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 14, 2018.

ROLL
MAYOR MIKE THOMAS
CITY MANAGER:
MARIO GISBERT
COUNCILORS:
PAUL CASTO
CITY CLERK:
JO SMITH
PHIL CHESTER
GEOFF MCCONNELL
CITY ATTORNEY:
AMY MYERS
HECTOR SOLIS

Mayor Thomas called the Regular Meeting to order at 6 P.M. with Council Members, City Manager, City Clerk and City Attorney present.

Pastor Ramon Duvall of the Beachside Fellowship Church gave the invocation and Councilman Solis led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Regular Meeting of May 24, 2018 were read. Councilman Casto made the motion to approve the Minutes as prepared. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

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

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

PRESENTATIONS
1 CAPITAL PLANNING AND O&M COST ESTIMATION PRESENTATION. Mr. David Scruggs of ZHA presented the Capital Improvement Plan and the Operation & Maintenance Cost Estimation. He explained the methodology they used to create four reports which could be used as tools moving forward; 1) condition report, 2) deficiency report, 3) renewal schedule and 4) renewal summary. He explained each report at length and the Capital Improvement Schedule. He said to bring this building up to standard, it would be 51% of the value of the building which meant it had lived past its life cycle.

Mr. Gisbert added that each report was given to the Department Heads to maintain as they were living documents and invaluable in projecting future budgets. Mr. Scruggs projected out ten years in the renewal summary, starting in 2017 and $4.6 Million Dollars behind in maintenance. Over the ten years, approximately $14.5 Million Dollars in maintenance for the buildings should be scheduled. Mr. Gisbert said this report was used as a tool to complete the 2017-2018 budget and some maintenance items were done ahead of schedule.

Mr. Nate McKinley of Gortemoller Engineering said his firm performed the roadway evaluation, assessment, ratings, and cost estimations. He identified the three categories of roads; the CRA roadways, the non-CRA roadways, and CRA connecting roadways. For the non-CRA roadways, they examined 66 miles and 245 roads. His firm performed site visits and detailed analysis of road conditions and then created a ranking system for the roads and identified those in need of the greatest maintenance. Each pavement was evaluated according to the FDOT’s 2015 Flexible Pavement Condition
Survey criteria and scored on five factors (cracking, raveling, patching, rut rating and ride rating). After evaluation, a rating was assigned, A,B,C,D or F.

Mr. McKinley said they also evaluated 11 miles of CRA-improved Front Beach Road and 6.5 miles of CRA connector roads. He said they evaluated South Thomas Drive, Front Beach Road Segments 1 and 2, Richard Jackson Blvd, Churchwell Drive, and Powell Adams Road. Their evaluation included numerous site visits, review of drainage characteristics and safety standards. Based on these evaluations and FDOT’s maintenance rating program, long-term maintenance plans for these roadways were developed. They also developed long-term operational and maintenance costs which included annual O&M costs for each Segment.

Mr. McKinley said they also evaluated approximately 12.5 miles of unimproved CRA roadways, 70% of the Front Beach Road corridor and connector roads. The evaluations included numerous site visits and evaluations of drainage characteristics. Based on those evaluations, a roadway ranking system was developed, A-F, similar to the non-CRA roads. A cost per mile for milling and resurfacing was estimated and used to develop the long-term 20 year operational and maintenance cost which included the annual O&M cost. Mr. McKinley reported various streets and gave their ranking. Ultimately, for the non-CRA roads, 4 roads were graded A, 47 B, 109 C, 62 D, and 23 F(10%). Another graph identified the F ranked roads, with Sellers Street ranked #1. Mr. Gisbert said the last resurfacing contract addressed some of these F roads. Mr. McKinley said they estimated a cost of $850,000 to $1,000,000 per year to resurface these roads for the next twenty years with a total estimated cost of $18.6 Million Dollars. Mr. Gisbert said the twenty-year cycle was now attainable due to the Half-Cent Sales Tax.

For the CRA roads, they also ranked the roads with a letter grade varying from one A to 8 Ds. They ranked R Jackson Blvd. as a C and Churchwell Drive as a C, and Mr. Gisbert explained Churchwell was done in 2009 and Richard Jackson in 2008. Mayor Thomas asked if the City should be concerned over the B ranked roads that were not that old. Mr. McKinley explained the various reasons they could have received that ranking, and Councilman Casto mentioned those roads were not residential roads and a commercial road would have a lesser life. He added that FDOT had most of their roads on a ten year schedule. He displayed an annual Operations & Maintenance schedule for the CRA and CRA-connector roads totaling $2.4 Million Dollars. He also displayed annual milling and resurfacing costs for the CRA and CRA connector roads.

Mr. McKinley said they recommended for budgeting that the City plan for Non-CRA roads to budget between $850,000 to $1,000,000 annually. For the CRA and CRA-Connector roads, once developed, the budget recommended was $2.4 Million Dollars annually. For the CRA roads (unimproved) for milling and resurfacing, they estimated $460,300 annually.

Councilman Chester questioned the cost difference in bringing an F road up to a C as opposed to bringing an F up to an A. Mr. McKinley explained the 20 year cycle and Councilman Casto said it depended upon the traffic. Mr. Gisbert said these would be tools and living documents.

2 BOYS AND GIRLS CLUB CIVIC ACHIEVEMENT AWARD. Councilman McConnell introduced Mr. Kenneth Garner and presented him with the Civic Achievement Award for exemplary service to the Beach Boys and Girls Club. He then congratulated Mr. Garner. The audience responded with applause.

PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)
Mayor Thomas opened the Public Comments section of the meeting at 6:40 P.M. and invited comments.

1 Mr. Tod Ingram, 12202 Hutchison Blvd. Mr. Ingram spoke briefly of Ordinance 1455 and Mayor Thomas asked that he hold his comments until the Public Hearing for that matter. He agreed.

With nothing further, the Public Hearing was closed at 6:41 P.M.

CONSENT AGENDA
Ms. Smith read the Consent Agenda Items by title.

1 RESOLUTION 18-87, NUISANCE ABATEMENT LIEN, 106 EL CENTRO BLVD N, "A Resolution of the City of Panama City Beach, Florida, approving an amount of $646.30 to be liened on property located at 106 El Centro Blvd. N for costs incurred by the City to abate nuisances located upon such property; authorizing the appropriate officers of the City to record the lien and notify interested parties of such lien; and approving an immediately effective date."
2  REVISION OF THE MASTER AUDIT LIST TO REMOVE OBSOLETE ITEMS. These items are to be removed from the Master Audit List. STAFF RECOMMENDS approval to remove these items. By approval of this matter in the Consent Agenda, the City Council makes a finding of surplus for these items and approves their removal from the Master Audit List. City Auction is planned for June 23, 2018.

3  RESOLUTION 18-99, BID AWARD-CITY AUCTIONEER SERVICES. “A Resolution of the City of Panama City Beach, Florida, approving the Agreement with Florida Auction Network LLC to conduct an auction of City Surplus Property on June 23, 2018 for a fee of 5% of the total proceeds received; and providing an effective date.”

4  RESOLUTION 18-103, EMPLOYEE HEALTH AND RELATED BENEFITS INSURANCE BROKERAGE AND CONSULTING SERVICES AGREEMENT. “A Resolution of the City Council of the City of Panama City Beach, approving an Insurance Brokerage and Consulting Services Agreement with Pritchard & Jerden, Inc., at the straight and commission based rates more particularly set forth in Addendum B to the Agreement.”

5  RESOLUTION 18-101, LONGLEAF PINE AND WIREGRASS SEEDLINGS PURCHASE, CONSERVATION PARK. “A Resolution of the City of Panama City Beach, Florida, approving Agreement with Florida Department of Agriculture and Consumer Services Florida Forest Service, Andrews Nursery, in the amount of $30,920 for the purchase of longleaf pine and wiregrass seedlings for the Conservation Park.”

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

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

REGULAR AGENDA

ITEM 1  EXAMINING BOARD MEMBER APPOINTMENTS. Mr. Leonard explained that four members of the Examining Board would have their terms expire July 22nd and the qualifications were that each seat would be filled by someone with a Master Certificate in his field of Heating and Air, Gas, Electrical or Plumbing. Three of the four members at the last meeting said they would serve again, with the fourth being absent. Another gentleman having a Master Certificate offered to serve in his place. Councilman McConnell recommended that the seats be advertised to the public and there were no objections. The Council directed staff to advertise the open positions on the Examining Board.

ITEM 2  SET A DATE FOR PUBLIC HEARING FOR CARL ALLEN HEIGHT INCENTIVES HEARING. Ms. Myers said the Planning Board considered a height incentive request and recommended approval. The Council had the final action and could hold the Hearing anytime after July 5th. Mayor Thomas suggested 5:00 P.M. prior to the regular 6:00 P.M. July 12th meeting. There were no objections.

ITEM 3  ORDINANCE 1450, AMENDING LDC RELATED TO PUD MASTER PLAN AMENDMENT AND INVALIDATION PROCESS, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1450 by title. Mayor Thomas opened the Public Hearing at 6:47 P.M. and asked for comments. There were none. He closed the Public Hearing at 6:47 P.M. Councilman Casto made the motion to approve Ordinance 1450. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

- Councilman Solis: Aye
- Councilman Casto: Aye
- Councilman Chester: Aye
- Councilman McConnell: Aye
- Mayor Thomas: Aye
ITEM 4  ORDINANCE 1452, UPDATING CHAPTER 25 RELATED TO CODE ENFORCEMENT, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1452 by title. Mayor Thomas opened the Public Hearing at 6:48 P.M. and asked for comments. There were none. He closed the Public Hearing at 6:48 P.M. Councilman Solis made the motion to approve Ordinance 1452. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 5  ORDINANCE 1453, PAINTING OF BOARDS, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1453 by title. Mayor Thomas opened the Public Hearing at 6:49 P.M. and asked for comments. There were none. He closed the Public Hearing at 6:49 P.M. Councilman Solis mentioned the ten day grace period and Ms. Myers responded that the threshold for painting would be after the building was boarded for ten days. Councilman Solis made the motion to approve Ordinance 1453. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 6  ORDINANCE 1454, AMENDING LDC RELATED TO WINDOW SIGNS, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1454 by title. Mayor Thomas opened the Public Hearing at 6:50 P.M. and asked for comments. There were none. He closed the Public Hearing at 6:50 P.M. Councilman McConnell made the motion to approve Ordinance 1454. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 7  ORDINANCE 1455, AMENDING LDC RELATED TO COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1455 by title. Mayor Thomas opened the Public Hearing at 6:52 P.M. and asked for comments.

Mr. Tod Ingram, 12202 Hutchison Blvd. Mr. Ingram read portions of the Ordinance and asked for clarification of three rental vehicles at one location using examples. Ms. Myers responded that this Ordinance pertained to single-family residential and the commercial message on the vehicles triggered the Ordinance. Councilman McConnell said he understood the intent of the Ordinance was to mitigate commercial activity operated in a single-family residential home. Councilman Chester mentioned three residents bringing their commercial vehicles home which would trigger this Ordinance. Councilman Casto mentioned contractors working on a home, and Mayor Thomas said the intent was not for workers but instead someone running a business out of the house. Ms. Myers said this was recommended by Code Enforcement due to problems occurring over the years. Mr. Leonard confirmed this was the recommendation from the Code Enforcement Manager which would help in some situations.

Ms. Colleen Swab, California Cycles. Ms. Swab said she opposed this Ordinance. With no further comments, the Mayor closed the Public Hearing at 7:03 P.M. Councilman Solis made the motion to approve Ordinance 1455. Mayor Thomas passed the gavel to Vice-Mayor Chester and seconded the motion. The motion failed by majority roll call vote recorded as follows:

Councilman Solis  Aye
Councilman Casto  Nay
Councilman Chester  Nay
Councilman McConnell  Nay
Mayor Thomas  Aye
Vice-Mayor Chester passed the gavel back to Mayor Thomas.

ITEM 8 ORDINANCE 1456, AMENDING LDC RELATED TO CONDITIONAL USES TERMINATION, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1456 by title. Mayor Thomas opened the Public Hearing at 7:05 P.M. and asked for comments. There were none. He closed the Public Hearing at 7:05 P.M.
Councilman Chester made the motion to approve Ordinance 1456. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 9 ORDINANCE 1457, AMENDING LDC RELATED TO LANDSCAPING REQUIREMENTS FOR VEHICULAR USE AREAS OF NONCONFORMING USES, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1457 by title and said this Ordinance came with the Planning Board’s recommendation. Mayor Thomas opened the Public Hearing at 7:06 P.M. and asked for comments.

Mr. Frank Sewell said there were parking issues on Front Beach Road now and landscaping would take valuable space better used for parking. Councilman Solis clarified that this Ordinance actually relaxed the landscaping requirements for nonconforming uses. With no further comments, Mayor Thomas closed the Public Hearing at 7:09 P.M.
Councilman Chester made the motion to approve Ordinance 1457. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 10 ORDINANCE 1458, AMENDING LDC RELATED TO TRANSIENT RESIDENTIAL RENTAL SIGNAGE, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1458 by title. Mayor Thomas opened the Public Hearing at 7:09 P.M. and asked for comments. There were none. He closed the Public Hearing at 7:09 P.M.
Councilman McConnell made the motion to approve Ordinance 1458. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 12 ORDINANCE 1460, UPDATING CHAPTER 12 RELATED TO GARBAGE AND TRASH, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1460 by title. Mayor Thomas opened the Public Hearing at 7:11 P.M. and asked for comments. There were none. He closed the Public Hearing at 7:11 P.M.
Councilman Chester made the motion to approve Ordinance 1460. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 13  RESOLUTION 18-102, BID AWARD- CITY HALL CONSTRUCTION AND BUDGET AMENDMENT #32. Ms. Myers read Resolution 18-102 by title. Councilman McConnell explained that the Town Hall meeting he had planned had been canceled due to a death in the family, and he asked Mr. Gisbert to give the presentation which had been planned for that meeting.

Mr. Gisbert made a presentation and gave a brief history with City Hall replacement talks beginning in 2005. He displayed the drawing of the proposed new building compared to the current City Hall built in 1969/1970 as a gymnasium and then later converted to a City Hall. He spoke of the proposed layout providing sufficient parking with an option to add additional parking and public spaces between the parking lots. He reminded that the earlier presentation by ZHA had detailed City Hall’s deficits totaling approximately $860,000. He continued that Staff and Council had outgrown the building. Repairs to this building had been delayed due to the future replacement, with the carpet, water system, electrical system, and mechanical system needing replacement. Mr. Gisbert said it would take major renovations to update this building and bring it up to current codes. Estimated costs to renovate City Hall would be more than Two Million Dollars and Staff did not recommend this because the building had exceeded its useful life.

The City Manager explained the Master Plan with an upgraded Council Chamber, office space for present and future needs, security features, areas for visiting media, and a level of security at the front desk. He displayed a construction schedule with estimated completion of the building in six to eight months. Mr. Gisbert continued that the additional parking and public space were not a necessity but that it made sense to add them while the contractor was on site.

At the Mayor’s request, Mr. Gisbert said the current proposal was $3,340,533 for the new building which would include the demo of the old building and Tag office as well as new sod. The alternative would be $3,782,652 which would include the additional parking and public spaces. He stated that he had the draft Resolutions and appropriate Budget Amendments for both options. Mayor Thomas said there were times that the current parking lots were crowded and he said personally, he thought the City should do all of the plan.

Councilman McConnell said this building was way overused and did not meet current codes for fire, hurricanes, or the ADA. He said the previous Councils had discussed the issue and the money was available. The City was heavily investing funds now in infrastructure for roads and stormwater, and this had been neglected for a long time and he thought this was a good thing.

Councilman Casto asked if the funds for this project was part of the reserves held in the event of a hurricane or emergency. Ms. White responded that at the end of 2018, the projected unrestricted reserves in the General Fund would be $19.5 Million Dollars with $5.5 Million Dollars as emergency reserves. She said the City had been saving funds for many years so there was quite a bit of money set aside for numerous capital projects, this being one of them. Ms. White said if Council elected to approve this project, there would remain significant reserves.

Councilman Casto asked Mr. Gisbert which portions of the bid had been removed as the original bid from GAC was $3.9 Million Dollars. Mr. Gisbert replied that he recommended not doing the wood finishes in the rooms or installing the dumb waiter to the second floor. He also confirmed that the building was designed for the higher wind load, the same as the other two new buildings. Ms. White added that the Police and Public Services buildings were built with cash on hand and the new building would be built with cash on hand and no debt.

Mr. Scruggs said the life expectancy of the new building would also be approximately 50 years and added that erecting the new building would remove $800,000 from the $5 Million Dollar deficit. The Mayor asked if there were any further questions and there were none. Councilman McConnell made the motion to approve
the alternate Resolution 18-102 priced at $3.7 Million Dollars. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 14 RESOLUTION 18-100, BID AWARD- CONSERVATION PARK PARKING EXPANSION.** Ms. Myers read Resolution 18-100 by title. Councilman Solis said Staff should move forward as quickly as possible to purchase the land. Mr. Gisbert said in conversations with St. Joe, they were willing to enter into a 20 year lease and he would continue discussing the purchase. **Councilman Casto made the motion to approve Resolution 18-100. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 15 RESOLUTION 18-104, WWTF FUTURE SITE VACANT LAND PURCHASE.** Ms. Myers read Resolution 18-104 by title. She stated that Staff hoped to have the survey within the next two weeks to determine the final price. The purchase price would be $23,696.43 for each developable acre and $3000 per acre for wetland, estimated at $663,500. **Councilman Chester made the motion to approve Resolution 18-104 Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

**DELEGATIONS**

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 7:37 P.M.

1. Mr. Burnie Thompson, Mr. Thompson spoke of a recent Sunshine Law case related a speaker being required to give their name violating their 1st Amendment rights. Ms. Myers said she did not believe that pertained to the City and that its rules could remain in effect. Mr. Thompson also handed Ms. Myers copies of the 2017 Sunshine Law Manual for the Council members.

2. Mr. Jim Phillips, 212 Wiregrass. Mr. Phillips asked for assurances that the City Hall construction would stay within budget and spoke of recent cost overruns across the bridge.

With no further comments, Mayor Thomas closed the Delegations period at 7:40 P.M. and explained that GAC won the bid which was a flat price and no more.

Ms. Myers had no report.
Mr. Gisbert reported the jobs and the bids posted on the website.

**COUNCIL COMMENTS**

Councilman Casto had no comments. Councilman Chester reported over 3000 youth at the Summer Extreme at Edgewater and invited all to a concert occurring that evening at Edgewater. Councilman Solis asked Mr. Gisbert to report the track record of GAC on the recent two buildings. Mr. Gisbert said the buildings had been built under cost and completed ahead of schedule. Councilman McConnell spoke of the recent death of his father and thanked the employees and Council for the flowers, and the numerous notes from residents and friends. Mayor Thomas said one issue to consider after listening to the cost of the CRA was that the CRA bonds required assessments to pay for the work, and for many years, the past City Councils had delayed implementing
the assessments. He said there will not be many more years before the assessments were a necessity and the cost will be so high that they were unaffordable. He urged the other Council members to consider the matter as the issue should be discussed soon.

The meeting was adjourned at 7:45 P.M.

READ AND APPROVED this 28th of June, 2018.

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

ATTEST:

City Clerk

Mayor