

RESOLUTION NO. 23-170

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA ACCEPTING DEVELOPER INSTALLED SIGNALIZATION AND PEDESTRIAN IMPROVEMENTS AT THE INTERSECTION OF POWELL ADAMS ROAD RIGHT-OF-WAY AND FRONT BEACH ROAD; AND APPROVING AN ADJUSTED AND UPDATED NET CITY COST.

WHEREAS, on September 10, 2020, the City of Panama City Beach adopted Resolution 20-178, approving that certain Developer Reimbursement Agreement with Palmetto Hospitality of PCB, LLC, (the "Agreement") related to the installation of signalization and pedestrian improvements at the intersection of Powell Adams Road and Front Beach Road (the "Project Improvements"), in conjunction with Palmetto's construction of a hotel at that intersection; and

WHEREAS, on March 24, 2022, the City adopted Resolution 22-114, approving an Amendment to that Agreement prompted by an increase to the price of goods and scope of the project since the initial Agreement, which Amendment determined the Net City Cost to be \$147,133; and

WHEREAS, the Developer has notified the City of its completion of the Project Improvements contemplated by that Agreement to be constructed to the standards required by City, and now desires to have City accept said improvements; and

WHEREAS, the City's Interim Public Work's Director and the CRA Program Manager have inspected the Project Improvements, and the CRA Program Manager has confirmed that said each of the conditions precedent to accepting the Project Improvements have been completed in accordance with the plans and specifications and terms and conditions in said Agreement; and

WHEREAS, the Agreement provides for payment of 100% of the Net City Cost within 30 days after City's acceptance of the Project Improvements.

NOW THEREFORE, BE IT RESOLVED that:

1. The City Council of the City of Panama City Beach does hereby accept the Project Improvements (consisting of the Signalization Improvements and Pedestrian Improvements more specifically defined in the Agreement) as having been completed in accordance with the terms and conditions in said Agreement.

2. The City Council accepts and approves the updated Project Costs, as follows:

Actual Total Cost of Project Improvements:	\$480,920.16
<i>Minus</i> Developer Improvements	
<i>Minus</i> City Lighting Costs	
<i>Equals</i> Adjusted, Reimbursable Project Cost:	
<i>Minus</i> Developer Contribution:	\$300,000.00
<i>Equals</i> Net City Cost	\$180,920.16

3. The appropriate officers of the City are authorized to execute and deliver to Palmetto Hospitality of PCB, LLC, on behalf of the City a payment in the amount of One Hundred Eighty Thousand, Nine Hundred Twenty Dollars and Sixteen Cents (\$180,920.16), which amount represents 100% of the Net City Cost of the Project, on or before June 10, 2023.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this 21st day of May, 2023.

CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:


Lynne Fasone, City Clerk

RESOLUTION 20-178

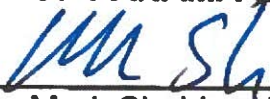
A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH PALMETTO HOSPITALITY OF PCB, LLC REGARDING CONTRIBUTION OF FUNDS FOR A TRAFFIC SIGNAL AT THE INTERSECTION OF POWELL ADAMS AND FRONT BEACH ROAD IN AN AMOUNT NOT TO EXCEED \$300,000.

BE IT RESOLVED that the appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Traffic Signal Agreement between the City and Palmetto Hospitality of PCB, LLC, relating to the contribution of funds for the installation of a traffic signal at the intersection of Powell Adams and Front Beach Road, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

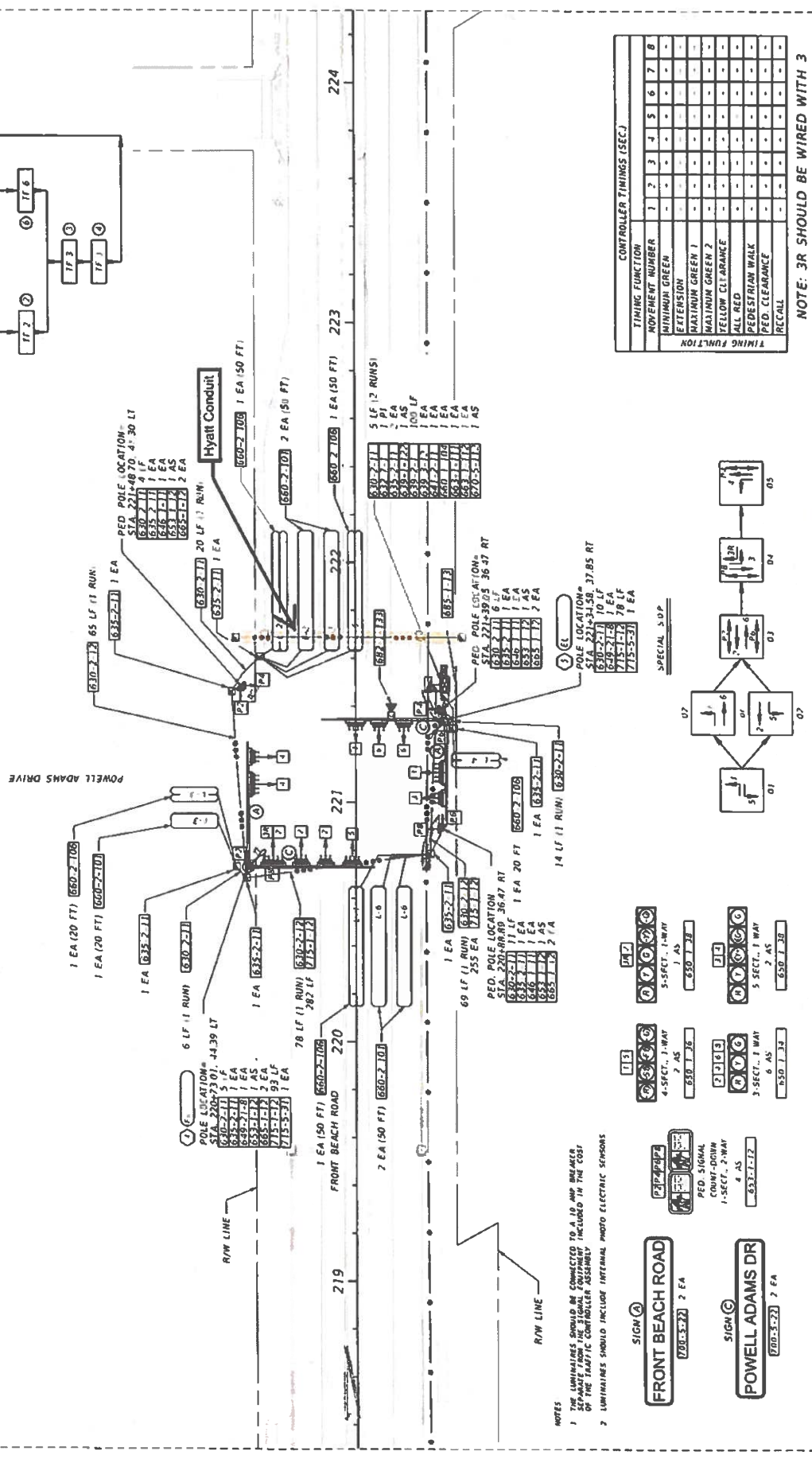
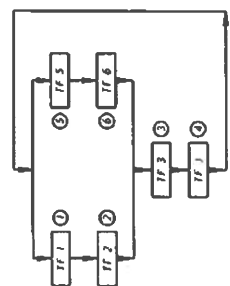
PASSED in regular session this 10th day of September, 2020.

CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:

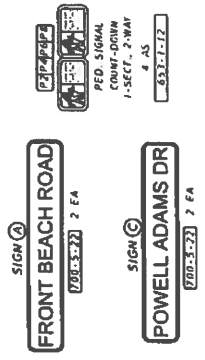

Lynne Fasone, City Clerk



TIMING FUNCTION	CONTROLLER TIMINGS (SEC.)							
	1	2	3	4	5	6	7	8
MOVEMENT NUMBER	-	-	-	-	-	-	-	-
MINIMUM GREEN	-	-	-	-	-	-	-	-
EXTENSION	-	-	-	-	-	-	-	-
MAXIMUM GREEN 1	-	-	-	-	-	-	-	-
MAXIMUM GREEN 2	-	-	-	-	-	-	-	-
YELLOW CLEARANCE	-	-	-	-	-	-	-	-
ALL RED	-	-	-	-	-	-	-	-
PEDESTRIAN WALK	-	-	-	-	-	-	-	-
PED. CLEARANCE	-	-	-	-	-	-	-	-
RECALL	-	-	-	-	-	-	-	-

NOTE: 3R SHOULD BE WIRED WITH 3

NOTES
 1 THE LUMINAIRES SHOULD BE CONNECTED TO A 10 AMP BREAKER OF THE TRAFFIC CONTROLLER ASSEMBLY INCLUDED IN THE COST.
 2 LUMINAIRES SHOULD INCLUDE INTERNAL PHOTO ELECTRIC SENSORS



DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION

JEREMY K. BROOKS, P.E. P.E. LICENSE NUMBER 88616 GORTMULLER ENGINEERING, INC 708 THOMAS DRIVE PANAMA CITY BEACH, FL 32408		SR 30	BAY	2019 01	FINANCIAL PROJECT ID
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SIGNALIZATION PLANS		SHEET NO.	
		T-6	

POWELL ADAMS OPINION OF PROBABLE COST

Pay Item No.	Description	Unit	Quantity	Unit Cost	Total
0630-2-11	CONDUIT, FURNISH & INSTALL, OPEN TRENCH	LF	.81	\$7.68	\$ 622.08
0630-2-12	CONDUIT, FURNISH & INSTALL, DIRECTIONAL BORE	LF	306	\$19.80	\$ 6,058.80
0632-7-1	SIGNAL CABLE- NEW OR RECONSTRUCTED INTERSECTION, FURNISH & INSTALL	PI	1	\$4,343.86	\$ 4,343.86
0635-2-11	PULL & SPLICE BOX, F&I, 13" x 24" COVER SIZE	EA	14	\$665.96	\$ 9,323.44
0639-1-122	ELECTRICAL POWER SERVICE, F&I UNDERGROUND, METER PURCHASED BY CONTRACTOR	AS	1	\$1,837.64	\$ 1,837.64
0639-2-1	ELECTRICAL SERVICE WIRE, FURNISH & INSTALL	LF	100	\$3.70	\$ 370.00
0639-3-12	ELECTRICAL SERVICE DISCONNECT, F&I, CABINET	EA	1	\$1,220.44	\$ 1,220.44
0641-2-11	PRESTRESSED CONCRETE POLE, F&I, TYPE P-11 PEDESTAL	EA	1	\$1,300.00	\$ 1,300.00
0646-1-11	ALUMINUM SIGNALS POLE, PEDESTAL	EA	3	\$1,992.03	\$ 5,976.09
0649-21-8	STEEL MAST ARM ASSEMBLY, FURNISH AND INSTALL, DOUBLE ARM 50' - 40'	EA	2	\$53,446.50	\$ 106,893.00
0650-1-34	VEHICULAR TRAFFIC SIGNAL, FURNISH & INSTALL POLYCARBONATE, 3 SECTION, 1 WAY	AS	6	\$900.00	\$ 5,400.00
0650-1-36	VEHICULAR TRAFFIC SIGNAL, FURNISH & INSTALL POLYCARBONATE, 4 SECTION, 1 WAY	AS	2	\$1,200.00	\$ 2,400.00
0650-1-38	VEHICULAR TRAFFIC SIGNAL, FURNISH & INSTALL POLYCARBONATE, 5 SECTION STRAIGHT, 1 WAY	AS	3	\$1,300.00	\$ 3,900.00
0653-1-12	PEDESTRIAN SIGNAL, FURNISH & INSTALL LED COUNTDOWN, 2 WAYS	AS	4	\$1,374.84	\$ 5,499.36
0660-1-104	LOOP DETECTOR, INDUCTIVE, F&I, TYPE 4, 2CHANNEL, SOLID STATE, SHELF MOUNTED, TIME DELAY	EA	1	\$452.00	\$ 452.00
0660-2-101	LOOP ASSEMBLY- F&I, TYPE A	AS	5	\$818.07	\$ 4,090.35
0660-2-106	LOOP ASSEMBLY, F&I, TYPE F	AS	5	\$1,202.52	\$ 6,012.60
0663-1-111	SIGNAL PRIORITY AND PREEMPTION SYSTEM, F&I, OPTICAL, CABINET ELECTRONICS	EA	1	\$5,930.78	\$ 5,930.78
0663-1-112	SIGNAL PRIORITY AND PREEMPTION SYSTEM, F&I, OPTICAL, DETECTOR	EA	1	\$2,076.43	\$ 2,076.43
0665-1-12	PEDESTRIAN DETECTOR, FURNISH & INSTALL, ACCESSIBLE	EA	8	\$1,463.16	\$ 11,705.28
0670-5-112	TRAFFIC CONTROLLER ASSEMBLY, F&I, NEMA, 2 PREEMPTION	AS	1	\$30,773.72	\$ 30,773.72
0682-1-133	ITS CCTV CAMERA, F&I, DOME ENCLOSURE - NON-PRESSURIZED, IP, HIGH DEFINITION	EA	1	\$5,664.22	\$ 5,664.22
0685-1-13	UNINTERRUPTIBLE POWER SUPPLY, FURNISH AND INSTALL, LINE INTERACTIVE WITH CABINET	EA	1	\$8,615.53	\$ 8,615.53
0700-5-22	INTERNALLY ILLUMINATED SIGN, FURNISH & INSTALL, OVERHEAD MOUNT, 12-18 SF	EA	4	\$3,755.02	\$ 15,020.08
0715-1-12	LIGHTING CONDUCTORS, F&I, INSULATED, NO. 8, 6'	LF	708	\$3.60	\$ 2,548.80
0715-5-31	LUMINAIRE & BRACKET ARM- ALUMINUM, FURNISH & INSTALL NEW LUMINAIRE AND ARM ON NEW/EXISTING POLE	EA	2	\$2,200.00	\$ 4,400.00
				Total	\$ 252,384.50

TRAFFIC SIGNAL AGREEMENT
BETWEEN THE CITY OF PANAMA CITY BEACH, FLORIDA
AND PALMETTO HOSPITALITY OF PCB, LLC

This Traffic Signal Agreement (“Agreement”) is entered into on this ____ day of _____, 2020, by and between Palmetto Hospitality of PCB, LLC, (“Developer”) and the City of Panama City Beach, Florida (“City”).

Whereas, Developer is the owner of land located at 15727 and 15636 Front Beach Road and 285 and 291 Powell Adams Road; and

Whereas, Developer’s land is located in the City’s Front Beach Road CRA, on a portion of ROW which the City intends to improve in FY 20/21; and

Whereas, as part of its Powell Adams Road Phase 2 Improvement Project, the City intends to install a traffic light at the intersection of Powell Adams Road and Front Beach Road; and

Whereas, Developer would like to ensure the traffic signal is installed prior to or contemporaneously with the Developer’s improvement of its land, to minimize risks and disruptions to the Developer’s improvement of its property; and

Whereas, the City is willing to install the Traffic Signal ahead of Developer’s improvement, provided Developer contributes to the costs necessitated by the accelerated installation.

Now therefore, the parties agree as follows:

1. This Agreement constitutes a commitment by the Developer to make payment to the City for the City’s, purchase, installation, and other related costs of the Signal Improvements described in Section 2.
2. The Signal Improvements shall consist of [a steel pole/mast arm installation, together with vehicle and pedestrian signals, signal controllers, fiber optic cable, and pavement markings].

3. The City shall install the Signal Improvements in accordance with the plans and specifications prepared and sealed by Dewberry Engineers, Inc., Project No. [], dated [], a copy of which is attached hereto as Exhibit A.
4. The City shall complete construction by January 31, 2022 (“Completion Date”). Construction is anticipated to take approximately 12 months.
5. Concurrent with City’s installation of the Signal Improvements, the City agrees to install a 4” conduit, for developer’s use, in the Front Beach Road right of way from the south right of way line in front of the proposed development to the north right of way line, approximately 100’ in length. The location of the conduit shall be determined by a coordinated design between the City’s engineer and the Developer’s engineer.
6. Developer expects its land development to be completed no earlier than April 13, 2022. Developer will ensure that the site is ready for the City to install the Signal Improvements under this Agreement on or before February 28, 2021, to allow the City to coordinate, schedule and complete all signal-related work.
7. Developer will contribute \$300,000 towards the costs of the Signal Improvements, which costs include those associated with the purchase and installation of the Signal Improvements. It is acknowledged and agreed by the parties that this amount is based on an estimate prepared by the City’s engineering consultants and is specific to the site. Developer must submit a check in the above amount payment to the City on or before September 1, 2022. The City will not release the Certificate of Occupancy for the Developer’s project until all funds have been received by the City.
8. Should any portion of the Developer’s contribution not be needed to complete the Signal Improvements, the City will return the funds to the Developer within 180 days of issuance of the Certificate of Occupancy.
9. David Campbell, the City’s CRA Director, shall be the City’s representative for the purpose of administering this Agreement.

10. To the fullest extent permitted by law, Developer shall indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses, expenses, including but not limited to attorney's fees, arising out of or resulting from the Developer's site improvements or Developer's negligent acts connected to the signal installation or site preparation under this Agreement.
11. The Developer shall comply with all federal, state and local laws and regulations and shall obtain any applicable permits and licenses in connection with its obligation under this Agreement; provided, however, the City shall obtain any and all permits necessary for the installation of the Signal Improvements.
12. This Agreement shall be enforced, interpreted and construed by and under the laws of Florida, with venue in Bay County, Florida.
13. This Agreement is entered into by and between the parties hereto for their exclusive benefit. The parties do not intend to create or establish by this Agreement any third-party beneficiary status or rights, and no such third-party shall be entitled to enforce any right or obligation or enjoy any benefit created or established by this Agreement.
14. This Agreement is the entire agreement between the parties with respect to its subject matter and there are no other representations, understandings or agreements between the parties relative to such subject matter. This Agreement supersedes all prior agreements, negotiations, representations and proposals, written or oral.
15. No amendments or modification to the Agreement shall be valid unless in writing and signed by both parties.

In witness whereof:
DEVELOPER

PALMETTO HOSPITALITY OF PCB, LLC
By: Palmetto Hospitality GM, LLC
Its: Manager

By
Its

WITNESS

WITNESS

CITY OF PANAMA CITY BEACH, FLORIDA

City Manager
ATTEST:

City Clerk

RESOLUTION NO. 22-114

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH,
FLORIDA, APPROVING ACTUAL COSTS OF THE POWELL
ADAMS INTERSECTION IMPROVEMENTS AND TRAFFIC
SIGNAL PROJECT.**

WHEREAS, on December 9, 2021, the Council approved a Developer Reimbursement Agreement with Palmetto Hospitality, LLC, for the improvement and signalization of the Powell Adams Intersection with Front Beach Road (the "Project"); and

WHEREAS, the City agreed to reimburse the Developer for costs of the project exceeding \$300,000, which at that time was estimated to be approximately \$52,221.10; and

WHEREAS, both the price of goods and scope of the project have increased since December 2021, bringing the total project cost to \$447,433.00 and increasing the amount the City is obligated to contribute to the project

NOW THEREFORE, BE IT RESOLVED that:

1. The City Council accepts and approves the updated Project Costs, as follows, to update Exhibit B of that certain Developer Reimbursement Agreement between the City and Palmetto Hospitality, LLC, dated December 15, 2021, related to the Project:

Actual Total Cost of Project Improvements:	\$447,433
<i>Minus</i> Developer Improvements:	
<i>Minus</i> City Lighting Costs:	
<i>Equals</i> Adjusted, Reimbursable Project Cost:	
<i>Minus</i> Developer Contribution:	<u>\$300,000</u>
<i>Equals</i> Net City Cost:	<u>\$147,133</u>

2. The appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Amendment to the Agreement between the City and Palmetto Hospitality, LLC related to the purchase and installation of lights for the Project, in the amount of One Hundred Forty-Seven Thousand, Four Hundred Thirty-Three Dollars (\$147,133.00), with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this 24th day of March, 2022.

CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:


Lynne Fasone, City Clerk

Work Performed									
	Amount	March	April	May	June	July	Check		
Griffin Signal	\$ 297,960.00	\$ 30,000.00	\$ 267,960.00	\$ -	\$ -	\$ -	\$ -		
Griffin Lights - \$72,935									
MOT	\$ 2,500.00		\$ 1,000.00	\$ 750.00		\$ 750.00	\$ -		
Lighting Conductores	\$ 2,485.00			\$ 2,485.00			\$ -		
Install Light poles	\$ 51,150.00	\$ 1,150.00	\$ 50,000.00				\$ -		
Load center	\$ 12,000.00	\$ 1,000.00				\$ 11,000.00	\$ -		
Light Pole Cable Distribution	\$ 4,800.00			\$ 4,800.00			\$ -		
							\$ -		
Surveying	\$ 4,500.00	\$ 2,250.00	\$ 2,250.00				\$ -		
R&M OCOR 174							\$ -		
R&M Sod install Labor	\$ 736.00			\$ 736.00			\$ -		
R&M sod material	\$ 730.00			\$ 730.00			\$ -		
R&M Traffic Control	\$ 11,040.00	\$ 2,208.00	\$ 2,208.00	\$ 2,208.00	\$ 2,208.00	\$ 2,208.00	\$ -		
R&M Fee	\$ 5,232.00	\$ 1,046.40	\$ 1,046.40	\$ 1,046.40	\$ 1,046.40	\$ 1,046.40	\$ -		
GAC Civil work - \$50,000							\$ -		
GC	\$ 8,874.21	\$ 2,218.55	\$ 2,218.55	\$ 2,218.55	\$ 2,218.55		\$ -		
Demos large sign	\$ 11,741.83	\$ 11,741.83					\$ -		
Demo Concrete	\$ 1,173.75	\$ 1,173.75					\$ -		
Demo street sign	\$ 513.71	\$ 513.71					\$ -		
Regular excavation	\$ 733.86	\$ 733.86					\$ -		
Concrete Ramp	\$ 3,375.78		\$ 3,375.78				\$ -		
ADA Ramp	\$ 513.71		\$ 513.71				\$ -		
Striping	\$ 27,373.15		\$ 27,373.15				\$ -		
							\$ -		
Subtotal	\$ 447,433.00	\$ 54,036.11	\$ 357,945.59	\$ 14,973.95	\$ 5,472.95	\$ 15,004.40	\$ -		

Cash Flow				
	April	May	June	August
\$	54,036.11	\$ 357,945.59	\$ 14,973.95	\$ 15,004.40

Palmetto Hospitality of PCB, LLC

Palmetto Hospitality of PCB, LLC

100 Dunbar Street

Spartanburg, SC 29306

Invoice

Invoice # FL 1007D PCB – 1

Invoice Date: May 1, 2023

Bill To:

Kathryn Younce, E.I., CFM

Interim Public Works Director

City of Panama City Beach

116 South Arnold Road

Panama City Beach, FL. 32413

Project: Signalization and Lighting Project at the intersection of Front Beach Road and Powell Adams

Final Billing

Griffin Enterprises	\$384,460.66	Signalization and lighting project contract and 3 Contract and Three Change Orders
Poole Surveying	\$ 10,552.5	Survey work required for the installation of Signalization and Lights
Robbins and Morton PCO work	\$ 85,907.00	Added General construction work required for the installation of the signal and lighting work
Total	\$ 480,920.16	
OTO contribution	\$ 300,000.00	
Invoice Reimbursement Request	\$ 180,920.16	

Please make check payable to: Palmetto Hospitality of PCB, LLC