



City of  
**Panama City Beach**

**PCB City Hall**  
17007 PCB Parkway  
PCB, FL 32413  
P: (850) 233-5100  
F: (850) 233-5108  
[www.pcbfl.gov](http://www.pcbfl.gov)

**MINUTES** of the **December 14, 2023**, Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency.

Mayor Mark Sheldon called the **December 14, 2023**, meeting to order at **9:00 a.m.**

**ROLL CALL**

**MAYOR MARK SHELDON**  
**VICE MAYOR PAUL CASTO**  
**COUNCILMAN PHIL CHESTER**  
**COUNCILMEMBER MARY COBURN**  
**COUNCILMAN MICHAEL JARMAN**

**A quorum was present with all five members of City Council.** Others present were City Manager Drew Whitman, Assistant City Manager Holly White, City Attorneys Cole Davis and Julia Maddalena, City Clerk Lynne Fasone, Directors, staff, and members of the public and press.

**INVOCATION, PLEDGE OF ALLEGIANCE AND COMMUNITY ANNOUNCEMENTS**

Pastor Ramon Duvall with Beachside Fellowship Church led the invocation. Vice Mayor Paul Casto led the Pledge of Allegiance. Mayor Sheldon presented community announcements.

**APPROVAL OF MEETING MINUTES**

Mayor Sheldon called for approval of the November 9, 2023, regular meeting minutes. **Councilman Jarman so moved. Vice Mayor Casto seconded the motion. The November 9<sup>th</sup> meeting minutes were unanimously approved by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**APPROVAL OF AGENDA**

Mayor Sheldon called for approval, additions and/or deletions to the agenda. Hearing and seeing none, **Vice Mayor Casto moved to approve the agenda. Councilman Chester seconded the motion. All were unanimously in favor of approval of the agenda by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**PUBLIC COMMENTS - NON-AGENDA BUSINESS (LIMITED TO THREE MINUTES)**

Mayor Sheldon opened the floor to non-agenda business public comments, limited to three minutes each.

1. Captain Gary Wayne Beck – Mr. Beck commented that the Constitution and the Bill of Rights both had been violated in a variety of different ways.
2. Michael Steinkirchner– Mr. Steinkirchner noted he owned a short-term rental agency/property management company. Mr. Steinkirchner applauded Council for adopting the recent ordinance pertaining to short-term rental requirements. Mr. Steinkirchner noted he had been working with Fire Department and appreciated their efforts. Mr. Steinkirchner commented that already hundreds of unlicensed rentals had been discovered as a result of the ordinance passed by Council and the State was looking into a company with 30 unlicensed rentals.

Hearing and seeing no further public comments, Mayor Sheldon closed the public comment portion of the agenda.

**CONSENT AGENDA**

Mayor Sheldon asked Ms. Fasone to read the Consent Agenda.

**RESOLUTION NO. 24-38, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF AN E60 R2-SERIES BOBCAT COMPACT EXCAVATOR FOR THE UTILITIES DEPARTMENT FROM CLARK EQUIPMENT COMPANY d/b/a BOBCAT COMPANY IN THE TOTAL AMOUNT OF \$78,921.76; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE SOURCEWELL CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-39, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF AN ECO-TRAILER SEWER INSPECTION CAMERA SYSTEM FOR THE UTILITIES DEPARTMENT FROM JET-VAC EQUIPMENT COMPANY, LLC IN THE TOTAL AMOUNT OF \$155,854.08; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE SOURCEWELL CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-40, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A COMBINED TASK ORDER AND NOTICE TO PROCEED WITH GEMINI ENGINEERING & SCIENCES, INC. FOR ENGINEERING SERVICES RELATED TO THE DEVELOPMENT OF A CITYWIDE STORMWATER VUNERABILITY ASSESSMENT IN AN AMOUNT NOT TO EXCEED \$50,000.00.**

**RESOLUTION NO. 24-41, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF TWO GMC SIERRA 3500 HEAVY DUTY SERVICE BODY TRUCKS, AND THREE GMC SIERRA 1500 PICKUP TRUCKS FOR THE UTILITIES DEPARTMENT FROM ALAN JAY AUTOMOTIVE MANAGEMENT, INC., d/b/a ALAN JAY FLEET SALES IN THE TOTAL AMOUNT OF \$265,690.00; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE CITY OF TALLAHASSEE’S AGREEMENT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-42, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH DSI SECURITY SERVICES FOR PROFESSIONAL SECURITY GUARD SERVICES AT CITY PARK FACILITIES.**

**RESOLUTION NO. 24-43, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER AND NOTICE TO PROCEED WITH GORTEMOLLER ENGINEERING, INC. TO PERFORM CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES ASSOCIATED WITH THE FRANK BROWN PARK CONNECTOR ROAD PROJECT IN THE AMOUNT OF \$116,960.00, AND DESIGNATING THE USE OF ARPA FUNDS FOR THE PROJECT.**

**RESOLUTION NO. 24-44, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A GROUND LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC, AND A SITE LICENSE AGREEMENT WITH CROWN CASTLE SOUTH LLC, RELATING TO AN EXISTING CELL TOWER LOCATED AT GULF BOULEVARD AS MORE FULLY SET FORTH IN THE TERMS AND CONDITIONS OF THE LEASE AND SITE LICENSE AGREEMENTS.**

**RESOLUTION NO. 24-45, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH PRO FORCE OF THE EMERALD COAST RELATED TO JANITORIAL SERVICES FOR THE CITY'S NORTH GULF BOULEVARD FACILITIES IN THE ANNUAL AMOUNT OF \$41,849.00.**

**RESOLUTION NO. 24-47, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A COMBINED TASK ORDER AND NOTICE TO PROCEED WITH GORTEMOLLER ENGINEERING, INC. FOR ENGINEERING SERVICES RELATED TO THE CLARENCE STREET CORRIDOR RECONSTRUCTION PROJECT IN THE AMOUNT NOT TO EXCEED \$134,325.00.**

**RESOLUTION NO. 24-48, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH THOMPSON TRACTOR CO., INC. DBA THOMPSON POWER SYSTEMS FOR GENERATOR MAINTENANCE AND REPAIR THROUGHOUT CITY FACILITIES AND FOR TRAILER-MOUNTED MOBILE UNITS IN THE BASE ANNUAL AMOUNT OF \$102,601.65.**

**RESOLUTION NO. 24-49, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A PURCHASE AND SALE AGREEMENT WITH SUNRISE BEACH OWNERS ASSOCIATION, INC. FOR LAND NEEDED FOR THE FRONT BEACH ROAD SEGMENT 4.2 PROJECT, IN THE TOTAL AMOUNT OF \$37,941.**

**RESOLUTION NO. 24-52, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH ASHBRIIT, INC. RELATING TO DISASTER DEBRIS AND REMOVAL SERVICES.**

**RESOLUTION NO. 24-55, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE CITY'S PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY AND HAGERTY CONSULTING, INC. RELATED TO DISASTER RECOVERY ADMINISTRATIVE SERVICES FOR FEDERAL DISASTER GRANT MANAGEMENT CONSULTING.**

Mayor Sheldon noted the Consent Agenda was available to Council. **Councilman Jarman moved to approve the Consent Agenda. Councilman Chester seconded the motion. All were unanimously in favor of approval of the consent agenda by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

#### **REGULAR AGENDA- DISCUSSION/ACTION ITEMS**

**ITEM 1. ORDINANCE NO. 1637, CREATING SECTION 1-16 OF THE CITY'S CODE OF ORDINANCES REGARDING PUBLICATION OF NOTICES; AMENDING SECTION 10.03.04 OF THE CITY'S LAND DEVELOPMENT CODE REGARDING PUBLICATION OF NOTICES, FIRST READING.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Ordinance 1637 by title only. Mayor Sheldon opened the public hearing. Hearing and seeing no comments, Mayor Sheldon closed the public hearing.

Mayor Sheldon invited comments from Attorney Davis. Mr. Davis explained the proposed ordinance amends the City's Code and LDC to permit publication through the procedures set forth in Chapter 50 in a newspaper and now online. Mr. Davis further explained this was clean up language proposed to fix code provisions in the LDC. Mr. Davis added publication online was optional and publication in a newspaper was still permitted, if desired.

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Ordinance 1637. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1637 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 2. ORDINANCE NO. 1638, AMENDING SECTION 1.04.02 OF THE CITY'S LAND DEVELOPMENT CODE REGARDING DIVISION OF LAND, FIRST READING.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Ordinance 1638 by title only. Mayor Sheldon opened the public hearing. Hearing and seeing no comments, Mayor Sheldon closed the public hearing.

Mayor Sheldon invited comments from Attorney Davis. Mr. Davis reported the City's Land Development Code requires that a parcel which is divided resulting in three divisions must be recorded on an approved plat. Mr. Davis explained Staff recently became aware of situations in which the divisions caused by the use of eminent domain resulted in platting being required for otherwise compliant parcels. Mr. Davis added Staff desires to alleviate this burden by exempting divisions of land caused by involuntary purchases of property by public entities. Mr. Davis reported the Planning Board considered this ordinance, as well as the previous ordinance, at its December 13<sup>th</sup> meeting and unanimously forwarded both to Council for consideration.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Ordinance 1638. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1638 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 3. APPROVAL OF PLAT FOR THE SUBDIVISION "ARRIS SEAHAVEN," PUBLIC HEARING / QUASI JUDICIAL HEARING.**

Mayor Sheldon announced the public hearing on the Arris Seahaven Subdivision Plat. Mayor Sheldon provided hearing instructions.

Mayor Sheldon asked Councilmembers to provide Jennings Disclosures. Vice Mayor Casto, Councilman Jarman, Councilman Chester, Councilmember Coburn, and Mayor Sheldon all reported that they had not spoken with anyone, except for Staff, so nothing to disclose.

Mayor Sheldon instructed parties intending to speak on this item to stand and be sworn in by the Clerk. Ms. Fasone administered the Oath.

Mayor Sheldon asked Director Leonard if the Plat was properly noticed. Director Leonard stated yes. Mayor Sheldon asked Staff to report. City Engineer Wyatt Rothwell reported the Plat had been thoroughly reviewed and Staff determined that it met all applicable requirements.

Mayor Sheldon invited affected parties to speak. Hearing and seeing none, Mayor Sheldon opened the public hearing. Hearing and seeing no public comments, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve the Plat. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **the Arris Seahaven Subdivision Plat was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

#### **ITEM 4. APPROVAL OF PLAT FOR THE RESIDENTIAL SUBDIVISION "CABALLEROS ESTATES AT HOMBRE," PUBLIC HEARING / QUASI JUDICIAL HEARING.**

Mayor Sheldon announced the public hearing on the Caballeros Estates at Hombre Plat.

Attorney Davis recommended that Council open the public hearing, call for public comments, but hold off on the final approval of the Plat until the January 11, 2024 city council meeting.

Mayor Sheldon provided hearing instructions. Mayor Sheldon instructed parties intending to speak on this item to please stand and be sworn in by the Clerk. Ms. Fasone administered the Oath.

Mayor Sheldon asked Director Leonard if the Plat was properly noticed. Director Leonard stated yes.

Mayor Sheldon asked Councilmembers to provide Jennings Disclosures. Vice Mayor Casto, Councilman Jarman, Councilman Chester, Councilmember Coburn, and Mayor Sheldon all reported that they had nothing to disclose.

Mayor Sheldon asked Staff to report. City Engineer Wyatt Rothwell reported the Plat had been thoroughly reviewed and Staff determined it met all applicable requirements and would be a very good addition to the area.

Mayor Sheldon invited affected parties to speak.

1. Tom Trossen, President of the Glades HOA, on behalf of the Glades. Mr. Trossen reported he had submitted an email to Council and Staff with a list of 10 questions/HOA concerns (**attached**). Mr. Trossen reviewed the list. Mr. Trossen reported the homeowners appreciate the fact that there will be sidewalks on both sides of the street. Mr. Trossen complimented Wyatt Rothwell and Staff on their fast actions pertaining to the HOA's stormwater concerns.

Mayor Sheldon called for further comments from affected parties. Hearing and seeing none, Mayor Sheldon opened the public hearing and called public comments. Hearing and seeing no public comments, Mayor Sheldon closed the public comment period.

Mayor Sheldon called for rebuttal from the City or affected parties. Hearing and seeing none.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to continue approval of the Plat to the January 11<sup>th</sup> meeting. Councilmember Corburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **consideration of the Hombre Plat was unanimously continued to the January 11, 2024 City Council meeting by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 5. RESOLUTION NO. 24-50, APPROVING AN ENGAGEMENT WITH HAND ARENDALL HARRSION SALE, LLC, BEGGS & LANE, RLLP, FRAZER LAW, PLC, AND RUSTON SANDERS IN CONNECTION WITH LITIGATION REGARDING THE PRESENCE OF POLYFLUOROALKYL SUBSTANCES IN DRINKING WATER SYSTEMS.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-50 by title only. Mayor Sheldon invited comments from Attorney Davis. Mr. Davis reported in a pending class action lawsuit against various defendants, partial settlements had been reached for some defendants to pay over \$13 billion to qualifying entities with water systems that have been affected. Mr. Davis reported further that settlement monies would be earmarked to cover testing and remediation costs related to PFAS in drinking water aquifers. Mr. Davis noted to secure a claim to a portion of these settlement funds, it was recommended that City Council approve engagement with legal counsel to represent the interests of the City in the litigation.

Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed the public comment period. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 24-50. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-50 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 6. RESOLUTION NO. 24-51, APPROVING AND RATIFYING A GRANT AGREEMENT FOR THE POLICE DEPARTMENT; AND AUTHORIZING A BUDGET AMENDMENT.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-51 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Resolution 24-51. Vice Mayor Casto seconded the motion.** Mayor Sheldon thanked Staff for securing another grant for the City. Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-51 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye

Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 7. RESOLUTION NO. 24-53, APPROVING AN AGREEMENT WITH CDR MAGUIRE, INC. RELATED TO DISASTER RECOVERY ADMINISTRATIVE SERVICES; AND AUTHORIZING A BUDGET AMENDMENT.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-53 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Resolution 24-53. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-53 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 8. RESOLUTION NO. 24-54, APPROVING AN AGREEMENT WITH AMERICAN SAND AND ASPHALT PAVING FOR THE CONSTRUCTION OF THE FRANK BROWN PARK CONNECTOR ROAD PROJECT.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-54 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 24-54. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-54 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 9. RESOLUTION 24-56, APPROVING AGREEMENTS FOR THE WEST END WATER SYSTEM IMPROVEMENTS PROJECT; AND AUTHORIZING A BUDGET AMENDMENT.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-56 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Resolution 24-56. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-56 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye

Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 10. RESOLUTION NO. 24-57, APPROVING AN AMENDMENT TO THE CITY'S LEASE AGREEMENT WITH RUSSELL-FIELDS PIER DEVELOPMENT GROUP, LLC; AND AUTHORIZING A BUDGET AMENDMENT.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-57 by title only. Mayor Sheldon invited comments from Attorney Davis. Mr. Davis reported in December, 2022, Council entered into a lease agreement for the City's Beachfront property around the Russell-Fields Pier. Mr. Davis reported further, as a condition of the lease, the tenant was required to make multiple improvements to the property with the first phase of those improvements being replacement and repair to the Pier's deck. Mr. Davis reported it was anticipated at that time there would be a cost-share arrangement to completely repair and replace the under structure and the decking. Mr. Davis reported work had begun on the deck replacement and Staff believes the cost share agreement is consistent with the City's standards.

Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Resolution 24-57. Vice Mayor Casto seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-57 was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 11. LARGE CONDITIONAL USE REQUEST LOCATED AT THE SOUTHEAST CORNER OF POWELL ADAMS ROAD AND L.C. HILTON JR. DRIVE, [PUBLIC HEARING / QUASI JUDICIAL HEARING.](#)**

Mayor Sheldon announced the public hearing on the large conditional use request application located at the southeast corner of Powell Adams Road and LC Hilton Drive. Attorney Davis reported that the Planning Board approved the application by a 7-0 vote at its December 13 meeting. Mayor Sheldon provided hearing instructions.

Mayor Sheldon asked Councilmembers to provide Jennings Disclosures. Vice Mayor Casto and Councilman Chester reported that they had not spoken with anyone, except for Staff, so nothing to disclose. Councilman Jarman reported he had not spoken with anyone and had nothing to disclose, and he did watch yesterday's Planning Board meeting online. Councilmember Coburn reported she had attended yesterday's Planning Board meeting but had nothing to disclose. Mayor Sheldon reported he traveled to Mobile to meet with the developer and tour the Mobile facility.

Mayor Sheldon instructed parties intending to speak on this item to stand and be sworn in by the Clerk. Ms. Fasone administered the Oath.

Mayor Sheldon called for comments from Director Leonard. Director Leonard provided the location and noted this was a large conditional use request for outdoor entertainment use which had been properly noticed. Director Leonard reported the Planning Board recommended approval of the request by a 7-0 vote at its December 13<sup>th</sup> meeting.



Mayor Sheldon invited the Applicant to present.

1. Mr. Todd Waldo, Director of Real Estate Development for Top Golf – Mr. Waldo presented the **attached** PowerPoint presentation, the same PowerPoint presented to the Planning Board. Mr. Waldo noted Top Golf Dallas Texas was seeking approval to build the first Top Golf facility in the Panhandle. Mr. Waldo noted he was available to answer any questions and would appreciate Council's support.

Mayor Sheldon invited affected parties to speak. Hearing and seeing none. Mayor Sheldon opened the public hearing. Hearing and seeing no public comments, Mayor Sheldon closed the public comment period.

Mayor Sheldon reported that he, City Manager Whitman, and Attorney Davis traveled to Mobile to meet with the developer and tour that facility. Mayor Sheldon reported this was only golf entertainment venue seeking to come to Panama City Beach at this time. Mayor Sheldon added Top Golf seeks to bring a high-end development to the Beach. Mayor Sheldon noted it was exciting to see that the Planning Board recommended approval by a 7-0 vote. Mayor Sheldon noted this item was available to Council.

Councilman Jarman noted his concern about possible light pollution was addressed, so he had nothing further. Vice Mayor Casto commented that he was looking forward to Top Golf coming to the Beach. Councilman Chester concurred.

Councilmember Coburn concurred with Vice Mayor Casto and noted she wanted to make sure the landscape buffer was thoroughly addressed by the Applicant.

A brief discussion took place clarifying that Top Golf would not pay property taxes to the City.

**Councilman Jarman moved to approve the conditional use request. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **the large conditional use request from St. Joe/Top Golf was unanimously adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

#### **ITEM 12. DISCUSSION / ACTION ITEM, REAPPOINTMENT OF THE COLLECTOR-CITY SEAT TO THE TDC BOARD.**

Mayor Sheldon called for public comment on Item #12. Hearing and seeing none, Mayor Sheldon closed the public comment period. Mayor Sheldon reported that Mr. Mike Jansen had expressed an interest in being reappointed to the seat. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to reappoint Mr. Jansen to the City's seat. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Mr. Mike Jansen was unanimously reappointed to the City's seat on the TDC Board by a unanimous (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**ITEM 13. DISCUSSION / ACTION ITEM, APPROVING 2024 CITY COUNCIL MEETING DATES.**

Mayor Sheldon called for public comment on Item #13. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon recommended Council discuss choosing a budget workshop date. Council members concurred that a one-day workshop was preferred. Mayor Sheldon proposed **Tuesday, August 6, 2024**. Councilman Jarman recommended beginning the workshop at **8:30 a.m.** Council members concurred.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve the 2024 meeting schedule, with the addition of a special meeting/budget workshop on Tuesday, August 6<sup>th</sup> at 8:30 a.m. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Council's 2024 meeting schedule was adopted by a (5-0) roll call vote.**

Vice Mayor Casto	Aye
Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

**CITY MANAGER REPORT** – Manager Whitman wished everyone a Merry Christmas!

**CITY ATTORNEY REPORT** – Mr. Davis congratulated City Attorney Julia Maddalena on being elected an equity member at the Hand Arendall Harrison Sale law firm.

**COUNCIL COMMENTS** – Mayor Sheldon invited comments from Council.

Councilmember Coburn congratulated Pier Park, LeeAnn Leonard, and her team on the first installation of a mural at Pier Park, which was painted with private money. Councilmember Coburn wished Debbie a happy birthday and thanked her for her hard work on the Christmas parade float. Councilmember Coburn commented that the electronic sign behind City Hall, that came with the recent building the city purchased, would be a great way to promote the City. Councilmember Coburn wished everyone a Merry Christmas!

Councilman Chester commented that there was no flooding in the City last week that he knew of, even with all the rain the City received. Councilman Chester thanked Wyatt Rothwell and Kathy Younce for their great work on stormwater projects. Councilman Chester wished everyone a Merry Christmas!

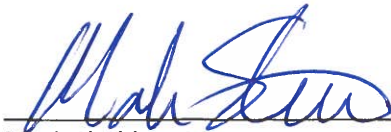
Councilman Jarman commented that the Christmas parade was a great success. Councilman Jarman thanked the Beach PD and everyone who took part in the Cops and Kids event. Councilman Jarman thanked the public safety forces who will work over the holidays. Councilman Jarman wished everyone a Merry Christmas and a Happy Hanukkah!

Vice Mayor Casto wished everyone a Merry Christmas!

Mayor Sheldon thanked Drew, Holly, Lynne and Cole for their amazing work in 2023. Mayor Sheldon commented on the many wonderful projects happening on the Beach. Mayor Sheldon wished everyone a Merry Christmas and Happy Hanukkah!

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 10:01 a.m.

READ AND APPROVED this 11th day of January, 2024.

  
\_\_\_\_\_  
Mark Sheldon, Mayor  
City of Panama City Beach, Florida

ATTEST:

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

\* ACTION ITEMS NOTED WITH AN ASTERISK ARE TAKEN BOTH BY THE CITY COUNCIL AND THE PANAMA CITY BEACH REDEVELOPMENT AGENCY JOINTLY AND CONCURRENTLY. IN THE EVENT OF A CONFLICT BETWEEN THE FOREGOING MINUTES AND A VERBATIM TRANSCRIPT OF THESE MINUTES, THE FOREGOING MINUTES SHALL CONTROL.

12/14/23  
City Council Meeting

**From:** [Mary Coburn](#)  
**To:** [Lynne Fasone](#)  
**Subject:** Fwd: Advance Questions for the 14 December 2023 Caballeros Estates at Hombre Plat Approval Meeting  
**Date:** Thursday, December 28, 2023 3:19:42 PM

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**From:** thomas.trossen@reagan.com <thomas.trossen@reagan.com>  
**Sent:** Thursday, December 7, 2023 6:04 AM  
**To:** Mark Sheldon <Mark.Sheldon@pcbfl.gov>; Drew Whitman <Drew.Whitman@pcbfl.gov>; Paul Casto <Paul.Casto@pcbfl.gov>; Phil Chester <Phil.Chester@pcbfl.gov>; Mary Coburn <Mary.Coburn@pcbfl.gov>; Michael Jarman <Michael.Jarman@pcbfl.gov>; Mel Leonard <Mel.Leonard@pcbfl.gov>; Andrea Chester <Andrea.Chester@pcbfl.gov>; Kathy Younce <Kathy.Younce@pcbfl.gov>; Wyatt Rothwell <Wyatt.Rothwell@pcbfl.gov>; Susan Goebel-Canning <Susan.Goebel-Canning@pcbfl.gov>  
**Cc:** kennedy@beekerpropertygroup.com <kennedy@beekerpropertygroup.com>; harrison@beekerpropertygroup.com <harrison@beekerpropertygroup.com>  
**Subject:** Advance Questions for the 14 December 2023 Caballeros Estates at Hombre Plat Approval Meeting

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City Officials and BPG Hombre LLC Officials,

I am providing my list of questions in advance of the Plat Hearing on Caballeros Estates at Hombre scheduled for the 14th of December in an effort to expedite the hearing with the concerns of The Glades Owners Association as well as some individual property owners in The Glades. I will attend the meeting and ask that my list of questions be included in the record.

Some of these issues can be resolved before the meeting, but I will be looking to receive the answers on the record at the meeting. I recognize some may not be direct plat issues, but the influence the city wields to solve these issues before transfer of ownership would be greatly appreciated.

1. Is the current zoning of this plat Commercial High Intensity?
2. If zoned commercial, will it be legal for these single family homes and multi family homes to be used as short term rentals?
3. Since the council previously prevented the conversion of residential zoned properties to commercial for the stated fear of some of those parcels becoming short term rentals affecting the other adjacent residential zoned properties, will the city impose any limitations on the use of these single family and multi family lots as short term rentals to prevent anticipated impacts to surrounding SFR properties? If so, what restrictions and in what manner?

4. In past council actions, the council mandated the installation of a visual barrier due to headlights on commercial property casting / sweeping into residential properties. Since this property is zoned Commercial High Intensity and used for an approved alternate purpose, will the city require visual barriers in appropriate locations? There are 4 locations where this will occur in the Caballeros Estates: 1. The cul-de-sac on Casale De Praia Place will sweep 143, 145, and 147 Grand Heron Drive; and 2. the eastbound traffic on Dama Del Mar Way south of the power line ROW which will sweep 200 and 204 South Glades Trail; 3. The eastbound traffic on Casale De Praia Place will sweep 134 North Glades Trail; and 4. the northbound traffic on Palmeras Marinas will sweep 113 and 112 Heron Turn.

5. There is a noted shallowness in the ponds labeled HOA Common Area No. 1 (Stormwater Facility) north of South Glades Trail as well as Glades Turn. After significant rainfall (over 7 inches) on 1 and 2 December, the pond levels leave significant banking exposed and don't seem to meet the planned retention volume. Is there a problem with the design and or construction of these ponds? What corrective measures have been directed?

6. During the 1-2 December rain fall of over 7 inches, there was a failure to drain due to lack of proper swale on the north side of the cul de sac on Casale De Praia Place and lot 21 and flooded the rear of 143, 145, 147 and 149 Grand Heron Drive. This area is part of HOA Common Area 3 (Stormwater Facility). Has corrective action been taken or directed?

7. Significant overgrowth along HOA Common Area 1 (Stormwater Facility), and HOA Common Area 3 (Stormwater Facility) which border The Glades Owners Association properties exists and is in excess of LDC standards. Will the city direct correction of these overgrowth areas?

8. Have the platted park spaces met LDC requirements? HOA Area No. 2 (Park Common Area) and HOA Area No. 3 (Park Common Area) also perform duties as a stormwater facility per the design and as-built. My understanding is dual use is not allowed under the LDC section 4.03.02 B8(a)(3). Are these included in the park space calculations? If so, has an exemption been requested and approved?

9. There is no clear dedication of public park spaces to the city in the dedication page. Per the LDC section 4.03.02 B8(b) and (c), has the city received appropriate documentation to ensure platted park spaces are maintained in perpetuity and are available for public use?

10. There needs to be a permanent drainage easement for the Caballeros Estates Lot 116 and HOA Common Area No. 1 (Stormwater Facility) bordering The Glades Block B (sheet 9 of 14) and contour restrictions to ensure proper drainage flow into the ponds of HOA Common Area No. 1 (Stormwater Facility), similar to such restrictions imposed on The Glades Phase III. Will the city establish easement and requirements?

Thank you for your consideration and action.

Tom

Tom Trossen  
President  
The Glades Owners Association  
[www.gladespcb.org](http://www.gladespcb.org)  
913-827-8279

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

*12/14/23  
City Council  
Meeting*

**IN RE: REQUEST FOR APPROVAL OF A LARGE CONDITIONAL USE  
LOCATED AT 15351 PANAMA CITY BEACH PARKWAY AND HILL ROAD  
PARCEL 33750-010-000 AND PARCEL 33750-020-000**

**Submitted by St. Joe Company, LLC and Acting Agent: ARCO/Murry**

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**ORDER GRANTING CONDITIONAL USE**

**THE PLANNING BOARD OF THE CITY OF PANAMA CITY BEACH, having received testimony and reviewed the exhibits produced at the Quasi-Judicial Hearing held on this matter on December 13, 2023, hereby makes the following Procedural History, Findings of Fact and Conclusions of Law.**

**PROCEDURAL HISTORY**

1. On November 22, 2023, the St. Joe Company (the "Applicant") submitted a complete application for a Large Conditional Use at 15351 Panama City Beach Parkway and Hill Road, in the CH zoning district.
2. Pursuant to section 5.06.02, the Applicant requested a Large Conditional Use to operate the subject site as an outdoor recreation and entertainment amusement as more fully described in the attached Exhibit "A".
3. Concurrently, the Applicant requested approval of a Large Site Development pursuant to section 7.02.03(P) of the City's Land Development Code. The Large Site Development application sought approval of multiple deviations from the requirements of the Land Development Code as permitted as more fully described in the Applicant's application attached hereto as Exhibit "B."
4. Planning Department staff timely prepared and delivered a written report setting forth staff's analysis of the request attached hereto as Exhibit "C".
5. Planning Division staff in a timely manner reviewed the request, prepared a staff analysis, and delivered information to the Planning Board addressing the request, which was

delivered to the Planning Board for review. A copy of the staff analysis, attached hereto as Exhibit "A", was provided to the Applicant prior to the meeting.

6. The Applicant held a Community Meeting on December 5, 2023, required by The City's Land Development Code Section 10.03.06. The Applicant provided a Summary of the meeting on December 6, 2023, and it was provided to the Planning Board for review.
7. On December 13, 2023, the Planning Board held a properly advertised Quasi-Judicial hearing on the both the application for the Large Conditional Use and Large Site Development.
8. The Planning Board, by separate vote and Order, approved the Lage Site Development by 7-0 vote.
9. During the hearing, the Planning Board considered testimony from the Applicant, Applicants Acting Agent, the City Planning Department, counsel from the City Attorney, testimony from adversely affected parties and comments from the general public.

#### **FINDINGS OF FACT**

10. Based on the testimony of the City Planner, notice of the hearing was properly given and all procedural requirements met for the Planning Board to conduct the hearing.
11. The Application is one component of a master planned development known as Pier Park East which is the subject of an existing Development Agreement between the City and the St. Joe Company.
12. The Applicant seeks approval of a proposes sports entertainment venue consisting of a technologically advanced multi-level golf driving range, a full-service restaurant and bar, event space, and entertainment complex. The venue's main hub of activity is +/- 38,000 square feet of golf ball hitting bays and an outfield with electronic targets for that is designed for all ages and skill levels.
13. As more fully detailed in Exhibit B, the use deviated from the requirements of the Land Development Code as it relates to the placement and configuration of parking, lighting, fencing, structure height, setbacks, and building standards. These deviations were approved by the Planning Board as part of the Applicants Large Site Development Approval.

14. The Planning Board received competent substantial evidence from the City's Planning staff and the Applicant's representative that the conditions of section 5.06.01 of the City's Land Development Code.
15. The Planning Board received testimony from Adversely Affected Parties and public comment regarding traffic impacts of the proposed use as well as concerns related to noise pollution reaching the nearby residential neighborhood.
16. The Applicants representative provided competent substantial evidence rebutting the concerns related to noise pollution by citation to noise studies on similarly designed uses in other regions of the United States and the state of Florida. The Applicant further assured the Planning Board that vegetative buffers bordering the driving range's outfield will be placed to mitigate any noise generated by the venue.
17. The Planning Board received testimony from the City Planning staff that section 163.3180, Florida Statutes, prohibits denial of a development order based on transportation impacts.

#### **CONCLUSIONS OF LAW**

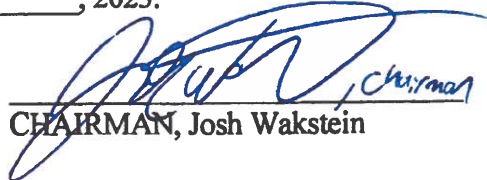
18. Pursuant to Sections 10.04.03, 8.03.03(D) and 5.06.02 of the City's Land Development Code, the Planning Board has jurisdiction to conduct a quasi-judicial hearing on this matter and to make a recommendation to the City Council for final action on the application for conditional use.
19. Pursuant to Section 10.13.01(J), the Planning Board has authority to make a recommendation with conditions the matters under consideration, based upon competent substantial evidence presented during the hearing.
20. The City Planner is qualified to express an opinion on the matters addressed herein related to the City's Comprehensive Plan and the City's Land Development Code.
21. The proposed Large Conditional Use, as an element of a proposed Large Site Development, provides a sufficient public benefit to justify allowing the property owner to deviate from otherwise applicable minimum requirements of the Land Development Code as requested.
22. Pursuant to Section 5.06.01 of the City's Land Development Code, the Planning Board finds that, based upon the competent substantial evidence presented to the Board both by



testimony and be written evidence.

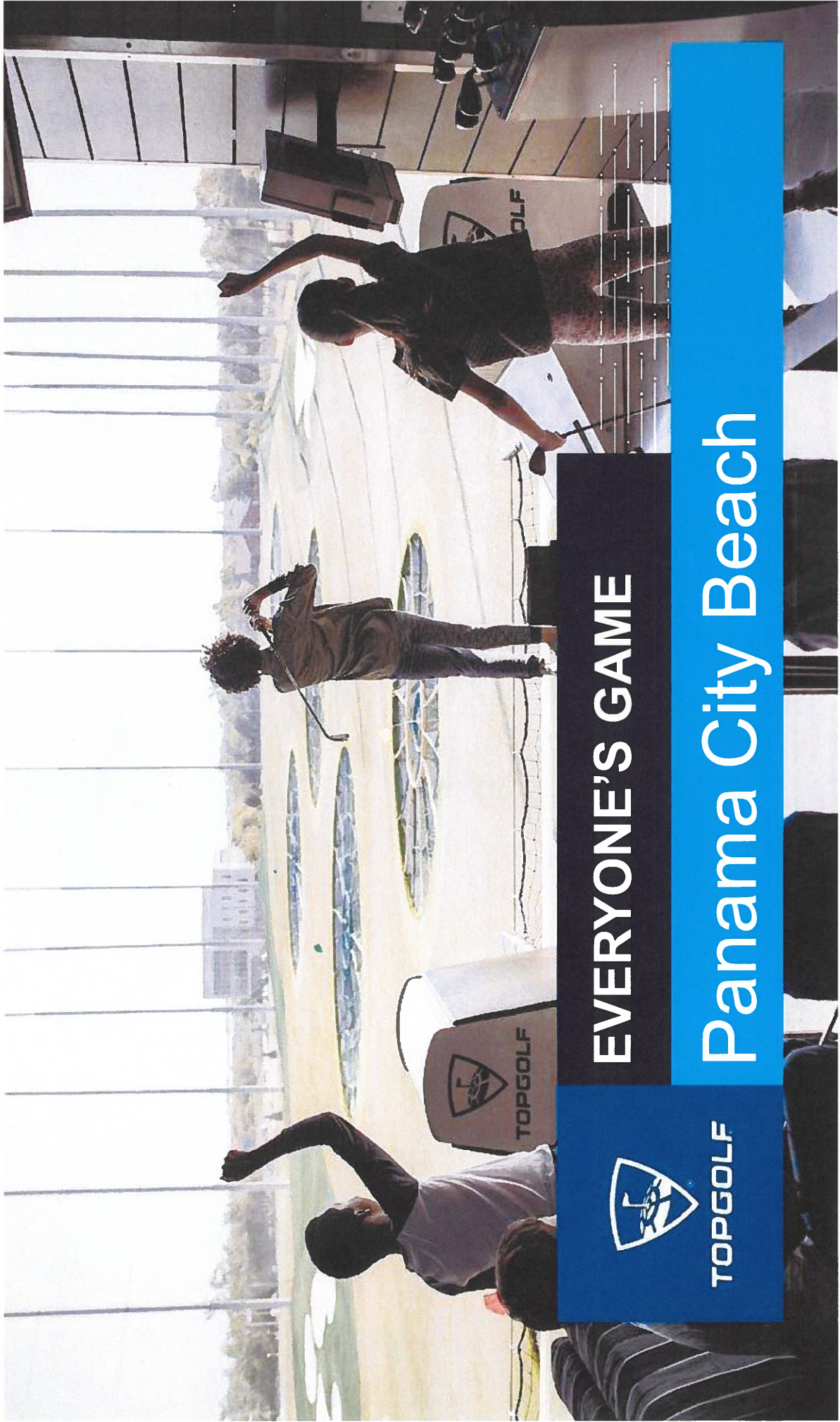
**THEREFORE, IT IS ORDERED AND ADJUDGED** that subject to the terms and conditions of this Order, the Conditional Use proposed in the Planning Application dated November 22, 2023, is recommended to City Council.

DONE this 13<sup>TH</sup> day of December, 2023.

  
CHAIRMAN, Josh Wakstein

ATTEST:

\_\_\_\_\_  
Andrea Chester, Principal Planner



EVERYONE'S GAME

Panama City Beach



TOPGOLF

12/14/23  
City Council Meeting

## Project Highlights

- +/- 78-acre mixed use development
- +/- \$26mm initial investment
- Regional destination as a world class golf entertainment venue to complement and support the City of Panama City Beach.
- Project will strengthen the tax base and create jobs on vacant property.
- Creation of +/- 300 jobs
- +/- \$750,000 in annual tax revenues- inclusive of property tax, local sales tax, and local hospitality tax



**TOPGOLF- PANAMA CITY BEACH, FL**



### **New Venue Format Highlights**

- One of the first of its kind new venue format
- Family friendly and community focused venue
- Two-story building
- 72 hitting bays
- Toptracer technology game play
- Surface targets
- Mini-golf
- Outdoor patio area



**TOPGOLF- PANAMA CITY BEACH, FL**



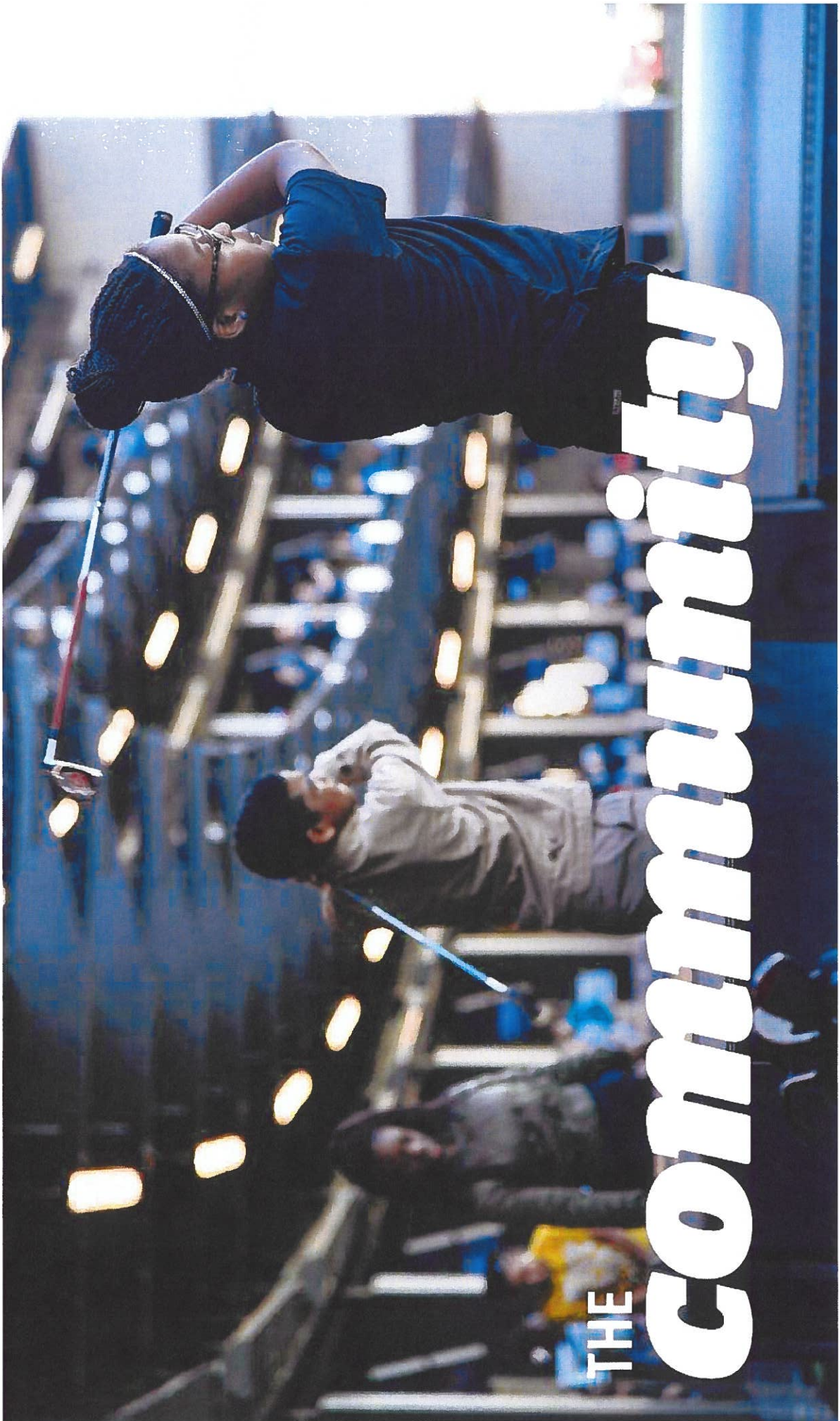
### **Topgolf Company Statistics**

- Premier golf entertainment venue with a best-in-class business operation.
- Wholly owned subsidiary of Callaway Golf Company
- Global sports entertainment community creating moments that matter
- Global company with +20-year operating history and over 20,000 associates
- 97 venues operating world-wide (87 in USA, 4 in U.K. & 6 international)
- All USA and U.K. venues are company owned and operated
- Opened 7-10 venues per year since 2015
- Over 23 million guest visits in 2019
- Strategic partnerships with the PGA TOUR, PGA of America, LPGA, and the First Tee Organization

### **Topgolf Economic Impact**

- \$26MM+ construction project
- +/- 150 jobs created during construction
- +/- 300 jobs created at each new location once operational
- +/- 200,000 visitors per year
- Premier destination for corporate, charity, and group entertainment





THE **Community**



# **YOUTH PLAY IT** *forward*

High school golf teams and charities serving youth play for free Monday - Thursday from 9 a.m. to 5 p.m.



# heroes

## DISCOUNT

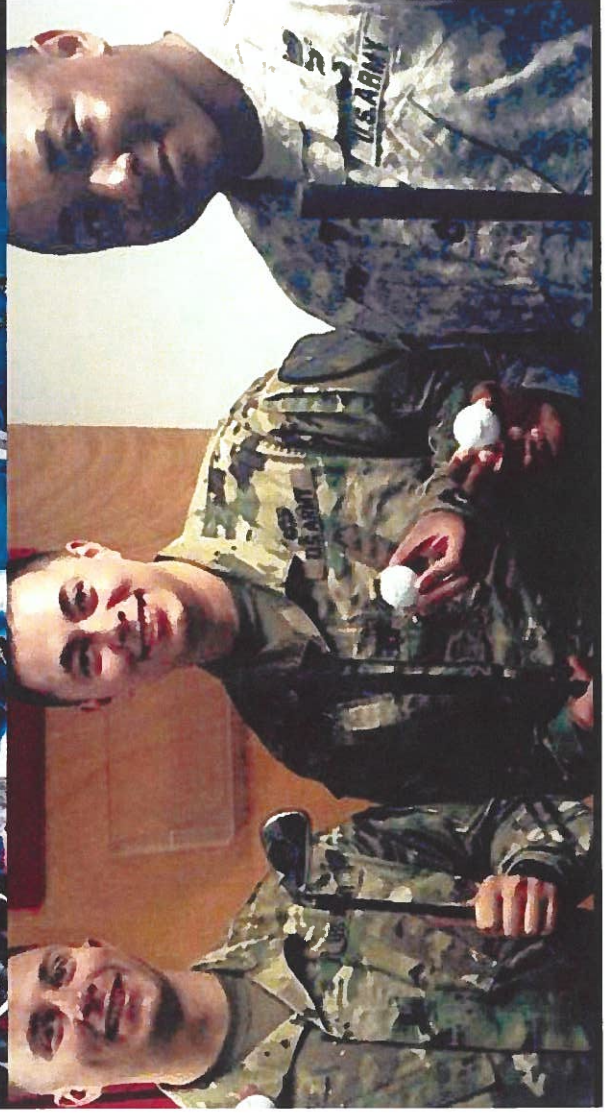
Topgolf offers military (active duty and veterans), police, fire and EMS personnel a 20% discount on all monthly memberships, as well as 10% off Topgolf game play on each visit.





# *national*

## **PARTNERS**



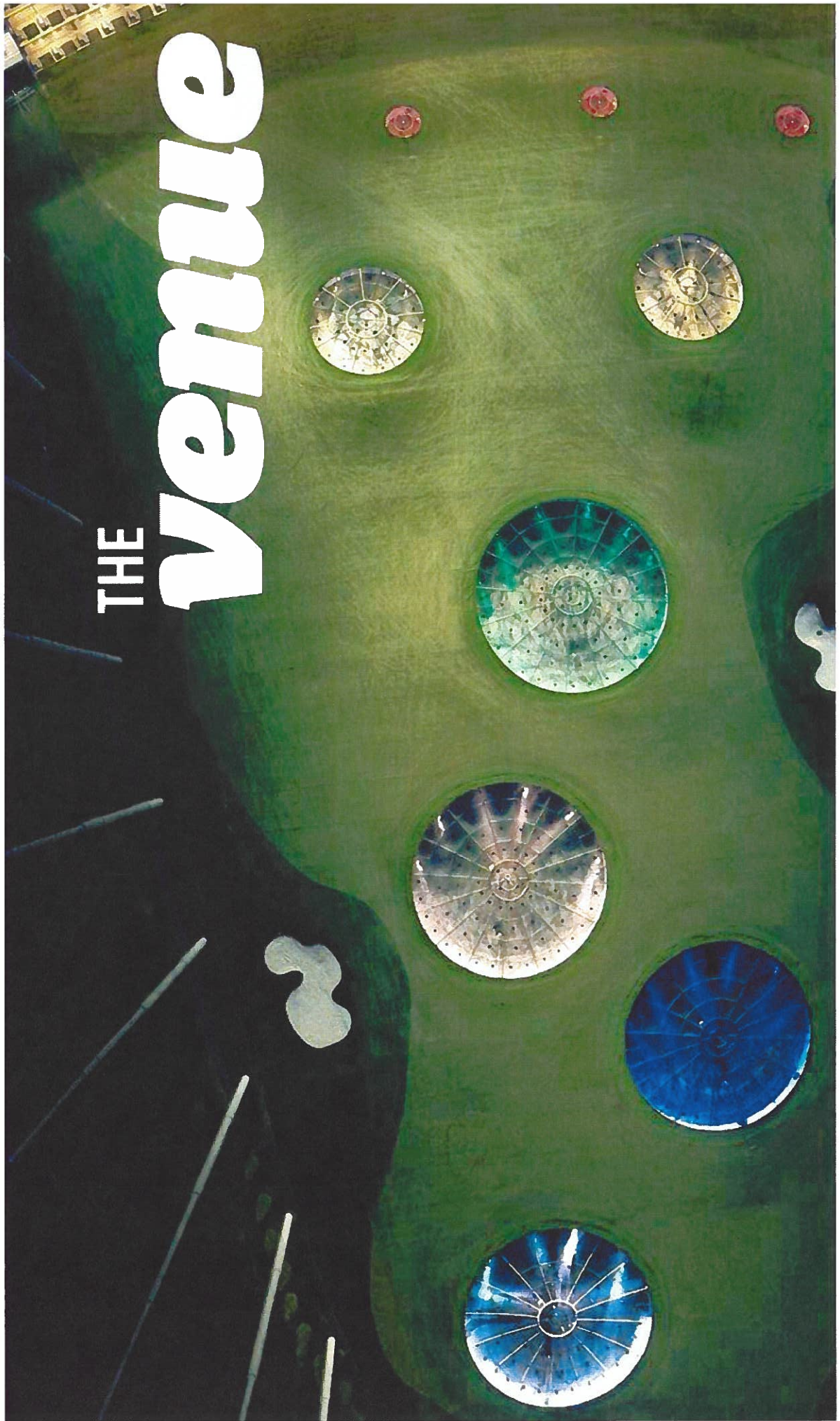
Topgolf has national partnerships with Make-A-Wish, Folds of Honor and Bunkers in Baghdad.



# *volunteering* & LOCAL SUPPORT

Each venue is provided with an annual budget to support nonprofit organizations in their local communities. We organize volunteer activities for our Associates in every community.

# THE *Venue*





**TOPGOLF- PANAMA CITY BEACH, FL**



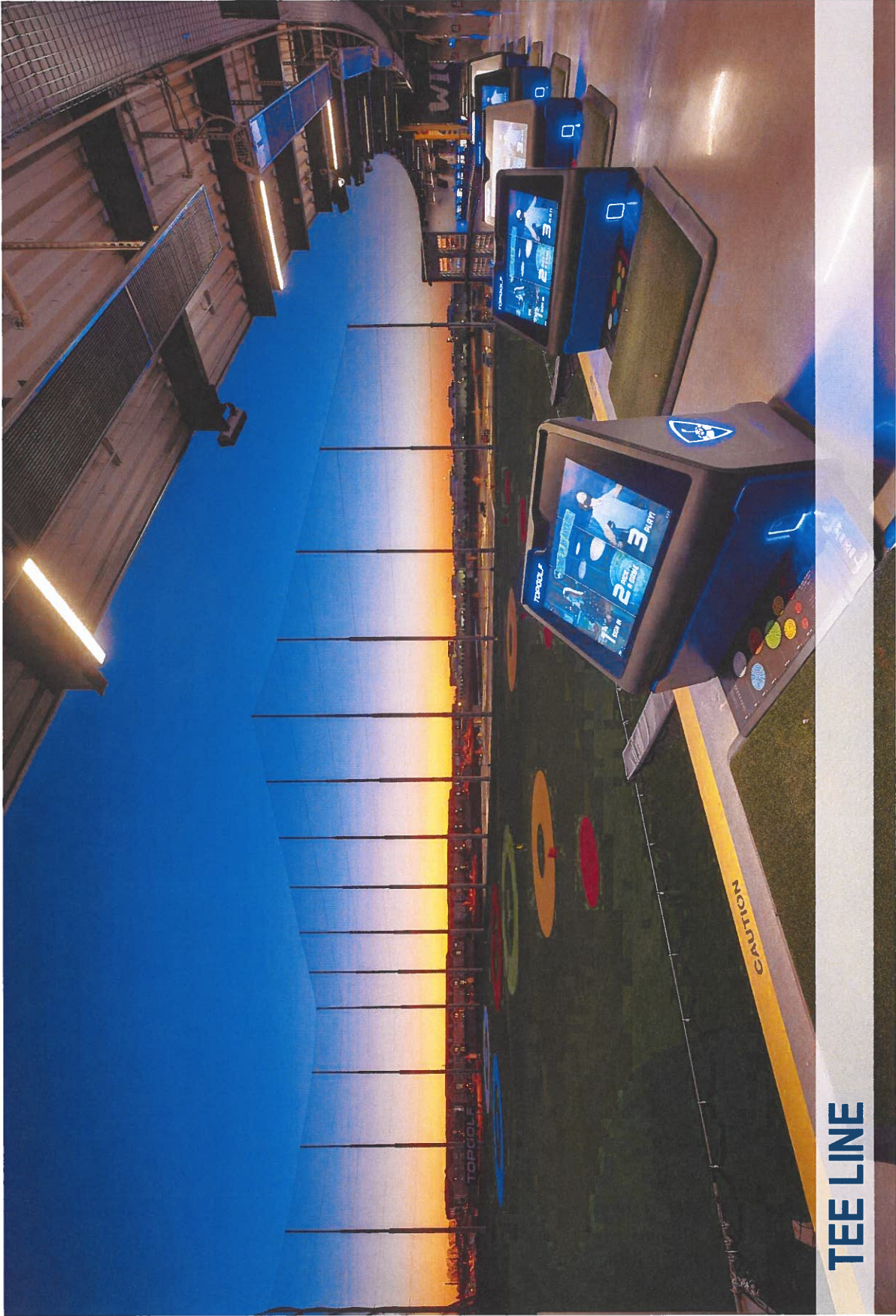


**TWO STORY RESTAURANT / BAR + VIDEO WALL**



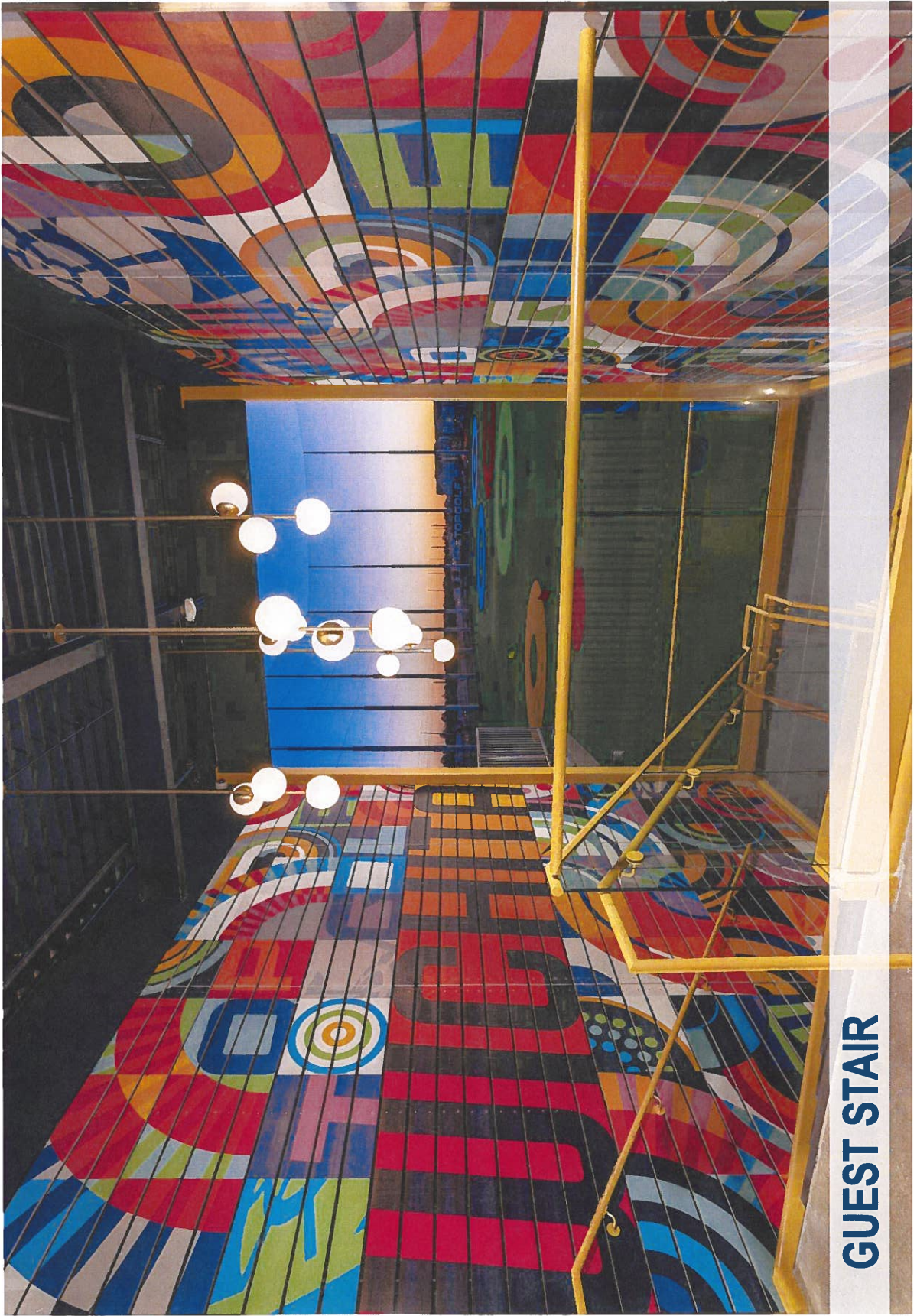


**HITTING BAY**



**TEE LINE**

CAUTION



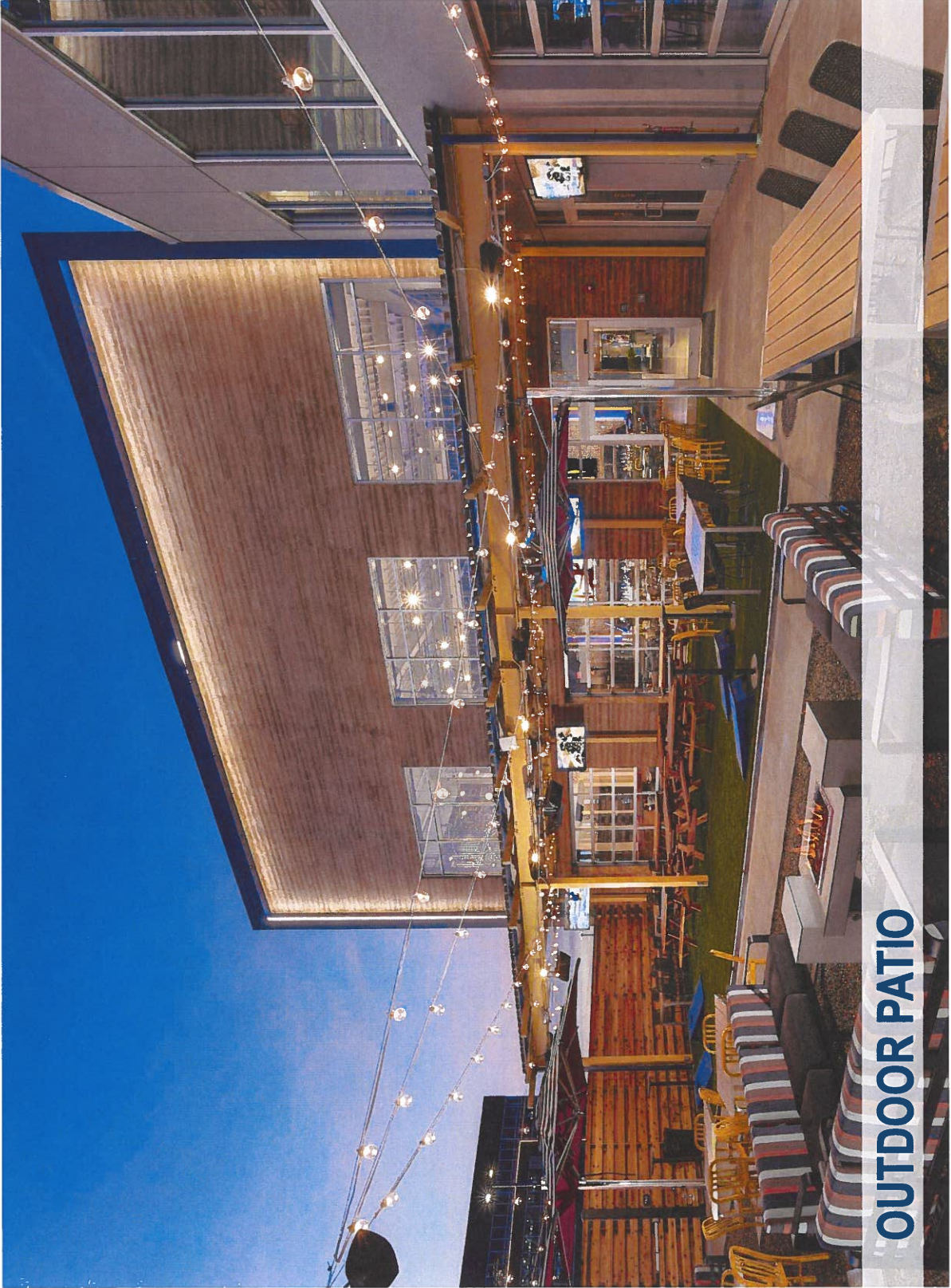
**GUEST STAIR**



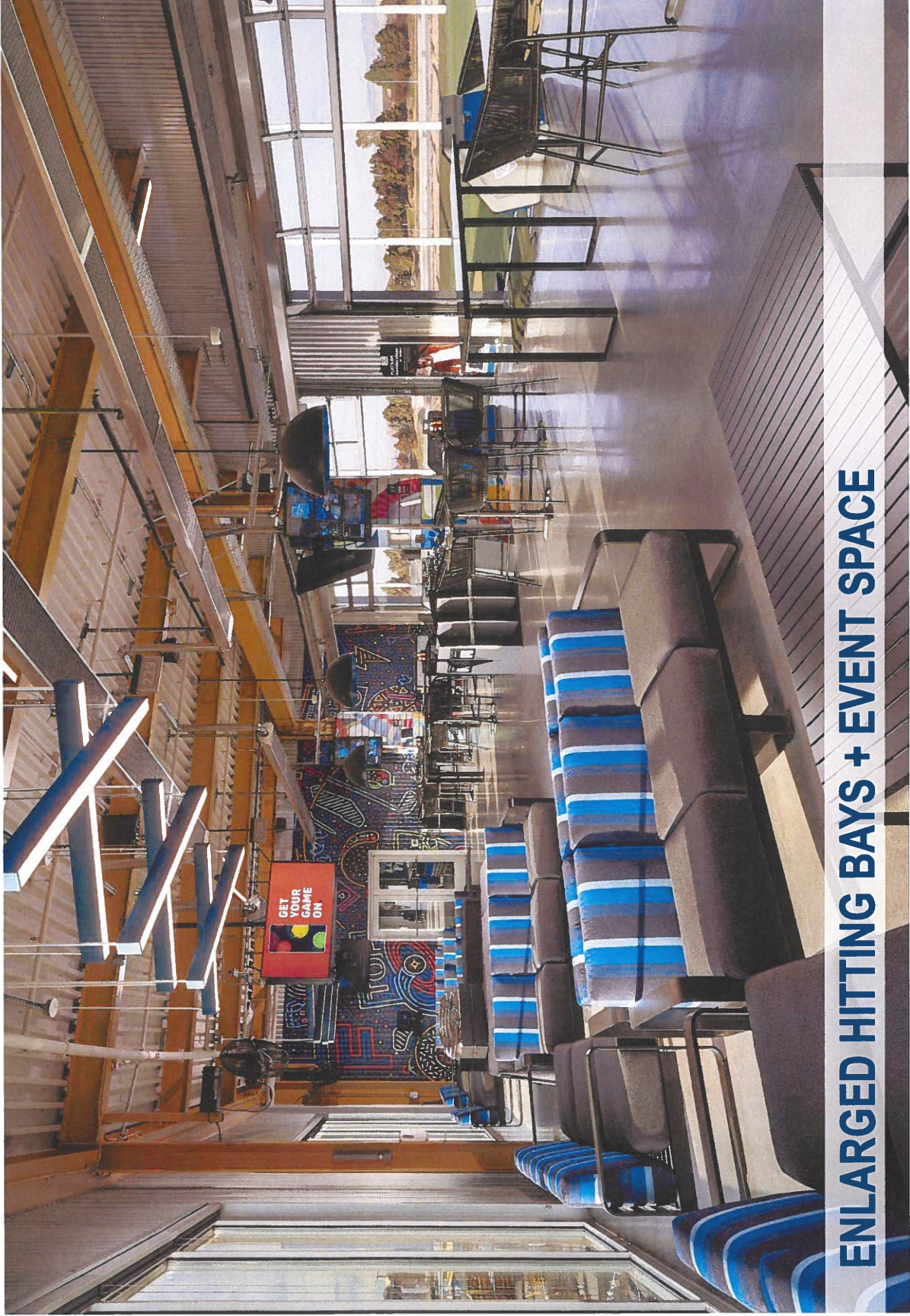


**MINI GOLF + OUTDOOR PATIO**



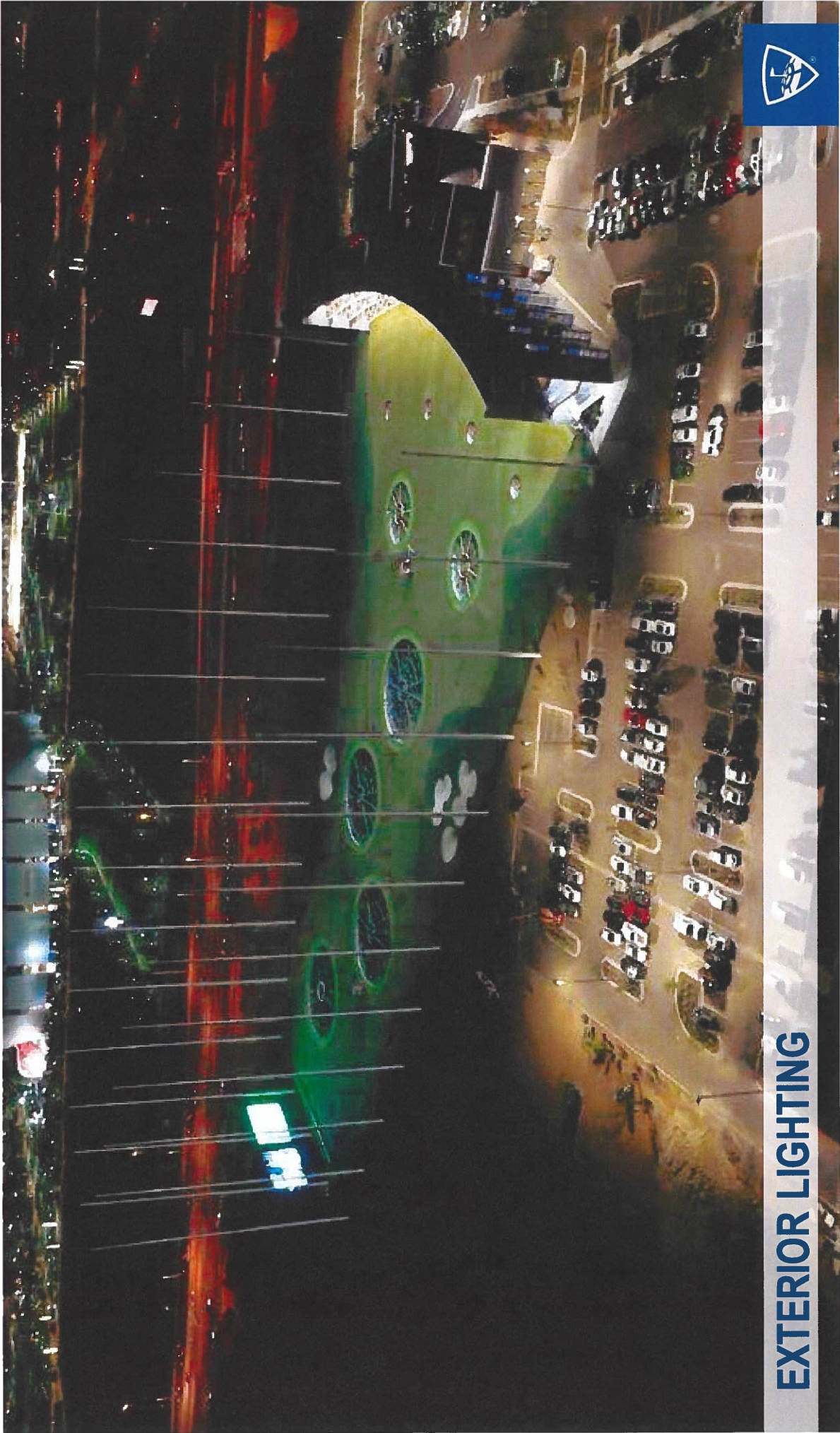


**OUTDOOR PATIO**



**ENLARGED HITTING BAYS + EVENT SPACE**





## EXTERIOR LIGHTING



**QUESTIONS?**





OUTDOOR RECREATION & ENTERTAINMENT USE AREA = +/- 11.30 ACRES

OVERALL MASTER PROJECT BOUNDARY

APPROXIMATE LIMITS OF PHASE I (~33 ACRES)

DEVELOPMENT AREA A  
±17.70 ACRES (FUTURE)  
WALMART SUPERCENTER

DEVELOPMENT AREA B  
±17.31 ACRES (FUTURE)

DEVELOPMENT AREA C  
±16.05 ACRES (FUTURE)

OUTPARCEL  
±1.20 ACRES (FUTURE)

MASTER STORMWATER MANAGEMENT AREA

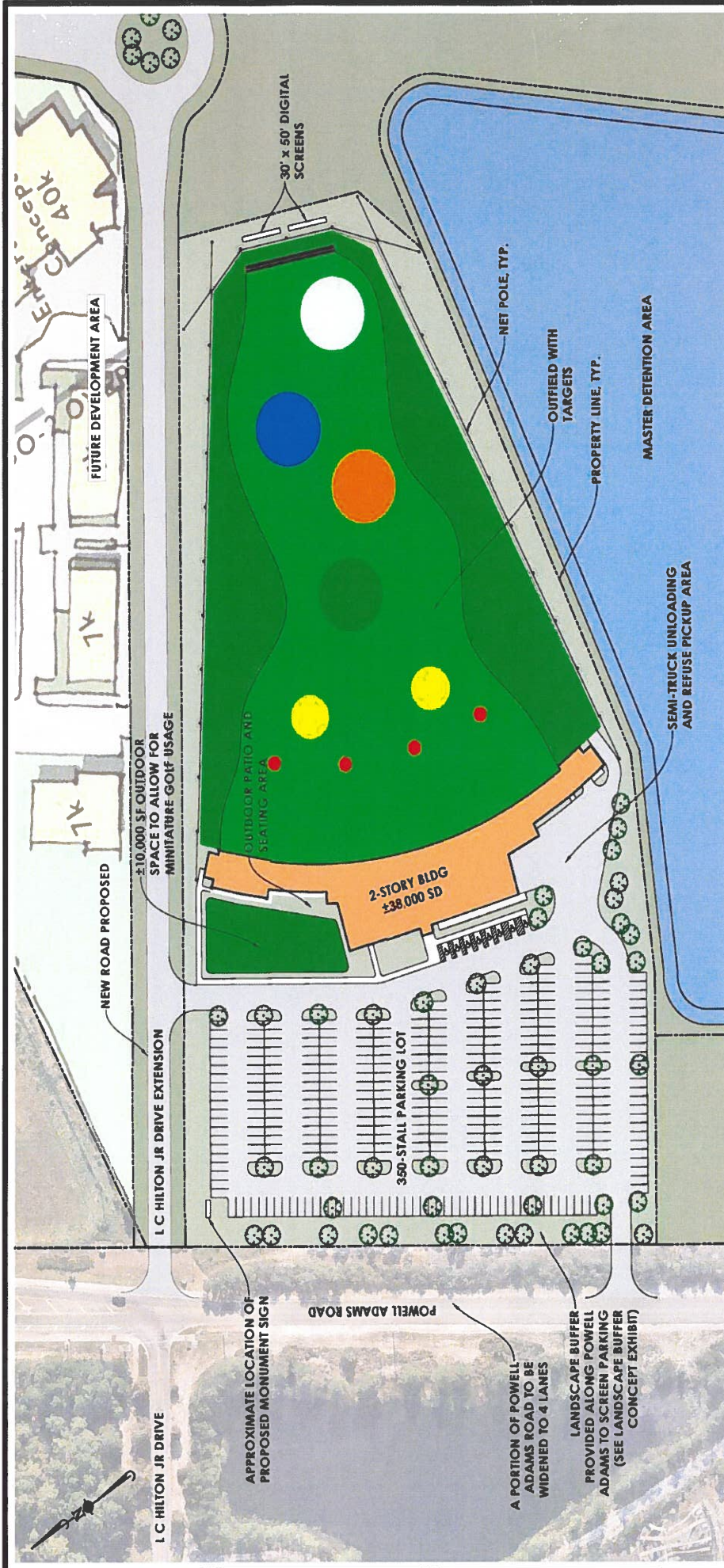
**OUTDOOR RECREATION & ENTERTAINMENT**  
**PANAMA CITY BEACH, FLORIDA**  
**CONSTRUCTION PHASING PLAN**

**ARCO MURRAY**  
INCORPORATED



SITE ATTRIBUTES	
Prototype	Hybrid
# of Bays	72 bays
Swing	Left
Site Acreage	+/- 11.29 acres
Overall Development Acreage	+/- 78.19 acres
Building Square Footage	+/- 38,000 sq ft
Nearest Resident	+/- 1,600 ft
FAA Notice Req	Yes
Wetlands	No
Floodplain	Yes
Parking Stalls	350 stalls

DRAWN BY: MAA  
DATE: 11/20/2023  
SCALE: 1"=600'



**OUTDOOR RECREATION & ENTERTAINMENT**  
**PANAMA CITY BEACH, FLORIDA**  
**CONCEPT SITE PLAN DETAIL**

DRAWN BY: MAA      DATE: 11/29/2023      SCALE: 1"=100'



SITE ATTRIBUTES			
Prototype	Hybrid	Nearest Resident	+/-1,600 ft
# of Bays	72	FAA Notice Req.	Yes
Swing	Left	Wetlands	No
Site Acreage	+/-11.29 acres	Floodplain	Yes
Overall Development Acreage	+/-78.19 acres	Parking Stalls	350 stalls
Building Square Footage	+/-38,000 sq ft		

APPROXIMATE LOCATION OF PROPOSED MONUMENT SIGN

A PORTION OF POWELL ADAMS ROAD TO BE WIDENED TO 4 LANES

LANDSCAPE BUFFER PROVIDED ALONG POWELL ADAMS TO SCREEN PARKING (SEE LANDSCAPE BUFFER CONCEPT EXHIBIT)

FUTURE DEVELOPMENT AREA

NEW ROAD PROPOSED  
 +10,000 SF OUTDOOR SPACE TO ALLOW FOR MINIATURE GOLF USAGE

L C HILTON JR DRIVE EXTENSION

2-STORY BLDG  
 38,000 SD

350-STALL PARKING LOT

30' x 50' DIGITAL SCREENS

NET POLE, TYP.

OUTFIELD WITH TARGETS

PROPERTY LINE, TYP.

MASTER DETENTION AREA

SEMI-TRUCK UNLOADING AND REFUSE PICKUP AREA

OUTDOOR PATIO AND SEATING AREA

L C HILTON JR DRIVE

POWELL ADAMS ROAD

CONCEPT EXHIBIT



**OUTDOOR RECREATION & ENTERTAINMENT**  
**PANAMA CITY BEACH, FLORIDA**  
**OVERALL CONCEPT SITE PLAN (COLORIZED)**

DRAWN BY: MAA      DATE: 11/20/2023      SCALE: 1" = 200'



SITE ATTRIBUTES	
Prototype	Hybrid
# of Bays	72 bays
Swing	Left
Site Acreage	+/-11.29 acres
Overall Development Acreage	+/-78.19 acres
Building Square Footage	+/-38,000 sq ft
Nearest Resident	+/-1,600 ft
FAA Notice Req.	Yes
Wetlands	No
Floodplain	Yes
Parking Stalls	350 stalls