 30 days advance written notice shall be given to the City of Panama City Beach.

Minimum coverage with limits and provisions are as follows:

- A. **Commercial General Liability:** The Successful Bidder shall provide minimum limits of \$1,000,000.00 each occurrence, \$2,000,000.00 annual aggregate combined single limit for bodily injury and property damage liability. This shall include premises/operations, personal & advertising injury, products, completed operations, and contractual liability, specifically confirming and insuring the indemnification and hold harmless clause of the contract. This policy of insurance shall be considered primary to and not contributing with any insurance maintained by the City of Panama City Beach and shall name the City of Panama City Beach as an additional insured. The policy of insurance shall be written on an "occurrence" form.
- B. **Business Automobile:** Successful Bidder shall provide minimum limits of liability of \$1,000,000.00 each accident, combined single limit for bodily injury and property damage. This shall include coverage for:
  - Owned Automobiles
  - Hired Automobiles

- Non-Owned Automobiles

- C. Umbrella/ Excess Liability: Successful Bidder shall provide umbrella/excess coverage with limits of no less than \$1,000,000.00 excess of Commercial General Liability, Automobile Liability and Employers Liability. \*This coverage is optional if Successful Bidder has \$2,000,000 General Aggregate under the Commercial General Liability Policy.
- D. Workers' Compensation: The Successful Bidder shall provide and maintain workers' compensation insurance for all employees in the full amount required by statute and full compliance with the applicable laws of the State of Florida. Exemption certificates to this requirement are not acceptable. Should the Named Vendor utilize a Professional Employer Organization, said Vendor acknowledges and agrees that all employees sent to the City of Panama City Beach MUST be included on that PEO roster. Said policy must include Employers' Liability insurance with limits of no less than:
- Each Accident \$ 100,000.00
  - Disease – Policy Limit \$ 500,000.00
  - Disease – Each Employee \$ 100,000.00
- E. Professional Liability Insurance or Errors and Omissions Insurance: Successful Bidder shall provide professional liability insurance, or Errors and Omissions Insurance, with a minimum limit of \$1,000,000.00 aggregate with respect to acts, errors or omissions in connection with professional services to be provided under this Agreement. Any deductible is not to exceed \$5,000.00 for each claim. Consultant represents it is financially responsible for the deductible amount.

Other Insurance Provisions: The City of Panama City Beach is to be specifically included on all certificates of insurance as a named additional insured (with exception to Workers Compensation). Waiver of Subrogation is required for Commercial General Liability and Automobile Liability. All certificates must be received prior to commencement of service/work. In the event the insurance coverage expires prior to the completion of this contract, a renewal certificate shall be issued thirty (30) days prior to said expiration date. The certificate shall provide a thirty (30) day notification clause in the event of cancellation or modification to the policy.

Deductible Clause – Successful Bidder to declare self-insured retention or deductible amounts.

All insurance carriers shall be rated (A) or better by the most recently published A.M. Best Rating Guide. Unless otherwise specified. The City reserves the right to accept or reject the insurance carrier.

  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

Carlos A. Penin, PE, President  
\_\_\_\_\_  
Printed Name and Title

**E-VERIFY FORM**

**PER FLORIDA STATUTE 448.095, CONTRACTORS AND SUBCONTRACTORS MUST REGISTER WITH AND USE THE E-VERIFY SYSTEM TO VERIFY THE WORK AUTHORIZATION STATUS OF ALL NEWLY HIRED EMPLOYEES.**

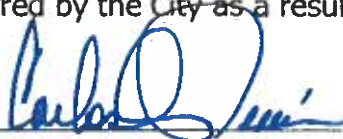
**THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE BID/PROPOSAL. FAILURE TO SUBMIT THIS FORM AS REQUIRED MAY DEEM YOUR SUBMITTAL NONRESPONSIVE.**

The affiant, by virtue of the signature below, certifies that:

1. The Contractor and its Subcontractors are aware of the requirements of Florida Statute 448.095.
2. The Contractor and its Subcontractors are registered with and using the E-Verify system to verify the work authorization status of newly hired employees.
3. The Contractor will not enter into a contract with any Subcontractor unless each party to the contract registers with and uses the E-Verify system.
4. The Subcontractor will provide the Contractor with an affidavit stating that the Subcontractor does not employ, contract with, or subcontract with unauthorized alien.
5. All employees hired by Contractor on or after January 1, 2021 have had their work authorization status verified through the E-Verify system.
6. The City may terminate this Contract on the good faith belief that the Contractor or its Subcontractors knowingly violated Florida Statutes 448.09(1) or 448.095(2)(c).
7. If this Contract is terminated pursuant to Florida Statute 448.095(2)(c), the Contractor may not be awarded a public contract for at least 1 year after the date on which this Contract was terminated.
8. The Contractor is liable for any additional cost incurred by the City as a result of the termination of this Contract.

STATE OF Florida

COUNTY OF Miami-Dade

  
\_\_\_\_\_

Authorized Signature  
Carlos A. Penin, PE

Printed Name  
President

Title  
C.A.P. Government, Inc.

Name of Entity/Corporation

My Commission Expires: 07/25/2022



NOTARY SEAL ABOVE

  
\_\_\_\_\_

Notary Public  
Monica De Castro

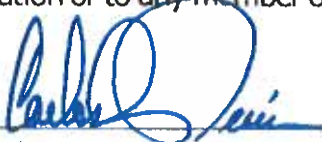
Printed Name



**NON-COLLUSION AFFIDAVIT**


**STATE OF FLORIDA** )  
**COUNTY OF** Miami-Dade )

Carlos A. Penin, PE being, first duly sworn, deposes and  
says President that he is  
C.A.P. Government, Inc. of  
the party making the foregoing  
Proposal or Bid; that such Bid is genuine and not collusive or sham; that said bidder is  
not financially interested in or otherwise affiliated in a business way with any other bidder  
on the same contract; that said bidder has not colluded, conspired, connived, or agreed,  
directly or indirectly, with any bidders or person, to put in a sham bid or that such other  
person shall refrain from bidding, and has not in any manner, directly or indirectly, sought  
by agreement or collusion, or communication or conference, with any person, to fix the  
bid price or affiant or any other bidder, or to fix any overhead, profit or cost element of  
said bid price, or that of any other bidder, or to secure any advantage against the City of  
Panama City Beach, Florida, or any person or persons interested in the proposed contract;  
and that all statements contained in said proposal or bid are true; and further, that such  
bidder has not directly or indirectly submitted this bid, or the contents thereof, or divulged  
information or data relative thereto to any association or to any member or agent thereof.

  
\_\_\_\_\_  
Affiant

Sworn to and subscribed before me this 28th day of May,  
2021.



  
\_\_\_\_\_  
Notary Public  
Monica De Castro  
\_\_\_\_\_  
Printed Name

**SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON  
PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY  
PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS AND  
SUBMITTED WITH THE BID

1. This sworn statement is submitted to City of Panama City Beach, PCB21-13 ITB

by Carlos A. Penin, PE

For C.A.P. Government, Inc.

Whose business address is 343 Almeria Avenue, Coral Gables, FL 33134

and (if applicable) its Federal Employer Identification Number (FEIN) is 65-0121594  
(if the entity has no FEIN, include the Social Security Number of the individual signing this  
sworn statement): \_\_\_\_\_

2. I understand that a "public entity crime" as defined in Section 287.133 (1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

I understand that "convicted" or "conviction" as defined in Section 287.133 (1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

3. I understand that "affiliate" as defined in Section 287.133 (1)(a), Florida Statutes, means:

(a.) A predecessor or successor of a person convicted of a public entity crime, or

(b.) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners,

shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

4. I understand that a "person" as defined in Section 287.133 (1)(e), Florida Statute, means any natural person or any entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

5. Based on information and belief, the statement which I have marked below is true in relation to the person submitting this sworn statement. [indicate which statement applies.]

  x   Neither the person submitting this sworn statement, nor any affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months.

       The person submitting this sworn statement, or an affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months.

       The person submitting this sworn statement, or an affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months. However, it has been determined, pursuant to Section 287.133, Florida Statutes, that it was not in the public interest to place the person submitting this sworn statement or its affiliate on the convicted vendor list. [Attach a copy of the final order].

6. I understand by my execution of this document, I acknowledge that the person submitting this sworn statement has been informed by the City of Panama City Beach, of the terms of Section 287.133(2)(a) of the Florida Statutes which read as follows:

"A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or

PCB21-13-ITB Residential/Commercial Plan Review and Building Inspection Services  
replies on leases of real property to a public entity; may not be  
awarded or perform work as a contractor, supplier, subcontractor,  
or consultant under a contract with any public entity; and may not  
transact business with any public entity in excess of the threshold  
amount provided in Section 287.017 for CATEGORY TWO for a  
period of 36 months following the date of being placed on the  
convicted vendor list."

7. I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING  
OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR  
THE PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31  
OF THE CALENDAR YEAR WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM  
REQUIRED TO INFORM THE PUBLIC ENTITY IMMEDIATELY OF ANY CHANGE IN THE  
INFORMATION CONTAINED IN THIS FORM.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]





## **QUALIFICATIONS OF PERSONNEL**

- Personnel Experience & Licenses
- Proposer's Experience
- List of Contracts
- Business Licenses
- Litigation

**PERSONNEL EXPERIENCE**



CAP's staff is fully certified, qualified, trained and experienced. All of CAP's personnel meet or exceed the minimum qualification requirements of five (5) year's experience.

<b>KEY PERSONNEL</b>			
<b>Name</b>	<b>Role</b>	<b>Yrs. of Experience</b>	<b>License Information</b>
<b>Management</b>			
Carlos A. Penin	Principal-In-Charge	40	PE33216
Judson Dulany	Project Manager	30	BU1990, PX3626, BN6644
Deborah Nutter	QA/AC Manager	30	BU1478, PX2657, BN5093
<b>Building</b>			
Shane Kittendorf	Plans Examiner and Inspector	20	BU1737, PX3335, BN6273
Michael Keenan		7	BU2007, PX3693, BN6687
Giselle Hipolito		9	PX4441, BN7157
Edwin Alisetti		27	PX4490, BN8018
<b>Mechanical</b>			
Hector Carbia	Plans Examiner and Inspector	20	PX3608, BN6473
Carl Virgilio		35	PX4230, BN7613
Warren Deloach		21	PX690, BN1571
Warren Leader		15	PX3623, BN6622
<b>Electrical</b>			
William Cedeno	Plans Examiner and Inspector	8	PX4335, BN7817
Durrani Guy		14	BU2050, PX4087, BN7405
Paul Cobb		40	PX4350, BN6923
Joshua Mangone		13	PX4081, BN7117
<b>Plumbing</b>			
Anthony Dauria	Plans Examiner and Inspector	40	PX4133, BN7353
Kevin Chapman		40	PX4071, BN5198
Richard Massa		20	PX3297, BN6235
James Tooks		18	PX4443, BN7339
<b>Fire</b>			
William Pancake	Plans Examiner and Inspector	35	BU1344, PX1711, BN2957
<b>Floodplain</b>			
Shane Kittendorf	Floodplain	20	BU1737, PX3335, BN6273

**EMPLOYEE TRAINING**

Our employees are required to participate in an annual ethics training course, adhere to company's code of conduct and take education credits to maintain the required certifications for their positions. In April 2016, CAP became an Educational Provider accredited by the Florida Department of Business and Professional Regulation and is further recognized by the Florida Building Code Administrator and Inspection Board. CAP employees are encouraged to obtain additional certifications through training programs that are covered 100% by CAP.



## Licensee Details

### Licensee Information

Name: **PENIN, CARLOS ANTONIO (Primary Name)**  
Main Address: **343 ALMERIA AVENUE  
CORAL GABLES Florida 33134**  
County: **DADE**  
License Mailing: **343 ALMERIA AVENUE  
CORAL GABLES FL 33134**  
County: **DADE**  
LicenseLocation:

### License Information

License Type: **Professional Engineer**  
Rank: **Prof Engineer**  
License Number: **33216**  
Status: **Current,Active**  
Licensure Date: **03/25/1983**  
Expires: **02/28/2023**

**Special Qualifications**                      **Qualification Effective**

### Alternate Names

[View Related License Information](#)

[View License Complaint](#)

[2601 Blair Stone Road, Tallahassee FL 32399](#) :: Email: [Customer Contact Center](#) :: Customer Contact Center: 850.487.1395

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## Licensee Details

### Licensee Information

Name: **DULANY, JUDSON DEWITT (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Building Code Administrator**  
 Rank: **Building Code A**  
 License Number: **BU1990**  
 Status: **Current,Active**  
 Licensure Date: **02/26/2018**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**

### Alternate Names

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## Licensee Details

### Licensee Information

Name: **DULANY, JUDSON DEWITT (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX3626**  
 Status: **Current,Active**  
 Licensure Date: **07/30/2015**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **07/30/2015**

### Alternate Names

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### [View License Complaint](#)

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## Licensee Details

### Licensee Information

Name: **DULANY, JUDSON DEWITT (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN6644**  
 Status: **Current,Active**  
 Licensure Date: **03/27/2015**  
 Expires: **11/30/2021**

**Special Qualifications** **Qualification Effective**  
**Building** **03/27/2015**

### Alternate Names

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## Licensee Details

### Licensee Information

Name: **NUTTER, DEBORAH ANN (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Building Code Administrator**  
 Rank: **Building Code A**  
 License Number: **BU1478**  
 Status: **Current,Active**  
 Licensure Date: **05/02/2006**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**

### Alternate Names

### [View Related License Information](#)

### [View License Complaint](#)

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## Licensee Details

### Licensee Information

Name: **NUTTER, DEBORAH ANN (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX2657**  
 Status: **Current,Active**  
 Licensure Date: **03/13/2006**  
 Expires: **11/30/2021**

**Special Qualifications** **Qualification Effective**  
**Electrical** **03/13/2006**

### Alternate Names

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## Licensee Details

### Licensee Information

Name: **NUTTER, DEBORAH ANN (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN5093**  
 Status: **Current,Active**  
 Licensure Date: **09/23/2005**  
 Expires: **11/30/2021**

Special Qualifications	Qualification Effective
<b>Building</b>	<b>08/09/2006</b>
<b>Electrical Inspector</b>	<b>09/23/2005</b>
<b>1&amp;2 Family Dw</b>	<b>05/05/2006</b>
<b>Mechanical</b>	<b>08/09/2006</b>

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## Licensee Details

### Licensee Information

Name: **KITTENDORF, SHANE VON (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Building Code Administrator**  
 Rank: **Building Code A**  
 License Number: **BU1737**  
 Status: **Current,Active**  
 Licensure Date: **05/03/2011**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **KITTENDORF, SHANE VON (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX3335**  
 Status: **Current,Active**  
 Licensure Date: **08/03/2010**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **08/03/2010**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **KITTENDORF, SHANE VON (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN6273**  
 Status: **Current,Active**  
 Licensure Date: **07/24/2009**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **07/24/2009**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **KEENAN, MICHAEL D (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Building Code Administrator**  
 Rank: **Building Code A**  
 License Number: **BU2007**  
 Status: **Current,Active**  
 Licensure Date: **08/27/2018**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **KEENAN, MICHAEL D (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX3693**  
 Status: **Current,Active**  
 Licensure Date: **02/18/2016**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **02/18/2016**

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## Licensee Details

### Licensee Information

Name: **KEENAN, MICHAEL D (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN6687**  
 Status: **Current,Active**  
 Licensure Date: **06/26/2015**  
 Expires: **11/30/2021**

Special Qualifications	Qualification Effective
<b>Building</b>	<b>06/26/2015</b>
<b>Coastal Construction</b>	<b>01/12/2019</b>
<b>Residential</b>	<b>07/23/2018</b>

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## Licensee Details

### Licensee Information

Name: **HIPOLITO, GISELLE R (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
Rank: **Plans Examiner**  
License Number: **PX4441**  
Status: **Current,Active**  
Licensure Date: **03/02/2020**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **03/02/2020**

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## Licensee Details

### Licensee Information

Name: **HIPOLITO, GISELLE R (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN7157**  
Status: **Current,Active**  
Licensure Date: **07/18/2017**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **07/18/2017**

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## Licensee Details

### Licensee Information

Name: **ALISETTI, EDWIN (Primary Name)**  
 Main Address: **8047 MURANO CIR  
 PALM BEACH GARDENS Florida 33418**  
 County: **PALM BEACH**

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX4490**  
 Status: **Current,Active**  
 Licensure Date: **07/20/2020**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **07/20/2020**

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## Licensee Details

### Licensee Information

Name: **ALISETTI, EDWIN (Primary Name)**  
Main Address: **8047 MURANO CIR  
PALM BEACH GARDENS Florida 33418**  
County: **PALM BEACH**  
  
License Mailing:  
  
LicenseLocation:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN8018**  
Status: **Current,Active**  
Licensure Date: **07/20/2020**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **07/20/2020**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.



## Licensee Details

### Licensee Information

Name: **CARBIA, HECTOR XAVIER (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX3608**  
 Status: **Current,Active**  
 Licensure Date: **06/12/2015**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Mechanical**                      **06/12/2015**  
**Plumbing**                         **10/09/2018**

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## Licensee Details

### Licensee Information

Name: **CARBIA, HECTOR XAVIER (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN6473**  
 Status: **Current,Active**  
 Licensure Date: **11/19/2013**  
 Expires: **11/30/2021**

Special Qualifications	Qualification Effective
<b>Mechanical</b>	<b>11/19/2013</b>
<b>Plumbing</b>	<b>05/07/2017</b>

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## Licensee Details

### Licensee Information

Name: **VIRGILIO, CARL (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
Rank: **Plans Examiner**  
License Number: **PX4230**  
Status: **Current,Active**  
Licensure Date: **02/21/2019**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Mechanical**                      **02/21/2019**

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## Licensee Details

### Licensee Information

Name: **VIRGILIO, CARL (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN7613**  
Status: **Current,Active**  
Licensure Date: **02/01/2019**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Mechanical**                      **02/01/2019**

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## Licensee Details

### Licensee Information

Name: **DELOACH, WARREN WESLEY (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX690**  
 Status: **Current,Active**  
 Licensure Date: **06/30/1994**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Building**  
**Mechanical**  
**Plumbing**

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## Licensee Details

### Licensee Information

Name: **DELOACH, WARREN WESLEY (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN1571**  
 Status: **Current,Active**  
 Licensure Date: **06/30/1994**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Mechanical**  
**Plumbing**

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## Licensee Details

### Licensee Information

Name: **LEADER, WARREN ANTHONY JR (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX3623**  
 Status: **Current,Active**  
 Licensure Date: **07/20/2015**  
 Expires: **11/30/2021**

**Special Qualifications** **Qualification Effective**  
**Mechanical** **07/20/2015**

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## Licensee Details

### Licensee Information

Name: **LEADER, WARREN ANTHONY JR (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN6622**  
 Status: **Current,Active**  
 Licensure Date: **01/20/2015**  
 Expires: **11/30/2021**

**Special Qualifications** **Qualification Effective**  
**Mechanical** **01/20/2015**

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## Licensee Details

### Licensee Information

Name: **CEDENO, WILLIAM (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX4335**  
 Status: **Current,Active**  
 Licensure Date: **09/06/2019**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Electrical**                      **09/06/2019**

### Alternate Names

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## Licensee Details

### Licensee Information

Name: **CEDENO, WILLIAM (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN7817**  
Status: **Current,Active**  
Licensure Date: **09/06/2019**  
Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Electrical Inspector**                      **09/06/2019**

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## Licensee Details

### Licensee Information

Name: **GUY, DURRANI DUDLEY (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Building Code Administrator**  
Rank: **Building Code A**  
License Number: **BU2050**  
Status: **Current,Active**  
Licensure Date: **06/03/2019**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**

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## Licensee Details

### Licensee Information

Name: **GUY, DURRANI DUDLEY (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
Rank: **Plans Examiner**  
License Number: **PX4087**  
Status: **Current,Active**  
Licensure Date: **05/17/2018**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Electrical**                      **05/17/2018**

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## Licensee Details

### Licensee Information

Name: **GUY, DURRANI DUDLEY (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN7405**  
Status: **Current,Active**  
Licensure Date: **05/10/2018**  
Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Electrical Inspector**      **05/10/2018**

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## Licensee Details

### Licensee Information

Name: **COBB, PAUL STEVEN (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX4350**  
 Status: **Current,Active**  
 Licensure Date: **09/27/2019**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Electrical**                      **09/27/2019**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **COBB, PAUL STEVEN (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN6923**  
Status: **Current,Active**  
Licensure Date: **09/15/2016**  
Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Electrical Inspector**                      **09/15/2016**

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## Licensee Details

### Licensee Information

Name: **MANGONE, JOSHUA MICHAEL (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX4081**  
 Status: **Current,Active**  
 Licensure Date: **05/03/2018**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Electrical**                                      **05/03/2018**

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## Licensee Details

### Licensee Information

Name: **MANGONE, JOSHUA MICHAEL (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN7117**  
Status: **Current,Active**  
Licensure Date: **05/30/2017**  
Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Electrical Inspector**                      **05/30/2017**

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## Licensee Details

### Licensee Information

Name: **DAURIA, ANTHONY ALBINO (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX4133**  
 Status: **Current,Active**  
 Licensure Date: **08/07/2018**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Plumbing**                      **08/07/2018**

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## Licensee Details

### Licensee Information

Name: **DAURIA, ANTHONY ALBINO (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN7353**  
 Status: **Current,Active**  
 Licensure Date: **03/05/2018**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Plumbing**                                      **03/05/2018**

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## Licensee Details

### Licensee Information

Name: **CHAPMAN, KEVIN JON (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX4071**  
 Status: **Current,Active**  
 Licensure Date: **04/27/2018**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Plumbing**                      **04/27/2018**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **CHAPMAN, KEVIN JON (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN5198**  
 Status: **Current,Active**  
 Licensure Date: **01/10/2006**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Plumbing**                                      **01/10/2006**

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## Licensee Details

### Licensee Information

Name: **MASSA, RICHARD (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX3297**  
 Status: **Current,Active**  
 Licensure Date: **12/04/2009**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Plumbing**                                      **12/04/2009**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **MASSA, RICHARD (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN6235**  
 Status: **Current,Active**  
 Licensure Date: **03/23/2009**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Plumbing**                      **03/23/2009**

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However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

## Licensee Details

### Licensee Information

Name: **TOOKS, JAMES LEROY JR (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Plans Examiner**  
Rank: **Plans Examiner**  
License Number: **PX4443**  
Status: **Current,Active**  
Licensure Date: **03/02/2020**  
Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Plumbing**                                      **03/02/2020**

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## Licensee Details

### Licensee Information

Name: **TOOKS, JAMES LEROY JR (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Standard Inspector**  
 Rank: **Inspector**  
 License Number: **BN7339**  
 Status: **Current,Active**  
 Licensure Date: **02/21/2018**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Plumbing**                                      **02/21/2018**

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## Licensee Details

### Licensee Information

Name: **PANCAKE, WILLIAM A III (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation:

### License Information

License Type: **Building Code Administrator**  
 Rank: **Building Code A**  
 License Number: **BU1344**  
 Status: **Current,Active**  
 Licensure Date: **11/06/2003**  
 Expires: **11/30/2021**

**Special Qualifications**                      **Qualification Effective**  
**Modular 1&2**                                      **11/06/2003**

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## Licensee Details

### Licensee Information

Name: **PANCAKE, WILLIAM A III (Primary Name)**  
 Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

License Location: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Standard Plans Examiner**  
 Rank: **Plans Examiner**  
 License Number: **PX1711**  
 Status: **Current,Active**  
 Licensure Date: **01/27/2000**  
 Expires: **11/30/2021**

**Special Qualifications**      **Qualification Effective**  
**Building**                      **09/05/2003**  
**Electrical**  
**Mechanical**  
**Plumbing**

### Alternate Names

### [View Related License Information](#)

### [View License Complaint](#)

**2601 Blair Stone Road, Tallahassee FL 32399** :: Email: **[Customer Contact Center](#)** :: Customer Contact Center: 850.487.1395

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Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. \*Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official



## Licensee Details

### Licensee Information

Name: **PANCAKE, WILLIAM A III (Primary Name)**  
Main Address: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

License Mailing:

LicenseLocation: **\*Private Address\* \*Private Address\***  
**\*Private Address\***  
**\*Private Address\***  
**\*Private Address\***

### License Information

License Type: **Standard Inspector**  
Rank: **Inspector**  
License Number: **BN2957**  
Status: **Current,Active**  
Licensure Date: **09/23/1997**  
Expires: **11/30/2021**

### Special Qualifications: Qualification Effective

**Building**  
**Commercial Electric**  
**1&2 Family Dw**  
**Mechanical**  
**Plumbing**  
**Residential Electric**

### Alternate Names

[View Related License Information](#)

[View License Complaint](#)

[2601 Blair Stone Road, Tallahassee FL 32399](#) :: Email: [Customer Contact Center](#) :: Customer Contact Center: 850.487.1395

## PROPOSER'S EXPERIENCE



### PROPOSER'S EXPERIENCE

**C.A.P. Government, Inc. (CAP)** was founded on **April 10, 1989** by Mr. Carlos A. Penin, PE. In 1992 CAP entered into an agreement with the newly incorporated Village of Key Biscayne to offer the outsourcing of Building Department professional services. We have been doing so *continuously* since then.

Today CAP is recognized as the leading firm in providing Building Department services to six (6) educational clients and to over sixty-five (65) municipalities across Florida.

**In 2017, 2018, 2019 and again in 2020**

our company has been ranked as a top 100 firm and recipient of this

prestigious award at the Hot Firm & A/E Industry Awards Conference.



Alumni from the University of Florida have created and guided some of the most innovated and profitable business in the nation and the world.

**In 2017 and in 2018 CAP was recognized as one of the fastest-growing, Gator-owned businesses in the world.**



C.A.P. Government, Inc. is a State of Florida Corporation that operates out of three (3) offices in Florida. Our clients stretch throughout Miami-Dade, Broward, Palm Beach and Gulf Coast Counties.

### **C.A.P. GOVERNMENT, INC.**

**Miami-Dade** 343 Almeria Avenue  
Coral Gables, FL 33134

**Broward** 100 SE 12 Street  
Fort Lauderdale, FL 33316

**Palm Beach** 1910 N. Florida Mango Rd.  
W. Palm Beach, FL 33409

Our customer centered approach to these services has helped us build a team of over 200+ Professional Engineers, Architects, Building Officials, Plans Examiners, Inspectors and Permit Technicians. **Our legacy of hard work and dedication has established us as a leader in our industry.**

For over **thirty-two (32) years** CAP has maintained an exemplary track record of the professional management of all phases of the building and permitting process. CAP's expertise involves developing tailored solutions to plans review, inspections, and code compliance services exclusively to government entities.

CAP's personnel are qualified and have a minimum of five (5) years experience in providing residential/commercial plan review and building inspections. Our services are prompt, courteous, efficient, safe and effective.

**PROPOSER'S EXPERIENCE**



The following information is a brief description of service contracts provided to highlight CAP's relevant experience with other municipalities.

<p><b>CITY OF WESTON</b></p> 	<p><b>Entity:</b> City of Weston  <b>Contact:</b> Mr. Donald P. Decker  <b>E-mail:</b> <a href="mailto:ddecker@westonfl.org">ddecker@westonfl.org</a>  <b>Address:</b> 17200 Royal Palm Blvd. Weston, FL 33326  <b>Contact Telephone:</b> 954.385.2000</p> <p><b>Services Provided</b>  Plans Review, Inspections &amp; Building Code Administrator  <b>Dates of Services: 2005 – Ongoing (16 Years)</b></p>
<p><b>CITY OF OAKLAND PARK</b></p> 	<p><b>Entity:</b> City of Oakland Park  <b>Contact:</b> Mr. David Hebert, City Manager  <b>E-mail:</b> <a href="mailto:davidH@oaklandparkfl.gov">davidH@oaklandparkfl.gov</a>  <b>Address:</b> 3650 NE 12<sup>th</sup> Avenue, Oakland Park, FL 33334  <b>Telephone:</b> 954.630.4200</p> <p><b>Services Provided</b>  Plans Review &amp; Inspections  <b>Dates of Services: 2012 to Present (9 Years)</b></p>
<p><b>CITY OF PARKLAND</b></p> 	<p><b>Entity:</b> City of Parkland  <b>Contact:</b> Ms. Nancy Morando, Interim City Manager  <b>E-mail:</b> <a href="mailto:nmorando@cityofparkland.org">nmorando@cityofparkland.org</a>  <b>Address:</b> 6600 University Drive, Parkland, FL 33067  <b>Telephone:</b> 954.757.4127</p> <p><b>Services Provided</b>  Plans Review &amp; Inspections  <b>Dates of Services: 2015 – Present (6 Years)</b></p>
<p><b>TOWN OF DAVIE</b></p> 	<p><b>Entity:</b> Town of Davie  <b>Contact:</b> Mr. Richard J. Lemack, Town Manager  <b>E-mail:</b> <a href="mailto:richardlemack@davie-fl.gov">richardlemack@davie-fl.gov</a>  <b>Address:</b> 6591 Orange Drive, Davie, FL 33314  <b>Telephone:</b> 954.797.1182</p> <p><b>Services Provided</b>  Plans Review &amp; Inspections  <b>Dates of Services: 2012 to Present (9 Years)</b></p>

CITY OF PANAMA CITY BEACH  
PCB21-13 ITB Residential/Commercial Plan Review and Building Inspection Services

**PROPOSER'S EXPERIENCE**







<p><b>CITY OF WILTON MANORS</b></p> 	<p><b>Entity:</b> City of Wilton Manors  <b>Contact:</b> Ms. Leigh Ann Henderson, City Manager  <b>E-mail:</b> <a href="mailto:lhenderson@wiltonmanors.com">lhenderson@wiltonmanors.com</a>  <b>Address:</b> 2020 Wilton Drive, Wilton Manors, FL 33305  <b>Telephone:</b> 954.390.2120</p> <p><b>Services Provided</b>  Plans Review, Inspections &amp; Building Code Administrator  <b>Dates of Services: 2011 to Present (10 Years)</b></p>
<p><b>CITY OF FORT LAUDERDALE</b></p> 	<p><b>Entity:</b> City of Fort Lauderdale  <b>Contact:</b> Mr. Chris Lagerbloom, City Manager  <b>E-mail :</b> <a href="mailto:clagerbloom@fortlauderdale.gov">clagerbloom@fortlauderdale.gov</a>  <b>Address :</b> 100 N. Andrews Avenue, Fort Lauderdale, FL 33301  <b>Telephone:</b> 954.828.5013</p> <p><b>Services Provided</b>  Plans Review &amp; Inspections  <b>Dates of Services: 2007 to Present (14 Years)</b></p>
<p><b>TOWN OF SOUTHWEST RANCHES</b></p> 	<p><b>Entity:</b> Town of Southwest Ranches  <b>Contact:</b> Mr. Andrew "Andy" Berns, Town Administrator  <b>E-mail:</b> <a href="mailto:aberns@southwestranches.com">aberns@southwestranches.com</a>  <b>Address:</b> 13400 Griffin Road, Southwest Ranches, FL 33330  <b>Telephone:</b> 954.438.0008</p> <p><b>Services Provided</b>  Plans Review, Inspections and Building Code Administrator  <b>Dates of Services: 2006 to Present (15 Years)</b></p>
<p><b>CITY OF HOLLYWOOD</b></p> 	<p><b>Entity:</b> City of Hollywood  <b>Contact:</b> Dr. Wazir Ishmael, City Manager  <b>E-mail:</b> <a href="mailto:wishmael@hollywood.org">wishmael@hollywood.org</a>  <b>Address:</b> 2600 Hollywood Boulevard, Hollywood, FL 33020  <b>Telephone:</b> 954.921.3201</p> <p><b>Services Provided</b>  Plans Review, Inspections and Building Code Administrator  <b>Dates of Services: 2013 to Present (8 Years)</b></p>

CITY OF PANAMA CITY BEACH  
PCB21-13 ITB Residential/Commercial Plan Review and Building Inspection Services



**PROPOSER'S EXPERIENCE**



<p><b>CITY OF AVENTURA</b></p> 	<p><b>Entity:</b> City of Aventura  <b>Contact:</b> Mr. Ronald J. Wasson, City Manager  <b>E-mail:</b> <a href="mailto:rwasson@cityofaventura.com">rwasson@cityofaventura.com</a>  <b>Address:</b> 19200 W Country Club Drive Aventura, FL 33180  <b>Telephone:</b> 305.466.8910</p> <p><b>Services Provided</b>  Plans Review, Inspections and Building Code Administrator  <b>Dates of Services: 1995 to Present (26 Years)</b></p>
<p><b>TOWN OF LAUDERDALE-BY-THE-SEA</b></p> 	<p><b>Entity:</b> Town of Lauderdale-By-The-Sea  <b>Contact:</b> Ms. Linda Connors, Interim Town Manager  <b>E-mail:</b> <a href="mailto:townmanager@lbtS-fl.gov">townmanager@lbtS-fl.gov</a>  <b>Address:</b> 4501 N. Ocean Dr., Lauderdale-By-The-Sea, FL 33301  <b>Telephone:</b> 954.640.4204</p> <p><b>Services Provided</b>  Plans Review, Inspections and Building Code Administrator  <b>Dates of Services: 2011 to Present (10 Years)</b></p>
<p><b>CITY OF SOUTH BAY</b></p> 	<p><b>Entity:</b> City of South Bay  <b>Contact:</b> Mr. Leondrae D. Camel, City Manager  <b>E-mail:</b> <a href="mailto:camell@southbaycity.com">camell@southbaycity.com</a>  <b>Address:</b> 335 SW 2<sup>nd</sup> Avenue, South Bay, FL 33493  <b>Telephone:</b> 561.996.6751</p> <p><b>Services Provided</b>  Plans Review, Inspections and Building Code Administrator  <b>Dates of Services: 2010 to Present (11 Years)</b></p>
<p><b>CITY OF DANIA BEACH</b></p> 	<p><b>Entity:</b> City of Dania Beach  <b>Contact:</b> Mr. Ana M. Garcia, City Manager  <b>E-mail:</b> <a href="mailto:agarcia@daniabeachfl.gov">agarcia@daniabeachfl.gov</a>  <b>Address:</b> 100 W Dania Beach Blvd., Dania Beach, FL 33004  <b>Telephone:</b> 954.390.2120</p> <p><b>Services Provided</b>  Plans Review, Inspections and Building Code Administrator  <b>Dates of Services: 2016 to Present (5 Years)</b></p>

CITY OF PANAMA CITY BEACH  
PCB21-13 ITB Residential/Commercial Plan Review and Building Inspection Services

**PROPOSER'S EXPERIENCE**



cap government

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C.A.P. Government, Inc. has not been issued any fines or is subject to any discipline by the State of Florida or Department of Business Professional Regulation (DBPR).

On the following pages you will find a list of CAP's ongoing contracts with their current status.



**List of ongoing service contracts with their current status**

<b>FULL BUILDING DEPARTMENT</b>				
<b>Entity</b>	<b>Address</b>	<b>Service</b>	<b>On-Going</b>	<b>Contact</b>
<b>City of Aventura</b>	19200 W. Country Club Dr., Aventura, FL 33180	<b>Full Building Department</b>	1995	Ronald J. Wasson City Manager 305.466.8910
<b>Town of Cutler Bay</b>	10720 Caribbean Blvd. Cutler Bay, FL 33189		2005	Rafael G. Casals Town Manager 305.234.4262
<b>City of Weston</b>	17200 Royal Palm Blvd. Weston, FL 33326		2005	Donald P. Decker City Manager 954.385.2000
<b>Village of El Portal</b>	500 NE 87 Street El Portal, FL 33138		2004	Christia Alou Village Manager 305.795.7880
<b>Town of Southwest Ranches</b>	13400 Griffin Road Southwest Ranches, FL 33330		2006	Andy Berns Town Administrator 954.434.0008
<b>City of South Bay</b>	335 SW 2 Avenue South Bay, FL 33493		2010	Leondrae Camel City Manager 561.996.6751
<b>City of Wilton Manors</b>	2020 Wilton Drive Wilton Manors, FL 33305		2011	Leigh Ann Henderson City Manager 954.390.2120
<b>Town of Lauderdale-by- the- Sea</b>	4501 N Ocean Drive Lauderdale-by-the Sea, FL 33180		2011	Linda Connors Interim Town Manager 954.640.4204
<b>North Bay Village</b>	1666 Kennedy Causeway North Bay Village, FL 33141		2013	Ralph Rosado Village Manager 305.756.7171 ext. 24
<b>City of Pahokee</b>	207 Begonia Drive Pahokee, FL 33476		2015	Jongelene Adams Interim City Manager 561.360.0079
<b>Town of Briny Breezes</b>	4802 North Ocean Blvd. Briny Breezes, FL 33435		2016	William Thrasher Town Manager 561.272.5495
<b>City of Belle Glade</b>	110 Martin Luther King Jr., Blvd W. Belle Glade, FL 33430		2017	Lomax Harrelle City Manager 561.996.0100
<b>City of West Park</b>	1965 South State Road 7 West Park, FL 33023		2017	W. Ajibola Balogun City Manager 954.989.2688

**List of ongoing service contracts with their current status**

SUPPLEMENTAL				
Entity	Address	Service	On-Going	Contact
City of Lauderdale	5581 W. Oakland Park Lauderhill, FL 33313	<b>Supplemental Plans Review &amp; Inspections</b>	2005	Desorae Giles-Smith City Manager 954.730.3002
City of Fort Lauderdale	100 North Andrews Avenue, Fort Lauderdale, FL 33301		2006	Chris Lagerbloom City Manager 954.828.5013
City of North Miami Beach	17011 NE 19 Avenue N. Miami Beach, FL 33162		2007	Arthur H. Sorey, III City Manager 305.948.2900
City of Parkland	6600 University Drive Parkland, FL 33067		2008	Nancy Morando City Manager 954.757.4127
City of Miami Beach	1700 Convention Center Drive Miami Beach, FL 33139		2009	Alina T. Hudak City Manger 305.673.7010
Town of Davie	6591 Orange Drive Davie, FL 33314		2012	Richard J. Lemack Town Administrator 954.797.1034
Village of Biscayne Park	600 NE 114 Street Biscayne, FL 33161		2012	Mario Diaz Village Manager 305.899.8000
City of Oakland Park	3650 NE 12 Avenue Oakland Park, FL 33334		2012	David Hebert City Manager 954.630.4596
City of Doral	8401 NW 53 Terrace Doral, FL 33166		2013	Hernan Organvidez Interim City Manager 305.593.6697
Village of Bal Harbour	655-96 <sup>th</sup> Street Bal Harbour, FL 33154		2013	Jorge M. Gonzalez Village Manager 305.866.4633
City of Hollywood	2600 Hollywood Boulevard Hollywood, FL 33020		2013	Wazir Ishmael City Manager 954.921.3201
Village of Pinecrest	13645 Pinecrest Parkway Pinecrest, FL 33156		2014	Yocelyn Galiano Village Manager 305.234.2121
City of Coconut Creek	4800 West Copans Road Coconut Creek, FL 33063		2014	Karen Brooks City Manager 954.973.6720
City of Coral Gables	405Biltmore Way, First Floor Coral Gables, FL 33134		2015	Peter Iglesias, PE City Manager 305.460.5202

**List of ongoing service contracts with their current status**

Entity	Address		On-Going	Contact
City of Boynton Beach	100 E. Ocean Avenue Boynton Beach, FL 33435	<b>Supplemental Plans Review &amp; Inspections</b>	2014	Lori LaVerriere City Manager 561.742.6010
City of Coral Springs	9500 West Sample Rd. Coral Springs, FL 33065		2015	Frank Babinec City Manager 954.344.1142
City of Delray Beach	100 NW 1 Avenue Delray Beach, FL 33444		2015	Brenda Vega City Manager 561.243.7015
City of Greenacres	5800 Melaleuca Lane Greenacres, FL 33463		2015	Andrea McCue City Manager 561.642.2017
City of Naples	735 8 <sup>th</sup> Street South Naples, FL 34102		2015	Dana Souza Interim City Manager 239.213.1030
Town of Palm Beach	360 South County Road Palm Beach, FL 33480		2015	Kirk Blouin Town Manager 561.838.5410
Village of Wellington	12300 Forest Hill Boulevard Wellington, FL 33141		2015	Jim Barnes Village Manager 561.791.4085
City of Dania Beach	100 W. Dania Beach Blvd. Dania Beach, FL 33004		2016	Ana Garcia City Manager 954.924.6800 ex.3610
City of Miami	3500 Pan American Dr. Miami, FL 33133		2016	Arthur Noriega City Manager 305.250.5400
City of Riviera Beach	600 West Blue Heron Blvd. Riviera Beach, FL 33404		2016	Jonathan Evans City Manager 561.812.6590
City of West Palm Beach	401 Clematis Street West Palm Beach, FL 33401		2016	Keith James Mayor 561.822.1200
Palm Beach County	50 South Military Trail West Palm Beach, FL 33145		2016	Verdenia C. Baker County Administrator 561.355.6726
Village of Islamorada	86800 Overseas Highway Islamorada, FL 33036		2016	Maria Bassett Village Manager 305.664.6445
City of Marco Island	50 Bald Eagle Drive Marco Island, FL 34145		2017	Raul Perez Building Official 239.389.5000





**List of ongoing service contracts with their current status**

Entity	Address		On-Going	Contact
Town of Pembroke Pines	3150 SW 52nd Ave. Pembroke Park, FL 33023	<b>Supplemental Plans Review &amp; Inspections</b>	2017	Juan C. Jimenez Town Manager 954.966.4600 x 203
Town of Fort Myers Beach	2525 Estero Boulevard Fort Myers Beach, FL 33931		2018	Roger Hernstadt Town Manager 239.765.0202
Village of Palm Springs	226 Cypress Lane Palm Springs, FL 33461		2018	Richard J. Reade Village Manager 561.965.4011
Sarasota County	1001 Sarasota Center Sarasota, FL 34240		2018	Guy McCauley Building Official 941.861.6343
City of Homestead	100 Civic Court Homestead, FL 33030		2018	Joseph M. Corradino Development Services 305.224.4529
Town of Highland Beach	3614 South Ocean Blvd. Highland Beach, FL 33487		2018	Marshall Labadie Town Manager 561.278.4548
City of Lake Worth	7 North Dixie Highway Lake Worth, FL 33460		2018	Michael Bornstein City Manager 561.586.1689
City of Lake Wales	201 W Central Avenue Lake Wales, FL 33853		2018	James Slaton City Manager 863.678.4182
Village of Key Biscayne	88 West McIntyre Street Key Biscayne, FL 33149		2019	Steve Williamson Village Manager 305.365.5514
Village of Royal Palm Beach	1050 Royal Palm Beach Blvd. Royal Palm Beach, FL 33411		2019	Raymond C. Liggins Village Manager 561.790.5103
Town of Jupiter	210 Military Trail Jupiter, FL 33458		2019	Matt Benoit Town Manager 561.741.2214
City of Fort Pierce	100 N U.S. Highway 1 Fort Pierce, FL 34950		2019	Nick Mimms City Manager 772.465.4170
City of North Port	4970 City Hall Boulevard North Port, FL 34286		2019	Jason Yarborough Assistant City Manager 941.429.7076
City of Clewiston	115 W Ventura Avenue Clewiston, FL 33440		2019	Randy Martin City Manager 863.983.1484
City of Cocoa	65 Stone Street Cocoa, FL 32922	2019	Charlene Neuterman Deputy Director 321.433.8509	



**List of ongoing service contracts with their current status**

Entity	Address	Services	On-Going	Contact
City of Sanibel	800 Dunlop Road Sanibel, FL 33957	<b>Plans Review &amp; Inspections</b>	2019	Judith A. Zimomra City Manager 239.472.3700
Town of Loxahatchee Groves	155 F Road Loxahatchee Groves, FL 33470		2019	Jamie Titcomb Town Manager 561.793.2418
Village of Tequesta	345 Tequesta Drive Tequesta, FL 33469		2019	Jeremy Allen Village Manager 561.768.0460
City of Plantation	401 NW 70 Terrace Plantation, FL 33317		2020	William Gale Director / Building Official 954.797.2250
Town of Lake Park	535 Park Avenue Lake Park, FL 33403		2020	Vivian Mendez Town Clerk 561.881.3311
City of Gainesville	200 East University Ave Gainesville, FL 32601		2021	Gayle Dykeman Procurement Specialist 352.393.8789

**EDUCATIONAL CLIENTS**

Entity	Address	Service	On-Going	Contact
Miami Dade College	11011 SW 104 Street Miami, FL 33176	<b>Plans Review &amp; Inspections</b>	2007	Leo Bobadilla Vice Provost 305.237.2423
Florida International University	11555 SW 17 Street Miami, FL 33199		2007	John Cal Vice President 305.348.4085
Miami-Dade School Board	12525 NW 28 Avenue Miami, FL 33167		2006	Raul F. Perez Chief Facilities Design & Construction Officer 305.995.1401
School Board of Broward County	2301 NW 26 Street Oakland Park, FL 33311		2014	Perla M. Tarrau-Ayala Building Official 754.321.4800
School District of Palm Beach County	3661 Interstate Park Road North Riviera Beach, FL33404		2018	Thomas Hogarth Building Director 561.383.2028
University of Miami	1400 NW 10 <sup>th</sup> Avenue Miami, FL 33136		2019 - 2020	Vilma Diaz Facilities Ops. & Planning 305.243.9194



cap government

# CITY OF PANAMA CITY BEACH PCB21-13 ITB

## Local Business Tax Receipt Miami-Dade County, State of Florida -THIS IS NOT A BILL - DO NOT PAY



2252898

RECEIPT NO.  
RENEWAL  
2369544

BUSINESS NAME/LOCATION  
CAP GOVERNMENT INC  
343 ALMERIA AVE  
CORAL GABLES, FL 33134

**EXPIRES  
SEPTEMBER 30, 2021**  
Must be displayed at place of business  
Pursuant to County Code  
Chapter 8A - Art. 9 & 10



OWNER  
CAP GOVERNMENT INC

SEC TYPE OF BUSINESS  
212 P.A./CORP/PARTNERSHI  
P/FIRM

PAYMENT RECEIVED  
BY TAX COLLECTOR

Employee(s) 55

EB5344

247 50 07/14/2020  
CREDITCARD-20-051626

This Local Business Tax Receipt only confirms payment of the Local Business Tax. The Receipt is not a license, permit, or a certification of the holder's qualifications, to do business. Holder must comply with any governmental or nongovernmental regulatory laws and requirements which apply to the business.

The RECEIPT NO. above must be displayed on all commercial vehicles - Miami-Dade Code Sec 8a-276.

For more information, visit [www.miamidade.gov/taxcollector](http://www.miamidade.gov/taxcollector)



**ANNE M. GANNON**  
CONSTITUTIONAL TAX COLLECTOR  
Serving Palm Beach County

P.O. Box 3353, West Palm Beach, FL 33402-3353  
www.pbctax.com Tel: (561) 355-2264

"LOCATED AT"

1910 North FLORIDA MANGO RD  
WEST PALM BEACH, FL 33401

Serving you.

TYPE OF BUSINESS	OWNER	CERTIFICATION #	RECEIPT #/DATE PAID	AMT PAID	BILL #
55-001 ADMINISTRATIVE OFFICE	C.A.P. GOVERNMENT INC		B21 146946 - 11/16/20	\$37.95	B40162239

This document is valid only when receipted by the Tax Collector's Office

STATE OF FLORIDA  
PALM BEACH COUNTY  
2020/2021 LOCAL BUSINESS TAX RECEIPT

**LBTR Number: 2016092908**  
**EXPIRES: SEPTEMBER 30, 2021**

C.A.P. GOVERNMENT  
C.A.P. GOVERNMENT INC  
1910 N FLORIDA MANGO RD  
WEST PALM BEACH, FL 33401

This receipt grants the privilege of engaging in or managing any business profession or occupation within its jurisdiction and MUST be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.

INSTRUCTIONS: PLEASE POST IN A CONSPICUOUS PLACE AT YOUR PLACE OF BUSINESS.



**CITY OF WEST PALM BEACH**  
2020 to 2021 BUSINESS RECEIPT

**NOT TRANSFERABLE**

CITY OF WEST PALM BEACH  
P.O. BOX 5140, WEST PALM BEACH, FL 33409

0000041598  
C A P GOVERNMENT INC  
1910 N FLORIDA MANGO RD

CONSTRUCTION PLAN REVIEW  
CONTRACTED REVIEWER  
OFFICE  
PLAN REVIEW

BUS. TAX ID	CATEGORY	DESCRIPTION	FILE
70613	238899	CONSTRUCTION RELATED SERVICES	00 81
<b>TOTAL</b>			56 81
<b>** PAID</b>			56 81
<b>** BAL **</b>			0 00

**EXPIRES  
SEPTEMBER 30,  
2021**

**THIS DOCUMENT NOT VALID  
UNTIL FUNDS ARE COLLECTED**



# *State of Florida*

## *Department of State*

I certify from the records of this office that C.A.P. GOVERNMENT, INC. is a corporation organized under the laws of the State of Florida, filed on April 10, 1989.

The document number of this corporation is K80212.

I further certify that said corporation has paid all fees due this office through December 31, 2021, that its most recent annual report/uniform business report was filed on January 7, 2021, and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Seventh day of January, 2021*



*Samuel R. Lee*  
**Secretary of State**

Tracking Number: 2674642538CC

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

## LITIGATION



## LITIGATION

C.A.P. Government, Inc. (CAP) has not been involved in any type of litigation in the past three (3) years.

## ADDITIONAL INFORMATION

**PLANS EXAMINER**

C.A.P. Government, Inc. (CAP) has co-developed a cloud-based **Electronic Plans Review (EPR)** system that is **simple, user friendly and transparent**. Our EPR services will expedite the review and approval process for the City of Panama City Beach on a platform that takes full advantage of current technologies.

We are confident that our EPR will make the review process more accurate and efficient by allowing project stakeholders “**real-time**” access to the status of their application and to the submittals from the design professionals across different platforms using internet connectivity.

Providing services remotely ensures our Reviewers better access to data and allows greater flexibility. Electronic data exchange helps reduce and eliminate paper bulk and minimizes environmental impact. Data stored electronically is safer and easier to retrieve. In short, the EPR system adds efficiency and value to the entire Plans Review process.



**CAP currently provides and has provided EPR services to various municipalities and educational facilities since 2016.**

During the **COVID-19 Pandemic**, we were called to be safer and healthier, our system

allowed for the EPR process to be **seamless, safe and efficient.**

Our professional staff understands that we are responsible for ensuring the **safety and well-being** of the communities we serve. The CAP team provides services that help **manage workflow and enhance user experience**, while safeguarding community assets and personnel.

**BUILDING INSPECTIONS**

CAP commits to comply to the Inspection Services required in this ITB by the City of Panama City Beach.

CAP will provide Building Code inspectors to conduct inspections of building projects that require Florida Building Code (FBC) permits. Our Inspectors are licensed by the **State of Florida Chapters 468, Part XIII** and have the required experience to perform all the Residential and Commercial Building Inspections for the City of Panama City Beach.

In addition, CAP is at the forefront of using smart phones and tablets to provide Remote Building Inspections. This inspection process utilizes current technology to help improve compliance, reduces turn-around time, minimizes the need for travel and improves customers satisfaction.

Our **EPR system** coupled with our **remote building inspection** technology provides a seamless process with high-quality results.

CAP has performed approximately 750 inspections per month with our Electronic Plan Review and Inspection system and approximately 2,000 additional inspections per month using the permitting system of other municipalities that we serve.



cap government

[capfla.com](http://capfla.com)

**AGREEMENT****SERVICE AGREEMENT BETWEEN****THIS AGREEMENT IS BETWEEN THE CITY OF PANAMA CITY BEACH AND****FOR****RESIDENTIAL/COMMERCIAL PLAN REVIEW AND INSPECTION SERVICES**

THIS AGREEMENT is entered into by and between the CITY OF PANAMA CITY BEACH ("the City"), whose address is 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413, and \_\_\_\_\_ ("Contractor"), whose address is \_\_\_\_\_. All references to the parties hereto include the parties, their officers, employees, agents, successors, and assigns.

In consideration of the payments hereinafter specified, the covenants and conditions of this Agreement, and other good and valuable consideration, the adequacy of which is hereby acknowledged, Contractor agrees to furnish and deliver all materials and perform all services and labor required for ("the Work"). In accordance with PCB21-13 ITB RESIDENTIAL/COMMERCIAL PLAN REVIEW AND BUILDING INSPECTION SERVICES, Contractor shall complete the Work in conformity with this Agreement, which consists of and incorporates all of the following documents: (1) advertisement for bids; (2) Instructions to Bidders; (3) addenda; certifications, and affidavits; (4) bid, proposal, or qualifications submittals; and (5) this Agreement, including the Scope of Work, Specifications, General Conditions and any Special Conditions or other attachments. If any provision in the body of this Agreement conflicts with any attachment hereto, the terms of this Agreement shall prevail unless the referenced attachment is a requirement pursuant to grant funding. This Agreement, including attachments, shall take precedence over all solicitation documents (items 1 - 4). The parties hereby agree to the following terms and conditions.

**1. TERM OF AGREEMENT**

- (a) The term of this Agreement shall run from the Effective Date to the Completion Date. Time is of the essence for each and every aspect of this Agreement. Where additional time is allowed to complete the Work, the new time limit shall also be of the essence. All provisions of this Agreement that by their nature extend beyond the Completion Date shall survive termination or expiration of this Agreement.
- (b) **Effective Date.** The Effective Date is the date upon which the last party



PCB21-13-ITB Residential/Commercial Plan Review and Building Inspection Services to this Agreement has dated and executed the same.

- (c) **Completion Date.** The Completion Date of this Agreement is September 30, 2021, unless extended by mutual written agreement of the parties. The Work shall be completed for use no later than said date.
- (d) This Agreement may be renewed by mutual and written consent of each party for no more than a total of two (2) consecutive years.

## **2. COMMENCEMENT OF WORK**

- (a) Contractor shall commence the Work within ten (10) days of issuance of a Notice of Award by the City.

This date shall be known as the "Commencement Date." Contractor shall prosecute the Work regularly, diligently, and uninterruptedly so as to complete the Work ready for use in accordance with the Scope of Work and the time for completion stated therein. Contractor shall not commence the Work until any required submittals are received and approved.

## **3. DELIVERABLES**

- (a) The Work is specified in the Scope of Work. Contractor shall deliver all products and deliverables as stated therein. Contractor is responsible for the professional quality, technical accuracy, and timely completion of the Work. Both workmanship and materials shall be of good quality. Contractor shall, if required, furnish satisfactory evidence as to the kind and quality of materials provided. Unless otherwise specifically provided for herein, Contractor shall provide and pay for all materials, labor, and other facilities and equipment necessary for performance of the Work. The City's Building Official shall make a final acceptance inspection of the deliverables when completed and finished in all respects.
- (b) If not otherwise addressed in the Scope of Work and/or Specifications, upon written request, Contractor shall submit written progress reports to the City's Building Official at the frequency requested in the form approved by the Building Official at no additional cost to the City. The progress report shall provide an updated progress schedule, taking into account all delays and approved changes in the Work. Failure to provide a progress report will be cause to withhold payment.

**4. OWNERSHIP OF DELIVERABLES**

All deliverables, including Work not accepted by the City, are City property when Contractor has received compensation therefor, in whole or in part. Any City source documents or other City or non-City documents, specifications, materials, reports, or accompanying data developed, secured, or used in the performance of the Work, excluding proprietary materials, as outlined in the Statement of Work, are City property and shall be safeguarded and provided to the City upon request. City plans and specifications shall not be used on other work and, with the exception of the original plans and specifications, shall be returned to the City upon request. This obligation shall survive termination or expiration of this Agreement.

**5. PAYMENT OF INVOICES**

For satisfactory performance of the Work, the City agrees to pay Contractor [a sum not to exceed individual Work Orders] [\$] [the "Total Compensation"]. The compensation for each Work Order shall be set forth in the Work Order and billed in accordance with the contracted hourly rate. Contractor shall submit monthly itemized invoices by one of the following two methods: by mail to the City of Panama City Beach City Hall, 17007 Panama City Beach Parkway, Panama City Beach, FL 32413, or (2) by e-mail [Courtney.Weed@pcbfl.gov](mailto:Courtney.Weed@pcbfl.gov). Each invoice shall be submitted in detail sufficient for proper pre-audit and post-audit review. If necessary for audit purposes, Contractor shall provide additional supporting information as required to document invoices.

**6. CONTRACT PAYMENT AND COMPLIANCE WITH THE LOCAL GOVERNMENT PROMPT PAYMENT ACT FOR NON-CONSTRUCTION SERVICES.**

**All invoices shall include the following information:**

1. Contractor's name and address (include remit address, if necessary);
2. Contractor's invoice number and date of invoice
3. City Building Official or Work Order Manager, if applicable;
4. Supporting documentation for the hours charged (as per the cost schedule and other requirements of the Specification and Conditions; for work-orders;
5. Payments shall be made within twenty (20) business days of receipt of an approved invoice. Disputes regarding invoice sufficiency are resolved pursuant to the dispute resolution procedure of this Agreement.
6. The City will comply with the provisions of the Florida Local Government Prompt Payment Act.

**7. INDEMNIFICATION** Contractor shall indemnify and hold harmless, release,

PCB21-13-ITB Residential/Commercial Plan Review and Building Inspection Services and forever discharge the City, its public officers, employees, agents, representatives, successors, and assigns, from any and all liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Contractor, its employees or sub-contractors, in the performance of the Work and resulting from damages to property, personal injury, or loss of life.

- 8. INSURANCE AND PERMITS** Contractor shall acquire and maintain, at its own expense, all permits, and licenses required by law and shall maintain the same in full force and effect. Contractor is responsible for conformance with all State and Federal regulations and requirements. Contractor shall provide all insurance required in the terms and conditions. Contractor shall not commence Work until it has provided Certificates of Insurance to the City. Receipt of Certificates of Insurance indicating less coverage than required does not constitute a waiver of the Insurance Requirements. Contractor waives its right of recovery against the City to the extent permitted by its insurance policies. Contractor's insurance shall be considered primary, and City insurance shall be considered excess, as may be applicable to Contractor's obligation to provide insurance.
- 9. FUNDING CONTINGENCY** This Agreement is at all times contingent upon funding availability. Agreements are subject to annual appropriation of funds in the sole discretion and judgment of the City's Council. Should the Work not be funded, in whole or in part, in the current Fiscal Year or succeeding Fiscal Years, the City shall so notify Contractor and this Agreement shall be deemed terminated for convenience five (5) days after receipt of such notice, or within such additional time as the City may allow. For the purpose of this Agreement, "Fiscal Year" is defined as the period beginning on October 1 and ending on September 30.
- 10. PROJECT MANAGEMENT AND PERSONNEL** The Building Official listed below shall be responsible for overall coordination and management of the Work.
- 11. NOTICES** All notices shall be in writing to the Building Official at the addresses, 116 S Arnold Road, Panama City Beach, FL 32413 and shall be sent by one of the following methods: (1) hand delivery; (2) U.S. certified mail; (3) national overnight courier; (4) e-mail or, (5) fax. Notices via certified mail are deemed delivered upon receipt. Notices via overnight courier are deemed delivered one (1) business day after having been deposited with the courier. Notices via e-mail or fax are deemed delivered on the date transmitted and received.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this Agreement in two (2) copies each of which shall be deemed an original on the date first written above.

PCB21-13-ITB Residential/Commercial Plan Review and Building Inspection Services

(SEAL)

OWNER:

CITY OF PANAMA CITY BEACH,  
FLORIDA BY:

ATTEST:

\_\_\_\_\_

NAME: Drew Whitman  
(Please type)

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

TITLE: City Manager

\_\_\_\_\_  
City Attorney (as to form only)

CONTRACTOR:

BY: \_\_\_\_\_

ATTEST:

NAME: \_\_\_\_\_  
(Please Type)

\_\_\_\_\_

NAME \_\_\_\_\_  
(Please Type)

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

# **REGULAR AGENDA**

## **ITEM #9**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Amy Myers, Legal

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Authorize City Manager's execution of agreement engaging Fred Springer/BMO, and approve budget amendment for this purpose.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** No

Detailed Budget Amendment Attached: Yes

**6. IDENTIFY STRATEGIC PRIORITY:**

Financial Health

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

As part of the City's effort to standardize its procurement practices, staff has identified the need to update the City's construction document set, which was last updated in 2008. Staff has reached out to Fred Springer with Bryant, Miller & Olive to assist in this effort, given his background in complex construction and procurement matters. The proposed engagement is two-fold, and contemplates both the general update of the City's construction documents and training of staff on how to use them, as well as an ongoing hourly rate for consultation related to specific construction matters.

This document update effort is substantial, and the engagement of Fred Springer/BMO for these purposes is an extraordinary expense that was not anticipated in the City's original budget. A budget amendment is attached to appropriate funds for these purposes.

Staff recommends approval.

[Res 21-175.Fred Springer Engagement.pdf](#)

[210528 Springer to Myers re proposal for representation \(01792217\).pdf](#)

[2021 BA #57 - Contract Template Review.pdf](#)



**RESOLUTION 21-175**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH BRYANT MILLER OLIVE FOR AN UPDATE OF THE CITY'S CONSTRUCTION DOCUMENTS FOR THE BASIC AMOUNT OF \$15,000, AND FOR GENERAL ENGAGEMENT FOR PROCUREMENT AND CONSTRUCTION SERVICES AT THE RATES SET FORTH HEREIN; AND AUTHORIZING A BUDGET AMENDMENT TO APPROPRIATE ADDITIONAL FUNDS FOR THESE PURPOSES.**

**BE IT RESOLVED** that:

1. The appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and Bryant, Miller & Olive, relating to the performance of a comprehensive construction document update, in the basic amount of Fifteen Thousand Dollars (\$15,000), together with general procurement and construction consultation services at the rate set forth therein, all in substantially the form attached and presented as Exhibit A to the Council today, draft dated May 28, 2021, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.
2. The following budget amendment #57 is adopted for the City of Panama City Beach, Florida, for the fiscal year beginning October 1, 2020, and ending September 30, 2021, as shown in and in accordance with the attached and incorporated Exhibit B.

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

**PASSED** in regular session this \_\_\_\_ day of June, 2021.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mark Sheldon, Mayor

**ATTEST:**

\_\_\_\_\_  
Lynne Fasone, City Clerk

May 28, 2021

Via Electronic Mail Only (amyers@handfirm.com)

Ms. Amy E. Myers  
City Attorney  
City of Panama City Beach  
16901 PCB Parkway, Suite 300  
Panama City Beach, FL 32413

Re: Proposal for Representation

Dear Ms. Myers:

I enjoyed meeting with you recently to discuss the City's transportation rehabilitation program and project processes more generally. Bryant Miller Olive P.A. ("Firm") proposes to support your efforts as City Attorney by providing services as outlined below. I will be the primary attorney providing services. The services are squarely within my areas of experience. In my first private practice role, my firm served as general counsel to the Florida Transportation Builders' Association, and we regularly represented association member construction companies on project-related issues. When I moved from that firm to public service, I focused on contracting matters, including time serving as State Purchasing Director. Since joining the Firm in 2007, I have continued to concentrate on complex project issues. I have taught Construction Law as an adjunct professor at the Florida State University law school, and I teach the procurement module of The Florida Bar's review course for certification in City, County, and Local Government Law. I have provided to other Firm clients the type of services proposed below.

We propose to review and update the City's existing construction contract documents. The review will consider current versions of standard industry documents and Florida-specific requirements. These documents include not only the basic form of legal agreement, but also the broader set of related project documents (advertisement, tender, bonds, specifications, project administration, etc.). Standardization will distinguish between simple and complex projects. The review will include interviews with affected stakeholders (public works, procurement, legal, etc.). The service will include training designed for these different stakeholders, so they understand how to use the documents in their role in the overall process. We propose to complete this work for a fixed fee of \$15,000. The City will also reimburse us, without markup, for any third-party

Ms. Amy E. Myers  
City of Panama City Beach  
May 28, 2021  
Page 2

costs incurred in connection with this service. For example, there may be license fees associated with use of standard industry documents.

We also propose to provide project-specific services on as-needed basis. These services would be specified later in work orders involving capital construction projects undertaken by various City offices (Community Redevelopment Agency, Public Works, Utilities, etc.). The services can range from project planning phases through litigation. Given the variable nature of the work, it is not possible to offer a fixed fee. Instead, we propose to perform this work on an hourly basis at the rate of \$325 per hour, or as otherwise may be agreed for a particular assignment.

We appreciate the opportunity to extend this proposal and to continue our work with the City. If you would like to discuss the proposal or have any other questions, please feel free to call me at (850) 559-0331. Given our past relationship, no advance fee deposit will be required. Our sole client in this representation will be the City, unless otherwise specified in a later work order. Our representation will begin upon written confirmation by the City.

We look forward to working with you and the City.

Sincerely,

BRYANT MILLER OLIVE P.A.



Frederick J. Springer

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

No. BA #57

FUND	General	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-4100-541.31-60	Professional Other	43,550.00	5,000.00	48,550.00
FROM	001-8100-999.96-00	Reserves Available for Expenditures	11,395,605.00	(5,000.00)	11,390,605.00
	<b>CRA</b>				
TO	160-5901-559.31-60	Professional Other	138,400.00	5,000.00	143,400.00
FROM	160-5901-559.95-00	Reserves Restricted	44,070,553.00	(5,000.00)	44,065,553.00
	<b>Stormwater</b>				
TO	180-3800-538.31-60	Professional Other	27,550.00	5,000.00	32,550.00
FROM	180-8100-999.95-00	Reserves Restricted	146,654.00	(5,000.00)	141,654.00
	<b>Utility</b>				
TO	401-3300-533.31-60	Professional Other	52,000.00	2,500.00	54,500.00
TO	401-3500-535.31-60	Professional Other	270,600.00	2,500.00	273,100.00
FROM	401-8100-999.96-00	Reserves Available for Expenditures	37,144,771.00	(5,000.00)	37,139,771.00
		Check Adjustment Totals:	93,289,683.00	0.00	93,289,683.00

**BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:**

To appropriate funding for contract template review services

**ROUTING FOR APPROVAL**

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

# **REGULAR AGENDA**

## **ITEM #10**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Jim Ponek, Parks & Recreation

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Staff recommends that the City Council authorize execution of a contract with Main Street Construction Services LLC for the Parks and Recreation FY 21 Concrete Projects.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: Yes

**6. IDENTIFY STRATEGIC PRIORITY:**

Quality of Life  
Quality of Life  
Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

On May 26, 2021 the City Received three bids for the Parks and Recreation FY 21 Concrete Projects.

The lowest most responsive bid has been received from Main Street Construction Services in the amount of \$117,612.00

The concrete projects consist of concrete repairs in Frank Brown Park, Aaron Bessant Park, Beach Access 47/65 and concrete pads for new bike racks to be placed on Beach Access 26, 31, 34, 43, 45, 51, 65 and 76A.

Projects had been budgeted for in this year's fiscal year budget in three divisions, the Pier Budget for the Beach access concrete repairs, CRA for the new Bike Racks, and Parks for repairs to Frank Brown Park and Aaron Bessant Park. Staff is requesting a budget amendment for the Parks Division due to the unanticipated repairs from the tornado and rise in prices. Budget Amendment is attached.

With City Council approval, projects will begin June 14, 2021 and be completed by September 1, 2021.

Staff recommends approval.





***CITY OF PANAMA CITY BEACH  
AGENDA ITEM SUMMARY***

Res 21-176.Concrete Bid Award.pdf  
Bid Tabulation Sheet.pdf  
Main Street Constructioin.pdf  
2021 BA #63 - Park Concrete.pdf

**RESOLUTION 21-176**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH MAIN STREET CONSTRUCTION SERVICES FOR CONCRETE PROJECTS FOR VARIOUS PARKS AND RECREATION DEPARTMENT FACILITIES FOR THE BASIC AMOUNT OF \$117,612; AND AUTHORIZING A BUDGET AMENDMENT FOR THIS PURPOSE.**

**BE IT RESOLVED** that:

1. The appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and Main Street Construction Services, relating to concrete projects for various Parks and Recreation Department facilities, in the basic amount of One Hundred Seventeen Thousand, Six Hundred Twelve Dollars (\$117,612), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.
2. The following budget amendment #63 is adopted for the City of Panama City Beach, Florida, for the fiscal year beginning October 1, 2020, and ending September 30, 2021, as shown in and in accordance with the attached and incorporated Exhibit A.

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

**PASSED** in regular session this \_\_\_\_ day of June, 2021.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mark Sheldon, Mayor

**ATTEST:**

\_\_\_\_\_  
Lynne Fasone, City Clerk



# CITY OF PANAMA CITY BEACH

PCB21-05 Parks and Recreation FY 21 Concrete Projects

## Bid Tabulation Sheet

5/26/21 1:00PM

	CONTRACTOR/VENDOR	AMOUNT
1	Double H Construction	\$133,625.00
3	Main Street Construction Services	\$117,612.00
2	Winterfell Construction	\$232,875.00
4		
5		
6		
7		
8		
9		
0		
1		
2		

PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"

SECTION 00030

BID PROPOSAL FORM

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This proposal of Main Street Construction Services LLC (hereinafter called "BIDDER"), organized and existing under the laws of the State of Florida, doing business as Corporation (a corporation, a partnership or an individual), whose Florida Certified General Contractor or Certified Utility and Excavation Contractor's license number is CGC 1511274 and hereby submitted to the CITY OF PANAMA CITY BEACH (hereinafter called "OWNER").

In compliance with the requirements of the Advertisement for Bids, BIDDER hereby proposes to perform all WORK for the Parks and Recreation "FY-21 Concrete Projects" in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under the CONTRACT DOCUMENTS within ten (10) calendar days after the NOTICE TO PROCEED to be issued by Owner in writing and achieve Substantial Completion of the WORK within 75 consecutive calendar days thereafter. Final Completion of the WORK shall be achieved by BIDDER within the calendar days specified in the General Conditions after the date of Substantial Completion.

BIDDER further agrees to pay as liquidated damages, the sum of \$500.00 for each consecutive calendar day that expires after the Contract Time until Substantial Completion of the WORK is achieved as provided in Section 00100 of the General Conditions.

BIDDER acknowledges receipt of the following ADDENDUM:

Addendum No. NONE

Addendum No. \_\_\_\_\_

PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"

Addendum No. \_\_\_\_\_

BASE BID

BIDDER agrees to perform all the WORK described in the CONTRACT DOCUMENTS for the following lump sum: \$ 117,612.00

The BIDDER proposes and agrees, if this Proposal is accepted, to contract with the OWNER in the required form of the Agreement, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the WORK in full and in accordance with the shown, noted, described and reasonably intended requirements of the CONTRACT DOCUMENTS according to the following schedule:

LUMP SUM BID SCHEDULE

Item	Work Description	Unit Qty	Total
1	<b>Pier Fund Improvements (Exhibit A)</b> Concrete work at "beach-end" of Beach Access Points 47 and 65	157 sf	\$ 3,000.00
2	<b>CRA Fund Improvements (Exhibit B)</b> Concrete work at "roadway-end" of Beach Access Points 26, 31, 34, 43, 45, 47, 51, 65, and 76A	2,134 sf	\$ 25,608.00
3	<b>Parks &amp; Recreation Fund Improvements (Exhibit C)</b> Concrete work at Frank Brown and Aaron Bessant Parks	7,417 sf	\$ 89,004.00
<b>LUMP SUM BID (1+2+3)</b>			\$ 117,612.00
<b>(IN WORDS) one hundred and seven thousand, six hundred and twelve dollars</b>			

PCB21-05-ITB –Parks and Recreation "FY21-Concrete Projects"

**NOTE:**

1. BIDS shall be on the basis of a lump sum price, as noted above, and shall be the total compensation to be paid by OWNER for the complete WORK.
2. The OWNER reserves the right to reject any and all bids received.
3. **Failure to insert a bid amount for any item in the Bid Schedule will be considered grounds for the OWNER to determine the BID is nonresponsive.**
4. By submitting this BID, the BIDDER and the BID BOND surety (if applicable) , are deemed to have stipulated and agreed that any and all claims, demands, actions or suits whatsoever, arising under this BID and/or BID BONDS, shall be subjected to the sole and exclusive jurisdiction and venue of the Circuit Court of Bay County, Florida. The BIDDER and BID BOND surety do agree, by submittal of this BID, that the sole and exclusive jurisdiction and venue in said forum is proper and appropriate since performance of the underlying contract to be awarded is to be accomplished within Bay County, Florida.

**BIDDER'S CERTIFICATION**

BIDDER certifies that it has thoroughly familiarized itself with and inspected the site and has read and is thoroughly familiar with the CONTRACT DOCUMENTS. Additional site investigation, if deemed necessary by the BIDDER, shall be performed prior to BID submittal at the BIDDER's sole expense. Bidder certifies that the BID submitted is complete and is sufficient for the Bidder to provide a fully operational and working system in accordance with the CONTRACT DOCUMENTS. Furthermore, BIDDER certifies its understanding that neither the OWNER, PROJECT REPRESENTATIVE, nor OWNER shall provide any labor, equipment or materials of any kind, which may be required for the performance of the WORK, unless otherwise specifically directed by OWNER. Likewise,



**PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"**

BIDDER certifies that it shall provide all equipment, materials, labor and services necessary to complete the WORK in accordance with the CONTRACT DOCUMENTS whether or not such equipment, material, labor, or service is expressly identified. Such occurrences are deemed subsidiary obligations of the contract for which complete compensation is made under the Lump Sum. The failure or omission of any BIDDER to do any of the foregoing shall in no way relieve any BIDDER from any obligation in respect to its BID.

As required, the following documents are to be submitted with this Bid Proposal:

1. Executed Bid Proposal Form
2. Bid Bond (if applicable)
3. Bid Agreement 00050
4. Performance Bond -(if applicable)
5. Payment Bond - (if applicable)
6. Drug Free Workplace
7. Public Entity Crimes
8. E-Verify Form
9. Reference Project Photograph Portfolio
10. Mandatory Pre-Bid Job Walk - Exhibit E

**CONTRACTOR:**

Main Street Construction Services LLC  
\_\_\_\_\_

1700 E. 12th Street  
\_\_\_\_\_

**Address**

Lynn Haven, Fl, 32444  
\_\_\_\_\_

850 832 9638  
\_\_\_\_\_

**Phone Number**

05/26/2021  
\_\_\_\_\_

**Date**

**[END OF SECTION 00030]**

**PCB21-05-ITB –Parks and Recreation "FY21-Concrete Projects"**

Work within (75) consecutive calendar days of the required commencement date, except to the extent the period for Substantial Completion is extended pursuant to the terms of the Contract Documents ("Contract Time"). Final Completion of the Work shall be achieved by CONTRACTOR within the time period set forth in Section 15.2 of Section 01000, General Conditions.

- 3. The CONTRACTOR agrees to pay the OWNER, as liquidated damages, the sum of \$ 500.00/day for each calendar day that expires after the Contract Time for Substantial Completion as more fully set forth in Section 15 of the General Conditions.
- 4. The CONTRACTOR agrees to perform all of the Work described in the Contract Documents and comply with the terms therein for **Parks and Recreation "FY-21 Concrete Projects"** for a LUMP SUM contract of \$ 117,612.00 as shown in the BID SCHEDULE, included within the Bid Proposal Form, as said amount may be hereafter adjusted pursuant to the terms of the Contract Documents ("Contract Price").
- 5. The term "Contract Documents" means and includes the following documents, all of which are incorporated into this Agreement by this reference:

- Section 00010 ADVERTISEMENT FOR BIDS
- Section 00020 INFORMATION FOR BIDDERS
- Section 00030 BID PROPOSAL FORM
- Section 00040 BID BOND
- Section 00050 AGREEMENT
- Section 00060 PERFORMANCE BOND
- Section 00070 PAYMENT BOND
- Section 00080 NOTICE OF AWARD
- Section 00090 NOTICE TO PROCEED
- Section 00095 DRUG FREE WORKPLACE
- Section 00097 PUBLIC ENTITY CRIMES
- Section 00099 CERTIFICATE OF INSURANCE
- Section 00100 GENERAL CONDITIONS

**PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"**

**CITY OF PANAMA CITY BEACH**  
Owner

By \_\_\_\_\_

Name: Drew Whitman

Title City Manager

**ACCEPTANCE OF NOTICE**

Receipt of the above Notice of Award is hereby acknowledged

By \_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name \_\_\_\_\_

Title \_\_\_\_\_

[END OF SECTION 00080]

PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"

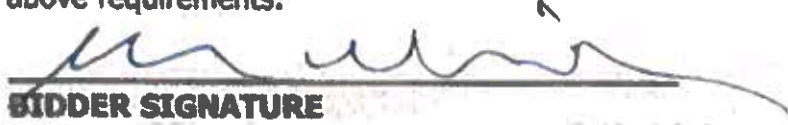
SECTION 00095

STATEMENT UNDER SECTION 287.087  
FLORIDA STATUTES, ON PREFERENCE TO BUSINESSES WITH  
DRUG-FREE WORKPLACE PROGRAMS

IDENTICAL TIE BIDS: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more BIDS which are equal with respect to price, quality and service are received by the OWNER for this PROJECT, a bid received from a BIDDER that certifies that it has implemented a drugfree workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business' policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under BID a copy of the statement specified in paragraph (1).
4. In the statement specified in paragraph (1), notify the employees that, as a condition of working on the commodities or contractual services that are under BID, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace not later than five (5) days after such conviction.
5. Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program is such is available in the employee's community, by an employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this Section.

As the person authorized to sign this statement, I certify that this firm complies fully with the above requirements.



**BIDDER SIGNATURE**

[END OF SECTION 00095]

PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"

SECTION 00097

SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS AND SUBMITTED WITH THE BID

1. This sworn statement is submitted to \_\_\_\_\_

by Herbert E. Williams

For Main Street Construction Services LLC

Whose business address is 1700 E. 12th Street

Lynn Haven, Fl. 32444

and (if applicable) its Federal Employer Identification Number (FEIN) is 20 4129847  
(if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement): \_\_\_\_\_

2. I understand that a "public entity crime" as defined in Section 287.133 (1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

I understand that "convicted" or "conviction" as defined in Section 287.133 (1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

3. I understand that "affiliate" as defined in Section 2871.33 (1)(a) , Florida Statutes, means:



**PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"**

- (a.) A predecessor or successor of a person convicted of a public entity crime, or
- (b.) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
4. I understand that a "person" as defined in Section 287.133 (1)(e), Florida Statute, means any natural person or any entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
5. Based on information and belief, the statement which I have marked below is true in relation to the person submitting this sworn statement. [indicate which statement applies.]

Neither the person submitting this sworn statement, nor any affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months.

The person submitting this sworn statement, or an affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months.

The person submitting this sworn statement, or an affiliate of the person has been charged with and convicted of a public entity crime causing such person or affiliate to be placed on the convicted vendor list within the last thirty-six (36) months. However, it has been determined, pursuant to Section 287.133, Florida Statutes, that it was not in the public interest to place the person submitting this sworn statement or its affiliate on the convicted vendor list. [Attach a copy of the final order].



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By: [Signature]

Print name: Herbert E. Williams

Its: Owner

Sworn to and subscribed before me this 25 day of May, 2021.

Personally known \_\_\_\_\_ OR Produced identification Dover's Lake

Notary Public- State of Florida



ESTHER LOWE  
Commission # GG 284212  
Expires January 13, 2023  
Bonded Thru Budget Notary Services

My commission expires 1/13/23

[Signature]

[printed, typed or stamped  
Commissioned Name of Notary Public]

[END OF SECTION 00097]

PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"

SECTION 00098

CITY OF PANAMA CITY BEACH

E-VERIFY FORM

PER FLORIDA STATUTE 448.095, CONTRACTORS AND SUBCONTRACTORS MUST REGISTER WITH AND USE THE E-VERIFY SYSTEM TO VERIFY THE WORK AUTHORIZATION STATUS OF ALL NEWLY HIRED EMPLOYEES.

THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE BID/ PROPOSAL. FAILURE TO SUBMIT THIS FORM AS REQUIRED MAY DEEM YOUR SUBMITTAL NONRESPONSIVE.

The affiant, by virtue of the signature below, certifies that:

- 1. The Contractor and its Subcontractors are aware of the requirements of Florida Statute 448.095.
2. The Contractor and its Subcontractors are registered with and using the E-Verify system to verify the work authorization status of newly hired employees.
3. The Contractor will not enter into a contract with any Subcontractor unless each party to the contract registers with and uses the E-Verify system.
4. The Subcontractor will provide the Contractor with an affidavit stating that the Subcontractor does not employ, contract with, or subcontract with unauthorized alien.
5. All employees hired by Contractor on or after January 1, 2021 have had their work authorization status verified through the E-Verify system.
6. The City may terminate this Contract on the good faith belief that the Contractor or its Subcontractors knowingly violated Florida Statutes 448.09(1) or 448.095(2)(c).
7. If this Contract is terminated pursuant to Florida Statute 448.095(2)(c), the Contractor may not be awarded a public contract for at least 1 year after the date on which this Contract was terminated.
8. The Contractor is liable for any additional cost incurred by the City as a result of the termination of this Contract.

Handwritten signature of Herbert E. Williams

Authorized Signature

Herbert E. Williams

Printed Name

Owner

Title

Main Street Construction Services LLC

Name of Entity/Corporation

STATE OF Florida

COUNTY OF Bay

PCB21-05-ITB -Parks and Recreation "FY21-Concrete Projects"

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on, this 25 day of May, 2021, by Herbert E. Williams \_\_\_\_\_ (name of person whose signature is being notarized) as the Owner \_\_\_\_\_ (title) of \_\_\_\_\_ (name of corporation/entity), personally known \_\_\_\_\_, or produced Drivers license \_\_\_\_\_ (type of identification) as identification, and who did/did not take an oath.



ESTHER LOWE  
Commission # GG 284212  
Expires January 13, 2023  
Bonded Thru Budget Notary Service

Esther Lowe  
\_\_\_\_\_  
Notary Public  
Esther Lowe  
\_\_\_\_\_  
Printed Name

My Commission Expires: 01/13/23  
NOTARY SEAL ABOVE

[END OF SECTION 00098]

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

No. BA #63

FUND	General	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-7201-572.46-50	Repairs and Maintenance Other	450,000.00	69,000.00	519,000.00
FROM	001-8100-999.96-00	Reserves Available for Expenditures	11,390,605.00	<b>(69,000.00)</b>	11,321,605.00
Check Adjustment Totals:			11,840,605.00	0.00	11,840,605.00

**BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:**  
 To appropriate \$69,000 from available reserves for concrete improvements at Frank Brown Park in excess of existing budget

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ROUTING FOR APPROVAL

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

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

# **REGULAR AGENDA**

## **ITEM #11**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Lynne Fasone, City Council

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Consider nominations and approve appointment.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:**

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

Member Matt Bush was appointed to the Citizens Charter Review Committee leaving a vacant seat.

[CRA Roster.pdf](#)



**CRA ADVISORY COMMITTEE**

**Roster**

**Resolution 20-130, Dissolve 9/30/22, Meets Monthly 2<sup>nd</sup> Monday 3PM**

**Staff Liaison- David Campbell      Council Liaison- Michael Jarman**

<b>Debbie McCormick</b>	(Jarman)	c832-6433	<a href="mailto:dmccormick@pcb.gov">dmccormick@pcb.gov.com</a>
<b>Ben Faust</b>	(McConnell)	c258-4520	<a href="mailto:bfaust@pcb.gov">bfaust@pcb.gov.com</a>
<i>Vacant Seat</i>			
<i>Matt Bush</i>	<i>(Chester)</i>	<i>c814-0688</i>	<i><a href="mailto:mbush@pcb.gov">mbush@pcb.gov.com</a></i>
<i>Appointed to the Citizens Charter Review Committee</i>			
<b>Andy Gonsalves</b>	(Casto)	c527-2639	<a href="mailto:agonsalves@pcb.gov">agonsalves@pcb.gov.com</a>
<b>Clair Pease</b>	(Sheldon)	c832-4240	<a href="mailto:cpease@pcb.gov">cpease@pcb.gov.com</a>

# **REGULAR AGENDA**

## **ITEM #12**



## ***CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY***

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

Drew Whitman, Administration

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Request nominations and make appointment.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached:

**6. IDENTIFY STRATEGIC PRIORITY:**

Economic Development  
Transportation  
Quality of Life

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

Del Lee's second term expires on June 30, 2021, and he cannot be re-appointed. The Council may appoint any resident of the island to serve as one of the two City appointees. The Mayor is currently serving as the second City appointee.

[NW FL Airport Authority Roster.pdf](#)

**NORTHWEST FLORIDA AIRPORT AUTHORITY**

**PCB Roster**

**Regular Meeting 4<sup>th</sup> Wednesday at 9AM  
4 year terms-2 term limit**

Del Lee (2 <sup>nd</sup> term)	338-0100	<a href="mailto:del.lee@clementgroup-llc.com">del.lee@clementgroup-llc.com</a>	06/30/21
Mayor Mark Sheldon (1 <sup>st</sup> term)	890-7655	<a href="mailto:msheldon@pcb.gov">msheldon@pcb.gov</a>	06/30/24

# **REGULAR AGENDA**

## **ITEM #13**



## **CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY**

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

Drew Whitman, Administration

**2. MEETING DATE:**

June 10, 2021

**3. REQUESTED MOTION/ACTION:**

Consider nominations and approve appointment.

**4. AGENDA:**

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED  
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

**6. IDENTIFY STRATEGIC PRIORITY:**

Financial Health

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?**

City appointee Corporal Robert Clifton resigned his seat effective June 2, 2021 as he has moved out of the City limits. The Council may appoint any resident of the City to fill the vacancy.

[PD Pension Board Roster.doc.pdf](#)



Plan Name: Police Officers' Retirement Trust Fund

## Board, Ordinances, and Details

### Board of Trustees

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Makeup of board specified in:

Ordinance Number 1159

Section 3.1

Dated 8/13/2009

### Board Members

Name of Trustee	Elected/Appointed By
Robert Clifton	City/District Appointee
Holly J White	Elected Fifth Member
Wayne Maddox	Police Officer
Eusebio Talamantez	Police Officer
Rich McClanahan	City/District Appointee