

The Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on June 22, 2017.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:
JOHN REICHARD
JOSIE STRANGE
PHIL CHESTER
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
DIANE FLOYD
CITY ATTORNEY:
AMY MYERS

Mayor Thomas called the Regular Meeting to order at 9:00 A.M. with all Council members, City Manager, City Clerk and City Attorney present.

Councilman Chester gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the following community events: the Summer Concert Series is held Thursday nights from June 8 to August 10 at Aaron Bessant Park; Bay Medical/Sacred Heart ER Ribbon Cutting June 26 at 11:00 A.M; Gulf Coast Medical Hospital purchased Seawind for another clinic; Grand Slam World Series of Baseball 2 June 26-July 1 at Frank Brown Park; City Hall Admin office closed for the 4th of July; Real.Fun.Fourth Fireworks celebrations July 2-4 at Bay Point, Grand Lagoon, Boardwalk, City and County Piers, and the Veterans' Memorial at Aaron Bessant Park; and Grand Slam World Series of Baseball 3 July 5-9, 2017 at Frank Brown Park. He also reminded everyone that after this meeting, the Fire Department would be holding a traditional "Wash Down" of the new Ladder Truck. He mentioned the Grand Lagoon Waterfront Market held every weekend at Captain Anderson's Marina and Movies & More on Wednesdays at Camp Helen. He also announced a FDOT public service information meeting June 27 from 5:30 P.M. to 6:30 P.M. at Woodstock Church regarding the 388 addition through the St. Joe property.

The Minutes of the Regular Meeting of May 25, 2017 were read and approved as written **per the motion by Councilwoman Strange. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

Mayor Thomas asked if there were any additions or deletions to the Agenda. Hearing none, **Councilman Solis made the motion to approve the Agenda as prepared. Second was by Councilwoman Strange and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

PRESENTATION

1 "HONOR GUARDS DAY" PROCLAMATION AND PRESENTATION. Councilman Chester invited Lt. J.R.Talamantez to the podium as he read the Proclamation honoring July 1, 2017 as "Honor Guards Day". Lt. Talamantez thanked the Council and said he has served on the Police Department's Honor Guards for thirteen years and a true honor to represent not only the Agency but the City as well.

PUBLIC COMMENT (Consent and Regular Items only)

The Mayor opened the Public Comment section at 9:08 A.M.

1 Mr. Todd Ingram, Sport Vehicle Association. Mr. Ingram said he represented the Sport Vehicle Association, and he agreed that scooters were a nuisance but speed humps were a nuisance. Although a nuisance, scooters served a purpose to the community providing jobs, entertainment, and tax revenue. He mentioned Mr. Sale's comments from the last meeting that tax revenues were \$50,000 per day and that was not a nuisance.

With no further comments, the Public Comment section was closed at 9:12 A.M.

CONSENT AGENDA

1 RESOLUTION 17-101, THE UNITED STATES FASTPITCH ASSOCIATION SOFTBALL TOURNAMENT OPENING CEREMONY PARADES ROAD CLOSURES.

"A Resolution of the City of Panama City Beach, Florida, authorizing temporary closures of portions of Pier Park Drive, West Pier Park Drive, L. C. Hilton, Jr. Drive, Sea Monkey Way, and Longboard Way on Sunday, July 9; and Sunday, July 16, 2017 for "The United States Fastpitch Association (USFA) Softball Tournament Opening Ceremony Parades".

Ms. Floyd read the Consent Agenda Item by title. **Councilwoman Strange made the motion to approve the Consent Agenda. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

REGULAR AGENDA- DISCUSSION/ACTION

1 ORDINANCE 1412, BAY PARKWAY ANNEXATION, 2ND READING, PUBLIC HEARING, AND ADOPTION. Ms. Myers read Ordinance 1412 by title. The Mayor opened the Public Hearing at 9:15 A.M. and asked for comments. There were none. He closed the Public Hearing at 9:15 A.M. **Councilman Reichard made the motion to approve Ordinance 1412. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

2 RESOLUTION 17-102, AMENDING PERSONNEL POLICIES. Ms. Myers read Resolution 17-102 by title and explained this was a comprehensive update. She said she had received questions concerning the "at-will" policy and reminded that Florida was an "at-will" state. She said this did not place any jobs at risk but was included in the manual as a courtesy. Mayor Thomas asked if there were any questions or discussion. Hearing none, **Councilman Reichard made the motion to approve Resolution 17-102. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

3 STORMWATER RATE STUDY UPDATE. Mayor Thomas invited Ms. Kelly Jenkins to the podium and he said the City had fared better than expected this week with the rain. Ms. Jenkins gave a brief background on the stormwater system and said Ennead's initial rate study in 2006 was supposed to be good for five years at those rates. As projects were implemented, Staff noticed that the funds were running out for capital projects. The original study was meant to alleviate some of the impact on the General Fund for capital projects and allow stormwater to function on its own similar to water and sewer. She reported that recent completed projects were Caladium, Beth, Gardenia, and Fernwood as well as extended some of the beach outfalls.

Ms. Jenkins distributed a list of future capital projects. She gave details about the North Glades channel which was not yet permitted and the Gulf Highlands grant which was in FEMA's hands. She stated the last contact from FEMA was that another of their reviews would be finished July 30th so she hoped to hear something in August. For the list, she projected out five years and some could be afforded now. Ennead prepared different options to fund the personnel, equipment, operations, and true the program to make it more realistic and palatable for the residents at \$400,000, \$500,000, \$600,000 or \$700,000 in capital improvements per year, which would affect the rates.

Councilman Reichard asked for details about the Gulf Highlands grant and Ms. Jenkins responded at length.

Councilman Solis asked about Alf Coleman and asked if there were other alternatives rather than raising the road. Ms. Jenkins said after research, there was not a lot that could be done because the area was conservation and none of the land could be touched.

Mayor Thomas asked about the pipes under Front Beach Road at Pompanos and thought the City had received the grant. Ms. Jenkins said the grant had been received for the engineering design which was done. She said the HMG grant process was very frustrating and time consuming. The Mayor said the new development on that site planned to make some changes to the area which would help. He said he would recommend installing the culverts if this would alleviate the flooding, and then if the grant was awarded, the funds could be repaid. Ms. Jenkins said she was concerned about not jeopardizing the grant if the City paid for the work beforehand.

Councilman Reichard mentioned speeding up that segment of the CRA to address the Alf Coleman problem. He said that might be something to talk about later.

Councilman Solis asked Ms. Jenkins to follow up on the grant and if it would jeopardize the award if the City went ahead and installed the culverts now. Ms. Jenkins said she would call again. She then introduced Ms. Candy Augustine from Ennead for her presentation.

Ms. Augustine explained the background in establishing the program eleven years ago. She said due to not having the staff to inspect and measure the thousands of new condo units, they used a statistically valid sampling to bill each .85 ERUs (Equivalent Residential Unit). She explained how one ERU was determined and that they had planned to go back after five years to revisit the condominium assessment. Ms. Augustine said in this study they revised the apportionment methodology for condos. Using this new report, some of the condominiums would pay less and some more than before, but all would be paying what was equivalent to their contribution to the stormwater system. For the residential values, she recommended they stay at 2850 for one ERU but add a tier structure for home sizes. Very large parcels would be treated as a commercial property rather than residential.

Ms. Augustine explained the options with Option 3 was the most favored by Staff, charging \$44.90 per ERU and \$35.00 base per parcel. A vacant property would pay \$35.00 and a single-family would pay \$79.90. She recommended keeping the assessment on the tax bill, continue to use the residential tier structure, apply the tier structure to multi-family homes, treat multi-family of ten or more units as commercial, replace the original condominium with the actual impervious that related to their contribution to the stormwater program, as well as continue the mitigation credit policy.

Councilman Solis asked her to compare our rates to surrounding counties. Ms. Augustine said each County had their own ERU rate. She said the City had been on the low side but this moved the rates closer to midrange. She said many communities advertised on their TRIM bill a higher rate which was not planned to be adopted that assessment period but which would allow them to adopt it at a later date after receiving the first class notice. In most places, the TRIM bill was accepted as a first class notice.

Councilman Reichard asked about the maintenance on the outfalls and Ms. Jenkins said they were worked continuously. The Mayor suggested that outfalls be a separate issue and Councilman Reichard asked Ms. Augustine if she had taken into consideration some projects taking care of their stormwater themselves. Ms. Jenkins said the entities could apply for a mitigation credit.

Ms. Jenkins asked for the Council to choose which Option they preferred so that there would be time to place the fees on the TRIM bill. **Councilwoman Strange made the motion to accept Option 3. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

4 RESOLUTION 17-103, BUDGET AMENDMENT #44 FOR LICENSING AIDE. Ms. Myers read Resolution 17-103 by title and explained that this would fund the additional position approved a few meetings ago. The Mayor asked if there were any questions and there were none. **Councilwoman Strange made the motion to approve Resolution 17-103. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

PUBLIC COMMENTS (LIMITED TO THREE MINUTES)

Mayor Thomas opened the Public Comments portion of the meeting at 10:02 A.M.

1 Mr. Patrick Rietkerk, 3648 Oakbrook Lane. Mr. Rietkerk made comments about the Public Comment portion of the meetings and sanctions against a Council member.

2 Mr. Keith Curry, 141 Coral Dr. Mr. Curry commented about refining evaluations for every single-family property, the 128% increase on assessments on residential properties, a new City Hall being unnecessary, and maintaining the 25% reserve in case of emergencies.

With nothing further, the Public Comments section was closed at 10:10 A.M.

Concerning the litigation filed last week related to the Scooter Ordinances, Ms. Myers stated that Council's advice was needed and requested that an Executive Session be held at the conclusion of the regular business today. There were no objections.

Mr. Gisbert said the Capital Improvement Plan project was continuing and all City buildings and roads had been surveyed. The reports were ready and he recommended the Council meet with the consultants and plan for next year's expenditures and future expenditures. In some cases, this would be a twenty-year plan. He suggested convening a Workshop on June 30th at 10:00 A.M. There were no objections.

Councilman Reichard questioned the figures for Alf Coleman for stormwater. Ms. Jenkins explained the total \$3.3 Million Dollars included engineering.

Councilman Solis said rates were imposed as a community with the City having the lowest water and sewer rates in the community. He said it would be overly burdensome to review every property to determine its imperviousness. Regarding the 25% reserve, The City was approximately 10% above the reserve total in April 2016 and continuing to grow.

Councilwoman Strange asked about the third lane heading east toward Pier Park and the estimated start date. Councilman Solis explained the extension should have already been started but FDOT had fallen behind. He said he was also pressuring about sidewalks from SR 79 west.

Mayor Thomas said he and Mr. Gisbert had visited with FDOT and said they had asked the City to delay the 3rd lane construction until November or December, and our reply was no. He mentioned traffic through the neighborhoods. While he and Mr. Gisbert were in Chipley, they displayed plans for another project, a turn lane into Lullwater. He said he had not been aware of the plans but Councilwoman Strange had discussed the project with FDOT. FDOT was also planning a turn lane into the north part of the subdivision. Mayor Thomas said they asked FDOT not to do the northside project and he believed the southside was dangerous. He said if a turn lane was at Lullwater, people would be going through the neighborhood and the complaints received now would double. Councilman Reichard said the TPO had not been informed of those plans. Councilwoman Strange explained her reasons for asking FDOT for the turn lanes.

Mayor Thomas said regarding the Public Comments at the last meeting, it was accidentally left off and he explained the circumstances at the last meeting with vulgarities and unruliness which prompted the meeting being adjourned once the City business was completed.

Mayor Thomas explained the Executive Session was a strategy meeting which was not open to the public. A court reporter was there to transcribe their comments and once the lawsuit was settled, the transcript would become public record. He said they would be in session 15 to 35 minutes, and then come back to the Chamber to adjourn the regular meeting. Ms. Myers said the people attending the meeting would be Mr. Gisbert, Mayor Thomas, Councilman Reichard, Councilman Chester, Councilwoman Strange, Councilman Solis, Attorneys Amy Myers and Cole Davis.

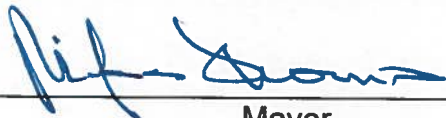
The meeting was recessed at 10:20 A.M.

At the conclusion of the Executive Session, Mayor Thomas reconvened the meeting at 11:05 A.M.

With no comments, the meeting was adjourned at 11:05 A.M.

READ AND APPROVED this 27th of July 2017.

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



Mayor

ATTEST:



Deputy City Clerk