PANAMA CITY BEACH CITY COUNCIL
AGENDA

NOTE: AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS THE CITY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY.

REGULAR MEETING DATE: July 28, 2016
MEETING TIME: 2:00 P.M.

I. CALL TO ORDER AND ROLL CALL

II. INVOCATION- CAMPUS PASTOR DERRICK BENNETT, NORTHSTAR CHURCH

III. PLEDGE OF ALLEGIANCE- COUNCILMAN CHESTER

IV. APPROVAL OF BUDGET WORKSHOP OF JULY 7 AND REGULAR MINUTES OF JULY 14, 2016

V. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS

VI. PUBLIC COMMENTS - (Limited to 3 Minutes for Consent and Regular Agenda items only)

VII. CONSENT AGENDA

1 RESOLUTION 16-102, FIRE/RESCUE AERIAL TRUCK 1 REPAIR. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Pierce Manufacturing Service Center relating to the repair of Aerial Truck 1 for the Fire Department in the amount of $47,279."

2 RESOLUTION 16-105, PREBLE-RISH, INC. ASSIGNMENT TO DEWBERRY ENGINEERS, INC. "A Resolution of the City of Panama City Beach, Florida, approving assignment of various Master Services Agreements and related Project Task Orders from Preble-Rish, Inc. to Dewberry Engineers, Inc."

VIII. REGULAR AGENDA - DISCUSSION/ACTION

<table>
<thead>
<tr>
<th>NO.</th>
<th>OFFICIAL</th>
<th>ITEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ML</td>
<td>DISCUSSION OF SHORT TERM RENTALS NORTH OF BAY AVENUE.</td>
</tr>
<tr>
<td>2</td>
<td>MG</td>
<td>ORDINANCE 1391, CITY TREASURER, 1ST READING.</td>
</tr>
<tr>
<td>3</td>
<td>MG</td>
<td>ORDINANCE 1392, AMENDING LDC REGARDING PLANNING BOARD, 1ST READING.</td>
</tr>
<tr>
<td>4</td>
<td>HS</td>
<td>DISCUSSION- WORKSHOP WITH HOAs REGARDING CLEANLINESS AND IMAGE OF BEACH.</td>
</tr>
<tr>
<td>5</td>
<td>MT</td>
<td>PUBLIC COMMENTS. LIMITED TO THREE MINUTES.</td>
</tr>
<tr>
<td>6</td>
<td>AM</td>
<td>ATTORNEY REPORT.</td>
</tr>
<tr>
<td>7</td>
<td>MG</td>
<td>CITY MANAGER REPORT.</td>
</tr>
<tr>
<td>8</td>
<td>MT</td>
<td>COUNCIL COMMENTS.</td>
</tr>
<tr>
<td>9</td>
<td>MT</td>
<td>ADJOURN.</td>
</tr>
</tbody>
</table>
IN AN EFFORT TO CONDUCT YOUR COUNCIL MEETINGS IN AN ORDERLY AND EXPEDIENT MANNER, WE RESPECTFULLY REQUEST THAT YOU WAIT UNTIL THE CHAIR RECOGNIZES YOU TO SPEAK, THEN COME TO THE PODIUM AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

E-mailed and/or Faxed to following interested parties on: 7/25/16, noon.

**NEWS MEDIA**

**CONTACT**

- News Herald
  - John Henderson
- Bullet
  - Editor
- Channel 4
  - Ryan Rodig
- Channel 7
  - Rex Ogburn
- Channel 13
  - Ken McVay
- Comcast
  - Kay C. McWilliams
- WOW
  - Cil Schnitker
- WKGC
  - Emily Balazs
- WLTG
  - A. D. Whitehurst
- Magic Broadcasting
  - Chris Allen
- Clear Channel
  - Crystal Presley
- Panama City Radio
  - Brandon Andrews

NOTE; COPIES OF THE AGENDA ITEMS ARE POSTED ON THE CITY'S WEBSITE WWW.PCBGOV.COM UNDER "AGENDA INFORMATION".

THIS MEETING WILL BE LIVE-STREAMED ON THE CITY WEBSITE.

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding, and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Sec 286.0105, FS (1995)
CONSENT AGENDA
ITEM NO. 1
CITY OF PANAMA CITY BEACH  
AGENDA ITEM SUMMARY

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

2. **MEETING DATE:**  
   July 28, 2016

3. **REQUESTED MOTION/ACTION:**  
   City Council approval to have Pierce Mfg Service Center repair Truck 1 (aerial truck) for $47,279.00. The City did receive funds from insurance company for repairs.

4. **AGENDA PRESENTATION PUBLIC HEARING CONSENT REGULAR**

5. **IS THIS ITEM BUDGETED (IF APPLICABLE)?**  
   - Yes □ No □ N/A □
   - Budget Amendment or N/A
   - Detailed Budget Amendment Attached  
     - Yes □ No □ N/A □

6. **BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)**  
   This will allow the repair process to begin for the damaged aerial apparatus (Truck-1). Due to the amount of the repair, City Council approval is required.
RESOLUTION 16-102

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH PIERCE MANUFACTURING SERVICE CENTER RELATING TO THE REPAIR OF THE AERIAL TRUCK 1 FOR THE FIRE DEPARTMENT IN THE AMOUNT OF $47,279.

BE IT RESOLVED that the appropriate officers of the City are authorized but not required to accept and deliver on behalf of the City that certain Agreement between the City and Pierce Manufacturing Service Center, relating to the repair of the Aerial Truck 1 for the Fire Department, in the amount of Forty Seven Thousand Two Hundred Seventy Nine Dollars ($47,279), on substantially the terms and conditions set forth in the quote attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this ___ day of __________, 2016.

CITY OF PANAMA CITY BEACH

By: _____________________________
    Mike Thomas, Mayor

ATTEST:

_____________________________
Diane Fowler, City Clerk

CONSENT AGENDA ITEM #
Insurance Co: Florida League of Cities

Adjuster: Lavi Niv

Claim No: VA2016084022

Insured: City of Panama City Beach

RE: Damage to 2006 Pierce Fire Truck

This fire truck could not be repaired in Panama City or the surrounding area and had to be sent back to the manufacturer in Wisconsin. This was discussed at length by our appraiser Buford Lee and your file handler Latori Maxwell. It was decided we would get the estimate from Oshkosh Corp and send to you. Our appraiser Buford Lee is out of the office for approximately 3-4 more weeks. I am attaching the estimate to this report for your review. Buford has reviewed this estimate before allowing us to send to you and it is his opinion that these charges and repairs are appropriate and in line. The contact at Oshkosh is Alan Boushkey @ 920-867-2142 ext 38677.

Kathan Smith
Appraiser – Pensacola FL
Property Damage Appraisers, Inc.
850-587-3658
850-982-9957 cell
pdapensacola@pdagrp.net

CONSENT
AGENDA ITEM #
# MIDWEST SERVICE & REPAIR CENTER
## ESTIMATE

<table>
<thead>
<tr>
<th>DEALER Ten - 8</th>
<th>CUSTOMER Panama City Beach</th>
<th>ADDRESS</th>
<th>PIERCE CONTACT Al Bousley</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO. UNITS</td>
<td>ESTIMATE DATE</td>
<td>BODY MODEL PAP 100</td>
<td>CHASSIS Dash</td>
</tr>
</tbody>
</table>

**ACCIDENT REPAIR OF:**

ONE (1) Pierce
VIN #: 4P1CD01H46A006318

<table>
<thead>
<tr>
<th>Item</th>
<th>Item Description</th>
<th>Material</th>
<th>Labor Hrs.</th>
<th>Qty</th>
<th>Sublet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Remove and replace rear wall substructure</td>
<td>1,256.00</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Replace driver's side rear staircase assembly complete</td>
<td>1,848.00</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Square up opening to fit new staircase</td>
<td>763.00</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Replace treadplate walkway top of rear body</td>
<td>1,078.00</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Replace 2 color diamond grade chevron style striping on rear wall</td>
<td>366.00</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Replace hose chute in driver's side rear wall</td>
<td>392.00</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Replace aerial control box in driver's side rear wall</td>
<td>388.00</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Remount E-stop, diagnostic interface, stabilizer power, and over ride button</td>
<td>388.00</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Remove and reinstall driver's side outrigger cover</td>
<td>--------</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Adjust passenger side cover</td>
<td>--------</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Remove and reinstall two warning lights, two flood lights, and rear DOT lights on</td>
<td>515.00</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>upper rear of body</td>
<td>316.00</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Replace full width treadplate light mount at upper rear of truck body</td>
<td>316.00</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Replace traffic light treadplate housing</td>
<td>316.00</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
<td>Quantity</td>
<td>Rate</td>
<td>Total</td>
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<tr>
<td>14</td>
<td>Remove and reinstall 4 undamaged lights on passenger side rear face of body</td>
<td></td>
<td></td>
<td>72.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Replace 1 cracked lens</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Replace 4 damaged lights on driver's side rear face of body</td>
<td></td>
<td></td>
<td>688.00</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Replace 3 stainless steel doors and hinges on rear wall of body</td>
<td></td>
<td></td>
<td>450.00</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Replace rear chrome tow eyes, tow eye mounting brackets, and tow eye garnish rings on rear of truck.</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>18</td>
<td>Replace rear aerial inlet adapter, check inlet pipe, relief valve, and drain for leaks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Replace 7 information tags on rear</td>
<td></td>
<td></td>
<td>98.00</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Replace two handrails at driver's side rear staircase entrance</td>
<td></td>
<td></td>
<td>422.00</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Repair the damaged sheet metal around the driver's side outrigger compartment</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>22</td>
<td>Repair damaged wiring below rear of truck</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Replace damaged hydraulic filter housing below driver's side rear of truck</td>
<td></td>
<td></td>
<td>164.00</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Replace damaged hydraulic hose below rear of truck</td>
<td></td>
<td></td>
<td>120.00</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Replace damaged back up alarm and bracket below rear of truck</td>
<td></td>
<td></td>
<td>83.00</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Remove and reinstall s/s slide assembly from rear ladder compartment</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>27</td>
<td>Remove and reinstall spring loaded ladder stop device</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Replace s/s scuffplate at rear ladder compartment</td>
<td></td>
<td></td>
<td>176.00</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Repair damaged scuffplate at rear ladder compartment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Replace roll up door on rear ladder compartment</td>
<td></td>
<td></td>
<td>1,346.00</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Replace graphics on rear ladder roll up door</td>
<td></td>
<td></td>
<td>375.00</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Replace rear perimeter ground lights and brackets below rear of body</td>
<td></td>
<td></td>
<td>384.00</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Replace rear bumper</td>
<td></td>
<td></td>
<td>626.00</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Sand, wash, mask, prime, paint, and buff the repaired area around driver's side outrigger. Paint rear wall and substructure</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Check operation of rear outriggers and rear lights</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Clean up, touch up, and wash truck for inspection and delivery</td>
<td></td>
<td></td>
<td>125.00</td>
<td></td>
</tr>
</tbody>
</table>

**Transportation cost from Panama City Beach, FL to Weyauwega, WI** $6,681.00

**Transportation cost from Weyauwega, WI to Panama City Beach, FL.** $6,681.00

**TOTALS** $12,987.00 182 $13,362.00
Total estimated labor: 182 hours @ $115.00 per hour $ 20,930.00
Total estimated material $ 12,987.00
Total estimated sublet $ 13,362.00

**TOTAL ESTIMATE** $47,279.00

NOTE: This is an estimate and not a formal quotation due to the possibility of unknown hidden damage. Should actual work costs exceed this estimate, the purchaser shall be contacted for approval prior to work continuing. Actual (true), not estimated, costs shall be reflected in the invoice. All estimates are valid for 60 days. Estimate does not include any special shipping charges unless otherwise noted, will be added to invoice. Purchase Order or written approval required on all orders. Net-30 days terms. Pick-up/delivery not included unless otherwise noted. All applicable Pierce structural and paint warranties will be reinstated.
CONSENT AGENDA
ITEM NO. 2
1. **DEPARTMENT MAKING REQUEST/NAME:**
   Public Works Department/Kelly Jenkins

2. **MEETING DATE:**
   7/28/2016

3. **REQUESTED MOTION/ACTION:**
   Consent to the Assignment of various professional services agreements from Preble-Rish to Dewberry Engineers, Inc.

4. **AGENDA**
   - PRESENTATION
   - PUBLIC HEARING
   - CONSENT
   - REGULAR

5. **IS THIS ITEM BUDGETED (IF APPLICABLE)?**
   - Yes
   - No
   - N/A

6. **BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)**
   Preble-Rish Inc. joined Dewberry Engineers Inc. on April 6, 2016. As part of this transaction, all of the professional services agreements were transferred to Dewberry Engineers Inc., subject to client consent. The ongoing agreements and projects that the City currently has with Preble-Rish Inc. are listed in the attached document. With this transfer, staff and points of contact will remain the same for services provided. However, the City can benefit from the additional resources that Dewberry Engineers Inc. has to offer.
RESOLUTION 16-105

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING ASSIGNMENT OF VARIOUS MASTER SERVICES AGREEMENTS AND RELATED PROJECT TASK ORDERS FROM PREBLE-RISH, INC. TO DEWBERRY ENGINEERS, INC.

WHEREAS, the City approved that certain Master Services Agreement relating to Professional Stormwater Engineering Services dated December 29, 2013, which provides that the Agreement may not be assigned without the prior written approval of the City; and

WHEREAS, the City approved that certain Master Services Agreement relating to Professional Land Surveying Services dated December 29, 2013, which provides that the Agreement may not be assigned without the prior written approval of the City; and

WHEREAS, the City approved that certain Master Services Agreement relating to Professional Utility Engineering Services (Major Potable Water Utilities) dated December 29, 2013, which provides that the Agreement may not be assigned without the prior written approval of the City; and

WHEREAS, the City approved that certain Master Services Agreement relating to Professional Utility Engineering Services (Minor General Water, Sewer & Reclaimed Utilities) dated April 8, 2014, which provides that the Agreement may not be assigned without the prior written approval of the City; and

WHEREAS, the City approved that certain Master Services Agreement relating to Minor Roadway Engineering Services dated January 19, 2016, which provides that the Agreement may not be assigned without the prior written approval of the City; and

WHEREAS, on April 6, 2016, Preble-Rish Inc. joined Dewberry Engineers, Inc., and requests the City’s consent to the assignment of its professional services agreements to Dewberry Engineers, Inc.

NOW THEREFORE, BE IT RESOLVED that

1. The City hereby consents to the assignment of the following City Agreements with Preble-Rish, Inc. to Dewberry Engineers, Inc:
   a. Master Services Agreement relating to Professional Stormwater Engineering Services dated December 29th, 2013;
   b. Master Services Agreement relating to Professional Land Surveying Services dated December 29th, 2013;
   c. Master Services Agreement relating to Professional Utility Engineering Services dated December 29th, 2013;
   d. Master Services Agreement relating to Professional Stormwater Engineering Services dated December 29th, 2013;
   e. Master Services Agreement relating to Professional Utility Engineering Services dated April 8th, 2014;
f. Master Services Agreement between the City of Panama Beach and Preble-Rish relating to Minor Roadway Engineering Services dated January 19th, 2016;
g. Gulf Highlands Drainage Improvements (PRI Project Number 166.023);
h. Panama City Beach - Front Beach Road CRA Utility Relocation (PRI Project Number 211.119)
i. North Glades & Hombre Drainage Improvements Task Order 2016-01 (PRI Project Number 211.213)
j. Panama City Beach - Bayside Water and Wastewater System Improvements, Task Order 2012-159 (PRI Project Number 211.159)
k. Colony Club Nautilus Connection Road Task Order 2016-01 (PRI Project Number 211.215)
l. Gulf Lane R/W Stakeout (PRI Project Number 211.218)

2. The appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Consent 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.

3. This Resolution shall be effective immediately upon its passage.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this ___ day of __________, 2016.

CITY OF PANAMA CITY BEACH

By: ____________________________________________  
Mike Thomas, Mayor

ATTEST:  

Diane Fowler, City Clerk
July 22, 2016

Mr. Mario Gisbert
City Manager
City of Panama City Beach
110 South Arnold Road
Panama City Beach, FL 32413

Re: Assignment of Preble-Rish, Inc. Agreements to Dewberry Engineers Inc.

On April 6, 2016, the entire Preble-Rish, Inc. staff and operations joined Dewberry Engineers Inc. As part of the transaction, Preble-Rish, Inc. transferred its professional services agreements to Dewberry Engineers Inc., subject to client consent. This letter is a request for the assignment of agreements between the City of Panama City Beach and Preble-Rish, Inc. to Dewberry Engineers Inc.

The staff and points of contact that served you at Preble-Rish, Inc. will remain unchanged. That same staff will also now have available to them the additional resources of Dewberry Engineers Inc. Going forward, the branch offices will operate under the name Dewberry Engineers Inc. d/b/a Dewberry | Preble-Rish

The following current agreements between the City of Panama City Beach and Preble-Rish, Inc. are to be assigned:

- Master Services Agreement relating to Professional Stormwater Engineering Services dated December 29th, 2013
- Master Services Agreement relating to Professional Land Surveying Services dated December 29th, 2013
- Master Services Agreement relating to Professional Utility Engineering Services dated December 29th, 2013
- Master Services Agreement relating to Professional Stormwater Engineering Services dated December 29th, 2013
- Master Services Agreement relating to Professional Utility Engineering Services dated April 8th, 2014
- Master Services Agreement between the City of Panama Beach and Preble-Rish relating to Minor Roadway Engineering Services dated January 19th, 2016
- Gulf Highlands Drainage Improvements (PRI Project Number 166.023)
- Panama City Beach - Front Beach Road CRA Utility Relocation (PRI Project Number 211.119)
- Panama City Beach - Bayside Water and Wastewater System Improvements, Task Order 2012-159 (PRI Project Number 211.159)
- North Glades & Hombre Drainage Improvements Task Order 2016-01 (PRI Project Number 211.213)
- Colony Club Nautilus Connection Road Task Order 2016-01 (PRI Project Number 211.215)
- Gulf Lane R/W Stakeout (PRI Project Number 211.218)
Assignment Letter
Multiple PRI Projects
July 22, 2016

- Loop Road Plan Modifications (Project Number 50081915)
- Loop Road Construction Administration (Project Number 50081915)

This assignment is strictly for the above listed agreements executed between City of Panama City Beach and Preble-Rish, Inc. under which Dewberry Engineers Inc. will acquire all rights, interests and obligations of Preble-Rish, Inc. under the agreements arising out of or related to Dewberry's performance under the agreements on and after April 6th, 2016, the effective date of the assignment. Dewberry Engineers Inc. registered to do business in the State of Florida. Its Federal Tax Identification Number is: 13-0746510.

Preble-Rish, Inc. respectfully requests your consent, acknowledgement and agreement to the assignment of the above-referenced agreements by signing this letter and returning it to the attention of Jonathan Sklarski via email at jsklarski@dewberry.com.

Additionally, a certificate of insurance will be provided under separate cover if required under the subject agreement.

If you have a question about this request or need additional documentation, please call Jonathan Sklarski at 850.522.0644.

Sincerely,

Preble-Rish, Inc. Dewberry Engineers Inc.

By: Clifford D. Wilson III By: Darren Conner
Title: Vice President Title: President, Southeast

CONSENTED, ACKNOWLEDGED AND AGREED TO:

Signature

By: ____________________
Title: ____________________
Date: ____________________
REGULAR AGENDA
ITEM NO. 1
1. **DEPARTMENT MAKING REQUEST/NAME:**
   Building and Planning Department

2. **MEETING DATE:**
   07/28/2016

3. **REQUESTED MOTION/ACTION:**
   Mr. and Mrs. Weeks have asked the City Council to consider their request to allow short-term rental of their property at 14306 Bay Avenue.

4. **AGENDA PRESENTATION**
   ![Checkmark]

5. **IS THIS ITEM BUDGETED (IF APPLICABLE)?**
   ![Checkmark]
   ![Yes No N/A]

6. **BACKGROUND:**
   **(WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)**
   The request was recently considered by the City Council. At that time, staff was asked to mail notices of the request to owners abutting the north side of Bay Avenue. Staff has compiled the responses which are attached for review. Additionally, a map is attached showing the responses from the property owners abutting the north side of Bay Avenue. If the request is approved, the owners of all properties abutting the north side of Bay Avenue will be able to short-term rent (less than 6 months in duration) even though the properties are zoned for single family use which currently prohibits such rentals.

   **Possible Actions:**
   - The Council can take no action which will result in a continued prohibition of short-term rentals on the north side of Bay Avenue; or,
   - The Council can direct staff to bring back ordinance changes that will enable short-term rentals on the north side of Bay Avenue.
Bay Avenue Responses
Support
100 Belmont Trace  
Atlanta, GA 30328  
June 15, 2016

Mr. Mel Leonard, Director  
Panama City Beach Building and Planning Department  
110 South Arnold Road,  
Panama City Beach, FL 32413

Dear Mr. Leonard,

I am responding to your certified letter, dated June 7, 2016, RE: Request for Short-term Rentals to be permitted on the North Side of Bay Avenue.

I own property at 14306 Bay Avenue, and I wish to state my support of the proposal to allow short-term rentals on lots adjacent to the northerly right-of-way of Bay Avenue. This is good for the community, good for the city and provides visiting families a comfortable, affordable alternative to hotels and condos.

Sincerely,

Stanley Weeks

AGENDA ITEM #
June 30, 2016

Mr. Mel Leonard  
Director of Building and Planning  
Panama City Beach Florida 324213

Re: Short Term Rentals North Side of Bay Avenue

Mr. Leonard,

In response to your letter concerning the above referenced situation as it relates to Stan and Janie Weeks.

My property joins the Weeks property to the immediate west. Susan and I are impacted by the short term rental more than anyone on Bay other than the property owner to the immediate east.

We 100% support the short term rental property 20 feet to the south of our drive and others right down the street do short term rental. The Weeks bought the property and have been renting it for 13 years, we have been next door to them for 9 years. Mainly it is wholesome families renting in our neighborhood, they spent money, behave themselves and come back year after year.

If you stop the Weeks after 13 years it will have a devastating effect on their financial situation as it relates to the house. This is not right.

If you stop the Weeks after 13 years it will have a devastating effect on their financial situation as it relates to the house. This is not right.

Do the right thing. If the city does not want anymore rentals on the north of Bay so be it. But grandfather the Weeks in and allow them to continue.

Regards,

James A. (Allen) Clark
June 17, 2016

As you know we have a summer house on the north side of Bay Avenue.

In response to your letter, it would be beneficial to see if we could, and if we decided to rent one house short term.

Thank you for your consideration in this matter and we would definitely be in favor of this passing.

Herace & Judy Washby
14204 Bay Ave.
2106 - Fate Beach
Jasper, AL 35504

Jan & Sandy Carroll
1549 Evans Rd
Jasper, AL 35501
(14204 Bay Ave)

AGENDA ITEM # 1
Regarding the above subject from your letter dated June 7, 2016.

We feel that in light of short term vacation rentals already renting throughout the north side of Bay Ave in Bid-a-way SD, it only seems fair to allow this request from our neighbor to be approved. We have not (yet) had any with these short term rentals.

Sincerely

Tom Gross
14100 Bay Ave.
Panama City Beach Florida
February 8, 2016

Mr. Mel Leonard  
Planning Board  
City of Panama City Beach  
110 S. Arnold  
Panama City Beach, FL 32413

Dear Mr. Leonard:

Stan and Janie Weeks have made me aware of Ordinance 1369 which prohibits short term rentals for properties located on the north side of Bay Avenue in the Bid A Wee subdivision.

I own the property located at 13706 Bay Avenue, which is also on the north side, and I would like to support their request to have a modification made to this ordinance so that anyone owning property on the north side in Bid A Wee could participate in short term rentals if they so desire. At present, my home is rented long term due to the illness of my mother in Tallahassee.

I respectfully request that you grant Transient Residential Rental status to properties on the north side of Bay Avenue.

Sincerely,

Wanda McKenzie  
221-B W. 9th Avenue  
Tallahassee, FL 32303

cc: Stan and Janie Weeks
June 7, 2016

Bay Avenue Property Owner (Northside)

VIA CERTIFIED MAIL

RE: Request for Short-term Rentals to be Permitted on the North Side of Bay Avenue

Dear Bay Avenue Property Owner:

The City of Panama City Beach is sending you this letter because the City has received a request from one of your neighbors to consider allowing short-term rentals (less than 6 months in duration) on lots adjacent to the northerly right-of-way of Bay Avenue. These lots are currently zoned for single family residential use (R-1C) and short-term rentals are prohibited in such districts. From the southerly right-of-way of Bay Avenue in the Bid-A-Wee area to Front Beach Road properties are zoned for limited multi-family use (R-2) or commercial high-intensity (CH) and short-term rentals are permissible in such districts (Please see enclosed map).

Property Appraiser’s records show you own land on the north side of Bay Avenue. In considering the request, the City Council wishes to obtain responses from these property owners before discussing further. As such, feel free to provide this office with your written thoughts on the matter within thirty (30) days of the date of this letter. You may contact the Building and Planning Department at: (850) 233-5100 ext. 2313 or achester@pcbgov.com or at 110 S. Arnold Road, Panama City Beach, Florida 32413.

Sincerely,

Mel Leonard
Director of Building and Planning
City of Panama City Beach

[Signature]

6/10/16 - As evidenced by prior letter sent to you, I have no objection to short-term rentals.

Wanda McKinney

www.pcbgov.com
Bay Avenue Responses
Against
Dear Andrea, thank you so much for sharing the "Certified Letter" with me. My wife and I are the only full-time neighbors of Janie and Stan Weeks, the owners who are requesting the change in Zoning. They want to continue to rent their house on a short-term basis. At its worst this is like living next to a carnival midway with all of the noise and yelling which that implies. During Bike Week, and I like and ride a motorcycle, when as many as 5 and their companions move in next door, its the sound of thunder several times a day when they start and rev their bikes in unison, pretty scary when you aren't prepared. My biggest regret is that this issue wasn't raised years ago. We have endured the constant rotation of renters, some good and some extremely annoying and inconsiderate for several years now. We have complained to Mr. Weeks regarding the behavior of his renters. His response was that we should seek police intervention. My wife has at times taken a risk and gone out on our deck and asked the renters to quiet down due to the volume or time of night or both. There have been times when the renters have played noisy games such as "corn hole" in the driveway for hours at a time on consecutive days. There is frequently yelling and screaming from the pool area, sometimes late at night. Beach balls and other pool toys frequently make their way over Mr. Weeks' fence into our yard and the renters ask if we can retrieve those and return them. There have been times when trash, beverage cans and food wrappers, have been thrown from their deck into our yard. Since the house is advertised as accommodating 10, it appears that one party rents the house and more than one family and their relatives/friends come to vacation. With multiple cars the sound of car door slamming gets old after a while. I have no problem with renting in accord with present zoning requirements because longer term occupants are not partying continuously, but when people come specifically to vacation for 1 or 2 weeks, they seem to feel a need to pack a whole years worth of partying into 7 days with all of the noise and careless behavior which that entails. I truly hope that the decision-makers appreciate the wisdom behind the current zoning and choose to maintain the current restrictions for the benefit of those who want to find tranquility and peace in the place they have chosen to call home. Respectfully submitted John B. Stiles

14304 Bay Avenue
Andrea Chester

From: Mel Leonard
Sent: Wednesday, June 08, 2016 8:25 AM
To: Andrea Chester
Subject: FW: The weekly rentals continue at 14306 Bay Ave

-----Original Message-----
From: Mark Williamson
Sent: Wednesday, June 08, 2016 8:11 AM
To: stiles15@mindspring.com
Cc: Mel Leonard <mleonard@pcbgov.com>
Subject: RE: The weekly rentals continue at 14306 Bay Ave

Please contact the Police if the noise levels are bad. The Weeks have come before the City Council to try to get approved. I am copying your complaint to my superior. I apologize for the inconvenience.
Mark Williamson

-----Original Message-----
From: stiles15@mindspring.com (mailto:stiles15@mindspring.com)
Sent: Monday, June 06, 2016 10:27 PM
To: Mark Williamson <mwilliamson@pcbgov.com>
Subject: The weekly rentals continue at 14306 Bay Ave

Dear Mr. Williamson, a new family moved in just hours after the previous weekly renters moved out. The noise levels and partying of folks here for their week long vacation is quite a bit different than that of those who live here long term. I fear that Stan and Janie Weeks believe that they can rent out their house without regard to zoning regulations. I continue to appreciate your efforts in addressing their blatant disregard for the rules and the rights of their neighbors to enjoy the relative quiet of residential living. Brad Stiles 14304 Bay Ave.
Dear Sir, my name is Jim J. Neel, Jr. and I am Agent for my Mom Elisha D. Youngblood which owns 14202 Bay Ave...She and I both agree that we DO NOT wish for Short Term Rentals to be allowed on the North side of Bay Avenue...Thank you, Jim J. Neel, Jr.
From: Vince Chiarella <vchiarella@stegallmechanical.com>
Sent: Thursday, June 16, 2016 9:46 AM
To: Vince Chiarella
Cc: Vince Chiarella; Donnis Chiarella
Subject: Opposing Comments - Request for Short-term Rentals to be Permitted on the North Side of Bay Avenue

------ Original message ------
From: Vince Chiarella <vchiarella@stegallmechanical.com>
Date: 06/16/2016 9:46 AM (GMT-06:00)
To: Vince Chiarella <vchiarella@stegallmechanical.com>
Subject: Opposing Comments - Request for Short-term Rentals to be Permitted on the North Side of Bay Avenue

Attention: PCB City Council and Director of Building and Planning

We are in receipt of a certified letter requesting comments regarding the rezoning of the properties on the northside of Bay Avenue to allow short-term rentals. We are in total disagreement of this proposal. We feel that allowing more of these rentals will cause crime and vandalism to increase in our neighborhood. PLEASE DO NOT ALLOW THE ZONING TO CHANGE! The people who are requesting this do not live here and their is no way they come here often because their house is rented all the time. How can they change our neighborhood or even have a voice because all they want is the money, they dont care about anything else or the people who live here. Please include our comments in your review and consideration of this change request.

Also, can you ban the mopeds from coming into neighborhoods? We are tired of them speeding down our streets beeping their horns with no consideration of the people who live here. It should be illegal for them to ride rented mopeds in any neighborhood.

14108 Bay Avenue Property Owner (Northside)
Vincent and Donnis Chiarella

Sent from my Verizon Wireless 4G LTE Tablet
John and Charlotte Greathouse  
14006 Bay Ave.  
Panama City Beach, FL 32413  
June 18, 2016

Re: Request for Short term rentals to be permitted on the north side of Bay Avenue

Mr. Mel Leonard:

We are sending this letter to OPPOSE short term rentals on the north side of Bay Avenue. We have personally seen the areas that are rented on the southside, where 6 people rent the house and 12 people show up.

We have been full time residents for 22 years and we are asking your office to oppose a change to the current restrictions.

Sincerely,

John Greathouse  
Charlotte Greathouse
Dear Mr/Ms Chester,

I am a resident on Bay Avenue win the Bid-a-wee neighborhood. In fact, I own a home and two adjacent lots on the north side of Bay Avenue. My wife was born and raised in PC, and I have been a property oversee in Bay County since my days as an AF pilot at Tyndall dating back to the late 70's. The only reason I mention this is to let you know I am not new to Bay County, and we have a vested interest in Bay County, PC and PCB in particular.

It is my understanding that the City Council will one considering a request to open the north side of Bay Avenue to short-term rentals. My wife and I, along with most of our neighbors, are adamantly opposed to such a change. In fact, we would prefer no shorter rentals as far off the beach as Bay Avenue – north or south sides. We are definitely aware of the importance of the short-term rental market to the beach, and we support that; however, as I am sure you know, Bid-a-weer is a neighborhood with single family homes, of which about 60% are occupied by full time residents. The majority of the others are owned by residents such as my wife and I who frequently visit, consider this our second home (soon to be only home after retirement), and we do not rent our home.

Most short-term renters are at least relatively respectful of the property they are using, but as everyone knows, many are not. These visitors are disruptive, destructive, and harmful to our neighborhoods.

I implore the Council to not expand short-term rentals to the north side of away, and to strongly consider eliminating short-term rentals on the south side as well. All less one option would be that as soon as a home is sold on the south side of Bay, it can no longer be sued for short-term rentals.

Thank you for your consideration to our request. I would be available for any further comment or discussion.

My warmest regards,

Don Avery
13908 Bay Ave (plus, 13904, 13902 Bay Ave)
As you know the Property appraiser does not update their mailing records quickly. 14008 sold 5/12/2016 and has not updated 13806 sold only last week 6/2/2016 and has not updated. I suppose the one who changes hands next week, Just misses the deadline. I understand mailings are quite expensive, but only alerting 35 out of the entire R1C area North of Bay Ave is disappointing for sure in my humble opinion. Or course, I do not know the correct procedures.

Lots of anxious residents with contiguous property to those of us who live on Bay Ave who disagree. As an example my rear neighbor with an Argonaut address. 100' makes a huge difference.

Thanks for all you do as this is certainly a big can of worms that is surely going to get bigger, As the ones who still ignore the ordinance continue to break it and live far north of Bay Ave.

Thanks
Again

Lawrence Hand
13910 Bay Ave. owner and resident
PCB, Fl. 32413
850-624-2402-cell
850-233-9409-home and fax

Hey Lawrence,

Everyone can speak whether they were mailed a letter or not as this issue could impact the entire neighborhood. We mailed the letters to owners on the north side of Bay Avenue as shown on the Property Appraiser’s records as of the date of the mailing. That is adopted procedure for any mailings required of the land development code, so, we followed that same procedure here. We also sent one to Jeannie Krohn (President) so she can help spread the word around the neighborhood which I believe is the intent of the Council on this issue. As you and I spoke on the phone recently, I wrote the Weeks an email several weeks ago and stated Staff could not recommend the change they are requesting. Andrea and I have started receiving emails and phone calls from residents on and off of Bay Avenue about this issue. We are collecting those comments and will distribute to the Council as part of their agenda packet.

From: Mel Leonard [mailto:mleonard@pcbgov.com]
Sent: Thursday, June 09, 2016 12:53 PM
To: Lawrence Hand; Andrea Chester
Cc: Phil Chester; Mike Thomas
Subject: RE: Bay Ave residents

Hey Lawrence,

Everyone can speak whether they were mailed a letter or not as this issue could impact the entire neighborhood. We mailed the letters to owners on the north side of Bay Avenue as shown on the Property Appraiser’s records as of the date of the mailing. That is adopted procedure for any mailings required of the land development code, so, we followed that same procedure here. We also sent one to Jeannie Krohn (President) so she can help spread the word around the neighborhood which I believe is the intent of the Council on this issue. As you and I spoke on the phone recently, I wrote the Weeks an email several weeks ago and stated Staff could not recommend the change they are requesting. Andrea and I have started receiving emails and phone calls from residents on and off of Bay Avenue about this issue. We are collecting those comments and will distribute to the Council as part of their agenda packet.
From: Lawrence Hand [mailto:lhandsellspcb@gmail.com]
Sent: Thursday, June 09, 2016 12:42 PM
To: Andrea Chester <achinger@pcbgov.com>
Cc: Phil Chester <pchester@pcbgov.com>; Mel Leonard <mleonard@pcbgov.com>; Mike Thomas <mthomas@pcbgov.com>; 'Lawrence Hand' <lhandsellspcb@gmail.com>
Subject: Bay Ave residents

Hi Andrea,
Hope you are well,
The tax records have not been corrected to reflect these 2 NEW owners and also there will be another one to sell Tuesday 6/13/2016.

These are all owners who wanted to buy where NO SHORT TERM RENTALS WERE ALLOWED. THEY DID THEIR DUE DILLIGENCE AS WELL. The ones who sold their homes were told they could not rent short term, hence part of the reason they sold.

Seems like it is only appropriate for them to be able to speak as well.
Thanks
Lawrence Hand

Lawrence Hand
13910 Bay Ave.
PCB, FL 32413
850-624-2402-cell
850-233-9409-home and fax

D. Buyer:14008 Bay Ave
Terry Paul Lackey and Teresa T. Lackey
P O Box 784
Munford, Alabama 36268
E. Seller:
Vincent Chiarella and Donnis M. Chiarella
249 Cahaba Oaks Trail
Pelham, Alabama 35124

Property Address: 13806 Bay Avenue, Panama City Beach, Florida
Buyer: Raymond J. Smith and Julie P. Smith, husband and wife
3203 Silver Lake Dr Phoenix City Al 36867

13900 Bay Ave--- new owners to be
Mark Roberts
4701 Thomas Dr # 215
PCB Fl. 32408
Thought you might Like to see these comments from another Home Owner and Tax Payer and Voter. And Lives here Full Time.

Feel free to Let the Mayor and other council members read these comments as this resident-tax payer and voter says “Go for it” on sharing his comments.

Thanks as always
Lawrence Hand
13910 Bay Ave.
PCB, Fl. 32413
850-624-2402-cell
850-233-9409-home and fax

Owner of the house next to me (east side) is renting the house at less than monthly timeframe. New cars every week. I did sign the petition that circulated recently. City here is very unresponsive in terms of resident concerns. Went to the code department in mid May. Was told they would check out the obsessive vines coming over the fence and talk with the owner. No response, even after a followup e-mail.

Rich

Sent from Samsung tablet

Lawrence Hand <lhandsellspcb@gmail.com> wrote:
This is your opportunity to express to the city planners your dis-approval to allowing short
Term rentals in our neighborhood. This is as per an email form Mel Leonard who stated all can express their opinion even if they did not
Receive a letter --see his e-mail

Hey Lawrence,

Everyone can speak whether they were mailed a letter or not as this issue could impact the entire neighborhood. We mailed the letters to owners on
the north side of Bay Avenue as shown on the Property Appraiser's records as of the date of the mailing. That is adopted procedure for any mailings required of the land development code, so, we followed that same procedure here. We also sent one to Jeannie Krohn (President) so she can help spread the word around the neighborhood which I believe is the intent of the Council on this issue. As you and I spoke on the phone recently, I wrote the Weeks an email several weeks ago and stated Staff could not recommend the change they are requesting. Andrea and I have started receiving emails and phone calls from residents on and off of Bay Avenue about this issue. We are collecting those comments and will distribute to the Council as part of their agenda packet information associated with the future meeting this issue is to be discussed. Hope this helps. Sorry I missed your phone call.

Mel

As a realtor, I win either way.
I sell cause you can't rent and help folks buy who want to rent.

Now, My comments as a Resident who pay Taxes.----------------------------
Is as follows...

BUT, FOR THE RECORD, I DO NOT WANT THIS DOOR OPENED AS THERE MAY BE MANY ISSUES WAITING ON THE CITY !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!
The Council folks who wanted to protect citizens from unrudely Spring Break parties Are opening this door for us a little wider.

These opinions are my own.

Sincerely
Lawrence

Lawrence Hand
13910 Bay Ave. Owner and Resident
PCB, Fl. 32413
850-624-2402-cell
850-233-9409-home and fax
Bay Avenue Responses
Signed Petition Against
From: Andrea Chester
To: Mel Leonard
Subject: FW: Bid-A-Wee signed Petition
Attachments: petition 2016-06-21 002.bmp; petition 2016-06-21 003.bmp; 2016-06-21 001.bmp; 2016-06-21 002.bmp; 2016-06-21 003.bmp; 2016-06-21 001.bmp; 2016-06-21 004.bmp; 2016-06-21 001.bmp; 2016-06-21 005.bmp; 2016-06-21 001.bmp; 2016-06-21 006.bmp; 2016-06-21 001.bmp; 2016-06-21 008.bmp; 2016-06-21 001.bmp; 2016-06-21 007.bmp; 2016-06-21 001.bmp; Petition 2016-06-21 001.bmp

From: Mary Kay [mailto:MKKATTHEBCH@knology.net]
Sent: Tuesday, July 19, 2016 12:10 PM
To: Mel Leonard <mleonard@pcbgov.com>; Phil Chester <pchester@pcbgov.com>
Subject: FW: Bid-A-Wee signed Petition

Any new status to report?

From: Mary Kay [mailto:MKKATTHEBCH@knology.net]
Sent: Tuesday, June 21, 2016 7:39 PM
To: mleonard@pcbgov.com; pchester@pcbgov.com
Subject: Bid-A-Wee signed Petition

The attachment is what was received thus far from the Bid-A-Wee Community (108 signatures). I believe that this should be enough (along with the three negative responses that I know of on the north side of Bay Ave). I have also highlighted signatures from residences located in the area where short term rentals are currently allowed. I have an asterisk (*) by those already located in the area where it is allowed that are against and there are over 40. It should be stopped in the neighborhood completely. This is a community and should be consisting of single family homes. If individuals want a business, go to those areas that are not located in communities, or get a condo.

The following are homes that I found that are renting short-term where it is not allowed:
105 Nautilus
107 Nautilus
205 Nautilus
123 Sea Oats
117 Sea Oats
304 Argonaut (There are more)

There is also a couple gathering information (video) on 404 Albatross. A Preacher has built a home and they said he is running a Half-Way House. They will be in touch as a separate matter.

It would be so nice if the Bid-A-Wee Community would be left out of the media eye. It hasn't been 10 years since the last exposure that cost the community in over $5,000 in legal bills that came from our beach maintenance funding. All the negative publicity damaged our community only to find that the community was correct. We never received an apology by the PCB Council or our County Commissioner's. We have been blessed with such a wonderful community of good people. However, most of us don't like the fact that individuals from out of state come here just to operate a business for profit. The house in question, had in prior years, charged friends of mine $3,500 a week. The place was always booked.

We always hear through the media for resident's to be the eyes and ears for our neighborhood surroundings and to report strange events. Trust us when we report that individuals are conducting illegal activity. At a minimum, check it out.

If needed, I can obtain more signatures. Some individuals will be sending their comments under separate cover.

Respectively,
Mary Kay Kassiris
PETITION OPPOSING THE RE-ZONING NORTH OF BAY AVENUE
PER NEWS HERALD ARTICLE DATED 6 JUNE 2016

We the undersigned have provided our addresses, printed name, signatures and date opposing the re-zoning of the residents north of Bay Avenue in the Bid-A-Wee Neighborhood consisting of Bid-A-Wee, Bid-A-Wee Lane, Bid-A-Wee Court and Seclusion Beach:

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>PRINTED NAME</th>
<th>SIGNATURE/DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>120 Seclusion Dr</td>
<td>Mary Kay Kassir</td>
<td>Mary Kay Kassir</td>
</tr>
<tr>
<td>114 Seclusion Dr</td>
<td>Tommy Davidson</td>
<td>6/9/14</td>
</tr>
<tr>
<td>116 Seclusion Dr</td>
<td>Steve Mitchell</td>
<td>6/9/16</td>
</tr>
<tr>
<td>118 Seclusion Dr</td>
<td>Willy Ramos</td>
<td>6/9/16</td>
</tr>
<tr>
<td>137 Sea Dunes Dr</td>
<td>Charles Langmeier</td>
<td>Charles Langmeier</td>
</tr>
<tr>
<td>5053 Atromeo St</td>
<td>Sheila Steele</td>
<td>Sheila Steele</td>
</tr>
<tr>
<td>13906 Bay Ave</td>
<td>Anna A. McCoy</td>
<td>Anna A. McCoy</td>
</tr>
<tr>
<td>119 Martinis</td>
<td>W. H. Loring</td>
<td>W. H. Loring</td>
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<tr>
<td>106 Argonaut</td>
<td>Mary Buchanan</td>
<td>Mary Buchanan</td>
</tr>
<tr>
<td>126 Seclusion</td>
<td>Bradley Cook</td>
<td>Bradley Cook</td>
</tr>
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AGENDA ITEM #
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PER NEWS HERALD ARTICLE DATED 6 JUNE 2016

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<tbody>
<tr>
<td>130 Seclusion Drive</td>
<td>Deborah D. Brown</td>
<td>06-09-16</td>
</tr>
<tr>
<td>301 Nautlius Drive</td>
<td>Jimmy F and Shelley M. Brown</td>
<td>06-09-16</td>
</tr>
<tr>
<td>13 Bid A Wee Ct.</td>
<td>Mary E. Rice</td>
<td>06-09-16</td>
</tr>
<tr>
<td>502 Petrel St.</td>
<td>Don E. Rice</td>
<td>06-09-16</td>
</tr>
<tr>
<td>19 Seclusion Dr.</td>
<td>David Grier</td>
<td>06-10-16</td>
</tr>
<tr>
<td>13910 Bay AVE</td>
<td>Lawrence Hand</td>
<td>06-10-16</td>
</tr>
<tr>
<td>501 Tarpon</td>
<td>Lawrence Hand</td>
<td>06-10-16</td>
</tr>
<tr>
<td>503 Nautlius</td>
<td>Lawrence Hand</td>
<td>06-10-16</td>
</tr>
<tr>
<td>504 Petrel</td>
<td>Lawrence Hand</td>
<td>06-10-16</td>
</tr>
<tr>
<td>607 Tarpon St</td>
<td>Teri Ashley</td>
<td>06-10-16</td>
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</tbody>
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(*) Proxy for my parents

Mary Kay Passiri for (email proxy attached)
PETITION OPPOSING THE RE-ZONING NORTH OF BAY AVENUE
PER NEWS HERALD ARTICLE DATED 6 JUNE 2016

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<td>Kamella Stebbins</td>
<td>6-10-16</td>
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<tr>
<td>104 Seclusion Dr</td>
<td>Randall Aubin</td>
<td>6-10-16</td>
</tr>
<tr>
<td>169 Nautilus</td>
<td>Tom Marinow</td>
<td>6-10-16</td>
</tr>
<tr>
<td>111 Nautilus</td>
<td>Virginia Estelby</td>
<td>6-10-16</td>
</tr>
<tr>
<td>209 Nautilus St.</td>
<td>Jean Jenkins</td>
<td>6-10-16</td>
</tr>
<tr>
<td>217 Nautilus</td>
<td>Ginny Paxton</td>
<td>6-10-16</td>
</tr>
<tr>
<td>219 Nautilus</td>
<td>George Daniel</td>
<td>6-10-16</td>
</tr>
<tr>
<td>305 Nautilus</td>
<td>Brenda McDonough</td>
<td>6-10-16</td>
</tr>
<tr>
<td>141 Sea Oats</td>
<td>Lee Mize</td>
<td>6-10-16</td>
</tr>
<tr>
<td>133 Sea Oats</td>
<td>Al Gibson</td>
<td>6-10-16</td>
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<td>Virginia McGaughen</td>
<td>6-10-16</td>
</tr>
<tr>
<td>129 Sea Oats</td>
<td>Rich Dooley</td>
<td></td>
</tr>
<tr>
<td>127 Sea Oats</td>
<td>Delores O. Irwin</td>
<td>6-10-16</td>
</tr>
<tr>
<td>119 Sea Oats</td>
<td>Robert Schiedel</td>
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<td>101 Sea Oats</td>
<td>Joseph Beausard</td>
<td>6-10-16</td>
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<td>103 Sea Oats</td>
<td>Sandra Champion</td>
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<tr>
<td>140 Seclusion</td>
<td>Marion Slaton</td>
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<td>127 Seclusion Dr</td>
<td>Volker Jor Frenius</td>
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<tr>
<td>125 Seclusion Dr</td>
<td>Maria Staud</td>
<td>6-10-16</td>
</tr>
<tr>
<td>402 Pine Man</td>
<td>James Blackstock</td>
<td>6-10-16</td>
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</tbody>
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PETITION OPPOSING THE RE-ZONING NORTH OF BAY AVENUE
PER NEWS HERALD ARTICLE DATED 6 JUNE 2016

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<tr>
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<tbody>
<tr>
<td>123 Seaclusion Dr.</td>
<td>Jackie Kurtz</td>
<td>Jackie Kurtz</td>
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<tr>
<td>126 Seaclusion Dr.</td>
<td>Sharon</td>
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<tr>
<td>563 Argonaut St.</td>
<td>Robyn Logan</td>
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<tr>
<td>304 Pete St.</td>
<td>Ross Felker</td>
<td>Rd Felker 4-11-16</td>
</tr>
<tr>
<td>407 Albatross St</td>
<td>Joan Baker</td>
<td>Joan Baker</td>
</tr>
<tr>
<td>188 Crane St</td>
<td>Kenneth H. Brunelle</td>
<td>Kenneth H. Brunelle</td>
</tr>
<tr>
<td>188 Crane St</td>
<td>Patricia D. Brunelle</td>
<td>Patricia D. Brunelle</td>
</tr>
<tr>
<td>14008 Bay Ave</td>
<td>Ted Lackey</td>
<td>Ted Lackey</td>
</tr>
<tr>
<td>408 Avenue St</td>
<td>Robert J. Setson</td>
<td>Robert J. Setson</td>
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<tr>
<td>13810 FBR</td>
<td>Andrew J. Singletary</td>
<td>A. J. Singletary</td>
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<tr>
<td>136 Crane St</td>
<td>Loraine H. Chance</td>
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<tr>
<td>152 Crane St</td>
<td>Margaret Cunningham</td>
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<tr>
<td>120 Sea Oats</td>
<td>Jeff Runyan</td>
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<tr>
<td>300 Tarpon St</td>
<td>F. Thomas Clay</td>
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<tr>
<td>100 Seashell Ct</td>
<td>William Bossert</td>
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<tr>
<td>14009 Pelicans</td>
<td>Glenn Feust</td>
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<tr>
<td>186 Crane St</td>
<td>Anita Norton</td>
<td></td>
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<tr>
<td>502 Orange Ave Ray &amp; Linda Dowe</td>
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<tr>
<td>305 Petrel</td>
<td>Thomas Hall</td>
<td>Thomas P Hall 6-10-16</td>
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<tr>
<td>314 Petrel</td>
<td>Mark Weil</td>
<td>Mark E Weil 6/10/16</td>
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<tr>
<td>407 Petrel</td>
<td>Morris McCraw</td>
<td>Morris R McCraw 10/16</td>
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<tr>
<td>3100 Front Beach Rd</td>
<td>Laura Waid</td>
<td>Laura Waid 6/10/16</td>
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<tr>
<td>607 Petrel</td>
<td>Larry Aimer</td>
<td>Larry Aimer 6/10/16</td>
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<tr>
<td>312 Petrel</td>
<td>Danny Anglo</td>
<td>Danny Anglo 6/10/16</td>
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<tr>
<td>301 Petrel</td>
<td>Joelle Pierce</td>
<td>Joelle Pierce 6/10/16</td>
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<tr>
<td>14208 Milbou</td>
<td>Judd Stephen</td>
<td>Judd Stephen 6/10/16</td>
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<tr>
<td>119 Bid-a-Wee</td>
<td>Sandra Talbot</td>
<td>Sandra Talbot 6/10/16</td>
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<tr>
<td>119 Argonaut</td>
<td>Julianne Smith</td>
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<tr>
<td>105 Bid-A-Wee Lane</td>
<td>David Smith</td>
<td>David Smith 5/1/16</td>
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<tr>
<td>2318 Mayfield Ct.</td>
<td>CHARLES MYERS</td>
<td>Charles E. Myers 5/3/16</td>
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<td>14201 Miller Ave</td>
<td>Van Misso</td>
<td>Van Misso</td>
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<tr>
<td>14107 Miller Ave</td>
<td>Matt Bormeise</td>
<td>Matt Bormeise</td>
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<td>14202 Millcole Ave</td>
<td>MARILYN KRAMER</td>
<td>Marilyn Kramer</td>
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<td>13907 Millcole Ave</td>
<td>Bradley D. Holland</td>
<td>Bradley Holland</td>
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<tr>
<td>113 Crane St.</td>
<td>WINSTON GRIGGS</td>
<td>Winston Griggs</td>
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<tr>
<td>109 Aldatress</td>
<td>ROBERT B. LITTLEJOHN</td>
<td>Robert B. Littlejohn</td>
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<tr>
<td>103 Crane St.</td>
<td>LINDA &amp; CHUCK HEING</td>
<td>Linda &amp; Chuck Heing</td>
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<tr>
<td>123 Bid-A-Wee Ln</td>
<td>DONALD J. KOFLER</td>
<td>Donald J. Kofler</td>
</tr>
<tr>
<td>137 Seclusion Dr.</td>
<td>MARY HENRY</td>
<td>Mary Henry</td>
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13
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<tr>
<td>14304 Bay Ave</td>
<td>John B. Stier</td>
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<td>13906 Tolbrod</td>
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<td>1630 Sandell</td>
<td>Drena Weaver</td>
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<td>14600 Hillside</td>
<td>Joy Outlaw</td>
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<td>501 Tarpon</td>
<td>Lorraine Broderick</td>
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<td>607 Bid-A-Wee</td>
<td>J. L. Beamon</td>
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<td>14110 Troubad</td>
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<td>13987 Troubad</td>
<td>Thad Morgan</td>
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<td>134 Crane St.</td>
<td>Nancy Jordan</td>
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<tr>
<td>500 Dolphin</td>
<td>Bryan Heffrich</td>
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<tr>
<td>148 Crane St</td>
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<td>404 Tarpon St</td>
<td>Peggy Steele</td>
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<td>139 Seclusion Cir</td>
<td>Thomas Graham</td>
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<tr>
<td>127 Seclusion Cir</td>
<td>Cynthia Benson</td>
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<td>14008 M.11c/d</td>
<td>Don Bishop</td>
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<td>13806 Bay Ave</td>
<td>Raymond Smitty</td>
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<td>143 Bidaweela</td>
<td>John Lepore</td>
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<td>411 Albatross</td>
<td>James Murphy</td>
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<td>205 Albatross</td>
<td>Judy Osbourne</td>
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<tr>
<td>1301 Millcole</td>
<td>Jim Allbright</td>
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<td>137 Seclusion Circle</td>
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<td>13908 Millcole Ave</td>
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<td>114 Bid Drive</td>
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<td>Peter Fischer</td>
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<tr>
<td>13900 Bay Av</td>
<td>Mark &amp; Rhea Roberts</td>
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<td>505 Astrol</td>
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<td>Brooke Mclean</td>
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<tr>
<td>135 Sea Oats</td>
<td>Ken &amp; Dee Johnson</td>
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AGENDA ITEM #1
Bay Avenue Responses
Bid-A-Wee Residents Against
9 June 2016

Dear Mel Leonard,

Our Bid- A- Wee community was zoned so that the south side of Bay allows short-term rentals. It was clear to all that north of Bay in 1st addition and beyond could only rent for 6 months or longer.

As a homeowner on the south side of Bay, some problems we have with the short-term rentals should be addressed as well. Many people do rent short term without registering their property as rentals with the city. Multiple cars and multiple people instead of family units move in for a short time and along with them comes noise and abuse of our community. Some of these owners who rent do not pay for trash collection, therefore their renters take their household trash down to the beach where the city is responsible.

I am the President of our Beach Park Association. Our Board maintains and protects our dedicated beach front property. I have to deal with renters who break our gates, break into our emergency gate, renters who walk their dogs and foul the beach and neighborhoods, and renters who throw out large chunks of bait in hopes of attracting and catching sharks where residents are swimming.

We are not an HOA with covenants and restrictions. We’re an old residential neighborhood with different zones with different codes. Short-term rentals wherever they occur often conflict with the interests of full-time residential owners.

Respectfully,

Jeannie M. Krohn

jeanniemkrohn@msn.com
In response to the article in Tuesday's News Herald I would like to voice my opinion on this subject. I have been visiting this community for over 25 years. Over this time I have seen many changes in this neighborhood. What once was a weekend community has grown into an established neighborhood. People have come in and upgraded these old beach cottages, cleaned up the neighborhood, and have chosen this as their permanent residence. I bought a house here a year ago and have worked hard to make this my home. I live on the north side of Bay near a house that has weekly rentals. The owners I'm sure have a company that takes care of the property, as they live out of state. One week it's a family, one week it's a group of teenager's smoking pot and partying, one week it's a baseball team... My concern is that the few houses north of Bay that rent this way are completely surrounded by permanent residents. It's often disruptive to our neighborhood. I appreciate the fact that people like the rental income. And some homeowners ARE more involved in who they rent to but that is something you can't regulate. There seems to be a population searching for long term rentals which could be considered by these homeowners.

I would like the law to stand as is and be enforced accordingly. Thank you for your time and service to the community.

Lynne Watts
14101 Pelican St
PCB, Florida
You have received this feedback from judy otwell <jubean54@live.com> for the following page:

http://pcbgov.com/how-do-i/frequently-asked-questions/-selddep-9

Mel Leanard concerning short term rentals in bid a wee on north side of Bay Avenue I am a permanent resident of bid a wee and would like to express my opinion that short term rentals should not be allowed except in the first 2 blocks. We have had to call police several times and had problems with too many persons occupying a house as well as disorderly conduct. I feel this lowers our property values. Thank you Judy Otwell 508 Albatross St.

judy otwell
We were recently made aware that a small number of homeowners in the Bid-a-Wee community have approached the city about rescinding or modifying the zoning ordinance which prohibits short term rentals north of Bay Avenue. We want to express to all of you our opposition to and concerns with making any changes to this zoning ordinance. We have owned our home on Albatross Street for six years. About two years ago a home was built directly across from us and the owners began renting the house by the week in violation of existing code. During the past two years, with the addition of this one short term rental house, we have seen our street go from a nice peaceful neighborhood street where everyone is respectful of their neighbors to a "tourist destination" where our "weekly neighbors" care only about their vacation and good time. We have witnessed men urinating in the front yard of this house, been subjected to loud music coming from open doors and windows and to overflow parking blocking our and our neighbors driveways. We have also seen guests in numbers greater than capacity staying at this house. These visitors also have demonstrated a blatant disregard for community property. Last Fall, we watched as a group arrived one weekend and moved a wooden shelf located at the base of the dunes for placement of shoes and sandals to the edge of the surf to use for their fishing gear. The next weekend we watched them pack up and leave the shelf sitting in the surf. As you can see from this short list of examples, short term tenants can have a huge impact on the quality of a community.

While we thoroughly understand the importance of tourism to the local economy, we also believe that your predecessors in city government got it right when they set out to preserve some communities for locals, retirees, long term visitors, and second home owners such as us. Though we, as second home owners, are not the target demographic for the area's tourism promotions, we too have an impact to the local economy. We are here numerous times throughout the year and not just during the peak season. We shop and dine at local establishments in December and January as well as June and July. We also know that there are numerous properties available for short term rental in areas that are zoned for such. Those persons who purchased a home north of Bay Avenue in Bid-a-Wee Beach for the purpose of conducting a rental business knew or should have known at the time of purchase that they were buying in an area not zoned for short term rental. When they purchased with the intent to use the home as a rental business without doing their due diligence on the zoning, they made a mistake and the remaining homeowners of the community should not be penalized for those mistakes.

We also understand that one proposal to the city is to "move the line" from the middle of Bay Avenue to north of the lots along the north side of Bay Avenue. While this seems like a small concession, we would strongly encourage you not to make this change as it would set an unwanted precedent that could be used as an argument in favor of moving "the line" again when the next person approaches the city seeking a change to code as the solution for their investment mistake.

Thank you for your consideration.

Sincerely,

Greg and Joan Baker
407 Albatross Street
To All:

Thank you for replying to our email concerning the short-term rental issues in Bid-A-Wee Beach, Councilman Solis. We would like for you to know that even though we were unable to vote in the recent elections and we know that Bid-A-Wee is not your district, we placed your sign in our yard during the campaign season along with several of our neighbors because we felt that you would have the best interest of the Panama City Beach community at heart. While we appreciate your response we have grave concerns about making any sort of changes to the current Zoning Code as explained below.

We feel that making a change to the current Zoning Code will open the door to other undesirable situations that we may soon be dealing with in our neighborhood. The resident at 404 Albatross Street has been building a home across the street from us for at least a year. We have been told he is now finishing an “upstairs apartment” even though we and our neighbors were under the impression that 404 Albatross St. was permitted for a one level, single family home. It is also our understanding that the owner has expressed intentions to run a halfway house at this location and to park an unsightly RV to the right of his house and use it as an “office”. Some of our neighbors have asked the owner point blank if a “halfway house” is his intention and he offers no denial. We are very distraught about this situation and believe that any change to the current zoning regulations will open the door for the resident at 404 Albatross Street to offer temporary shelter to convicted criminals and that any change to the zoning will inadvertently assist him with this process.

Once again we ask that NO changes be made to the existing zoning for Bid-a-Wee Beach. We also ask that the City keep a watchful eye on the situation at 404 Albatross Street. We believe you will find that the owner is in fact creating apartments for the use of released convicts inside the barn-like home he has constructed. We understand you are currently only considering the North side of Bay Avenue for the zoning change. However, we cannot emphasize enough our concern that any change to the zoning could set an unwanted precedent and could encourage that homeowner to pursue further changes and open the door for him to refer to his “guests” as “short-term renters”.

Please do not make any changes to the current Ordinance and please be aware of what is happening at 404 Albatross Street.

Regards,

Joan and Greg Baker

407 Albatross

Hi Greg & Joan,
Thank you for your input. There is one thing I would like to point out in this case. This couple actually did do their due diligence, they actually purchased two years prior to the regulation being passed that rentals were not allowed in a single family residence zone. Additionally, they have paid their rental taxes to the city for almost 12 years or so.

I definitely understand your concerns and will have to give much thought to this issue. Had it been they had not done their due diligence, this would be an easy decision. In this case the rules actually changed on them.

Once again thanks for your input!

Hector

Sent from my iPhone

On Jun 8, 2016, at 6:38 AM, Joan and Greg <jandgbaker@att.net> wrote:

We were recently made aware that a small number of homeowners in the Bid-a-Wee community have approached the city about rescinding or modifying the zoning ordinance which prohibits short term rentals north of Bay Avenue. We want to express to all of you our opposition to and concerns with making any changes to this zoning ordinance. We have owned our home on Albatross Street for six years. About two years ago a home was built directly across from us and the owners began renting the house by the week in violation of existing code. During the past two years, with the addition of this one short term rental house, we have seen our street go from a nice peaceful neighborhood street where everyone is respectful of their neighbors to a “tourist destination” where our “weekly neighbors” care only about their vacation and good time. We have witnessed men urinating in the front yard of this house, been subjected to loud music coming from open doors and windows and to overflow parking blocking our and our neighbors drive ways. We have also seen guests in numbers greater than capacity staying at this house. These visitors also have demonstrated a blatant disregard for community property. Last Fall, we watched as a group arrived one weekend and moved a wooden shelf located at the base of the dunes for placement of shoes and sandals to the edge of the surf to use for their fishing gear. The next weekend we watched them pack up and leave the shelf sitting in the surf. As you can see from this short list of examples, short term tenants can have a huge impact on the quality of a community.

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Thank you for your consideration.

Sincerely,

Greg and Joan Baker
407 Albatross Street
Per the following:

"Everyone can speak whether they were mailed a letter or not as this issue could impact the entire neighborhood. We mailed the letters to owners on the north side of Bay Avenue as shown on the Property Appraiser’s records as of the date of the mailing. That is adopted procedure for any mailings required of the land development code, so we followed that same procedure here. We also sent one to Jeannie Krohn (President) so she can help spread the word around the neighborhood which I believe is the intent of the Council on this issue. As you and I spoke on the phone recently, I wrote the Weeks an email several weeks ago and stated Staff could not recommend the change they are requesting. Andrea and I have started receiving emails and phone calls from residents on and off of Bay Avenue about this issue. We are collecting those comments and will distribute to the Council as part of their agenda packet information associated with the future meeting this issue is to be discussed."

Please be advised that the charter for BID-A-WEE Beach Park, Inc. is "strictly" for the protection/maintenance of our private beach
only. We "are not" and HOA and our Council has absolutely no say on neighborhood matters.

I can't say I feel sorry for the homeowner (along with the two next to her) have not been going by the zoning rules. She should take that up with the Realtor that sold the property. Heck, I purchased my land in Seclusion Beach in 1993 and built my home in 1994 provided with a "Conveyance Letter" prohibiting wave runners and motor homes in the driveways along with no clothes lines in the back yard. There were rules. However, the developer never applied it (even though it was recorded and good for 45 years). It wasn't worth the paper it was printed on. So......all of us in Seclusion were sold our properties under false pretense: I love my home, but dislike homeowners that can't take care of the residences because they're not here full-time and homesteaded. They're "operating" a business in our neighborhood.

I can understand short-term rentals up and down the beach that are just single homes. They "are not" in designated neighborhoods. Anyway, I think there should be a crack-down and fines enforced. That's revenue to the beach and doesn't promote illegal practices. Most come here to retire and live out the remainder of their lives.

Respectfully,
Mary Kay Kassiris
Seclusion Beach
Jo Smith

From: Mel Leonard
Sent: Saturday, July 23, 2016 5:11 PM
To: Jo Smith
Cc: Andrea Chester
Subject: FW: Short term rentals

-----Original Message-----
From: Johanna Jenkins [mailto:johannajenkins@att.net]
Sent: Saturday, July 23, 2016 11:58 AM
To: Mel Leonard <mleonard@pcbgov.com>
Subject: Short term rentals

Mr Leonard, I have lived on Bid a Wee Lane for over 20 years. I like many others in the entire BidaWee area (Front Beach to Back Beach) bought a "full time home" and not a house to be used as a rental.

I have talked to residents in the older BaW area whose enjoyment of life in PCB has been disrupted by the noise, over-parking, and clutter associated with short term rentals. For quite some time I have wondered why those residents had not petitioned City Hall for a change.

When I moved to Bid a Wee Lane, it was my understanding there could be NO short term rentals, meaning under 6 months.

Not only am I concerned about the problems associated with short term rentals in this older section now under discussion, but I am concerned that short term rentals could soon be acceptable in my part of the community. I strongly urge and respectfully request that short term rentals be banned from the entire Bid a Wee / Seaclusion area.

Very Sincerely,

Johanna Jenkins
111 Bid a Wee Lane

Sent from my NOOK
From: Harvey Jenkins [mailto:whjenkinsjr@gmail.com]  
Sent: Saturday, July 23, 2016 8:26 PM  
To: Mel Leonard <mleonard@pcbgov.com>  
Subject: Short Term rentals in Bid-A-Wee

As a full time resident at 111 Bid-A-Wee Lane, I would like to register my strong opposition to short term rentals in any part of the Bid-A-Wee/Seclusion neighborhood. This is predominately a residential neighborhood and I object to the additional traffic, extra automobiles in driveways, increased noise, litter and peril to the children of the neighborhood that would result. Short term rentals have been taking place in Bid-A-Wee and the experience has been disturbing. The result has been overparking, noise, and litter. Lately, Bid-A-Wee beach, which has been almost litter free since erecting the entrance gates for the use of residents has become more and more littered, which I attribute to short-term renters.

I hope that you and the City Council will not allow short term rentals in our residential neighborhood.

W. Harvey Jenkins, Jr.  
111 Bid-A-Wee Lane  
Panama City Beach, FL 32413
REGULAR AGENDA
ITEM NO. 2
### CITY OF PANAMA CITY BEACH
### AGENDA ITEM SUMMARY

<table>
<thead>
<tr>
<th>1. DEPARTMENT MAKING REQUEST/NAME:</th>
<th>2. MEETING DATE:</th>
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<tbody>
<tr>
<td>ADMIN/MARIO GISBERT</td>
<td>JULY 28, 2016</td>
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<th>3. REQUESTED MOTION/ACTION:</th>
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<tr>
<td>APPROVE FIRST READING OF ORDINANCE 1391</td>
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<th>4. AGENDA</th>
<th>5. IS THIS ITEM BUDGETED (IF APPLICABLE)?</th>
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<tbody>
<tr>
<td>PRESENTATION</td>
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<tr>
<td>PUBLIC HEARING</td>
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<tr>
<td>CONSENT</td>
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<td>REGULAR</td>
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<tr>
<td>DETAIL BUDGET AMENDMENT ATTACHED</td>
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<th>6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)</th>
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ORDINANCE NO. 1391

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, PROVIDING THAT THE CITY TREASURER SHALL BE APPOINTED BY RESOLUTION OF THE CITY COUNCIL; DELETING REFERENCES TO THE CITY CLERK IN THE CITY'S FACSIMILE SIGNATURES PROCEDURES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance Sections 2-667 and 2-668 of the Code of Ordinances of the City of Panama City Beach, related to the City Treasurer is amended to read as follows:

Sec. 2-667. City Clerk as treasurer.
The City Clerk is recognized and appointed, ex officio, as the Treasurer of the City shall be appointed by Resolution of the City Council.

Sec. 2-668. Facsimile signatures.
City funds may be withdrawn and expended upon the facsimile signatures of the City Manager and the City Clerk/Treasurer mechanically applied to City checks or other instruments intended for that purpose, provided that (i) such checks or other instruments and the mechanism for applying such signatures are secured and controlled by the City Manager or his designee, (ii) a contemporaneous record is made of the purpose and amount of each such expenditure, and (iii) each such expenditure is otherwise lawfully authorized.

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

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.
SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ___ day of ____________, 2016.

____________________
MAYOR

ATTEST:
____________________
CITY CLERK

EXAMINED AND APPROVED by me this ___ day of ____________, 2016.

____________________
MAYOR

Published in the _______________ on the ___ day of ______, 2016.

Posted on pcbgov.com on the ___ day of ________________, 2016.
CITY OF PANAMA CITY BEACH
AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME: ADMINISTRATION

2. MEETING DATE: JULY 28, 2016

3. REQUESTED MOTION/ACTION:
APPROVE FIRST READING OF ORDINANCE 1392

4. AGENDA

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5. IS THIS ITEM BUDGETED (IF APPLICABLE)?

BUDGET AMENDMENT OR N/A

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6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

AT ITS COUNCIL MEETING ON JULY 14, 2016, COUNCIL DIRECTED STAFF TO REVISE THE COMPOSITION AND TERM OF THE PLANNING BOARD, AND TO REDUCE FROM THREE TO TWO THE NUMBER OF UNEXCUSED ABSENCES WHICH WOULD GIVE CAUSE FOR REMOVAL.

AN AMENDMENT TO THE CITY'S LAND DEVELOPMENT CODE IS NECESSARY TO EFFECT THESE CHANGES.

IF THE CHANGES ARE CONSISTENT WITH THE COUNCIL'S INTENT, THE COUNCIL MAY APPROVE FIRST READING AND STAFF WILL TAKE THE APPROPRIATE NEXT STEPS TO PREPARE FOR SECOND READING AND ADOPTION.
ORDINANCE NO. 1392

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE; AMENDING CHAPTER 8 RELATED TO CITY BOARDS TO REDUCE THE SIZE OF THE CITY'S PLANNING BOARD TO FIVE MEMBERS. PROVIDING FOR APPOINTMENT OF ONE MEMBER BY EACH COUNCIL MEMBER; PROVIDING FOR MEMBER TERMS TO RUN CONCURRENT WITH THE TERM OF THE COUNCILPERSON APPOINTING THE MEMBER; PROVIDING THAT UNEXCUSED ABSENCE TWICE OR MORE IN A CALENDAR YEAR SHALL BE CAUSE FOR REMOVAL; PROVIDING FOR REAPPOINTMENT OF A VACANT SEAT BY THE COUNCILPERSON WHO FIRST APPOINTED THE SEAT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

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

SECTION 1. From and after the effective date of this ordinance, Sections 8.02.00 and 8.03.00 of the Land Development Code of the City of Panama City Beach related to the Planning Board, is amended to read as follows (new text bold and underlined, deleted text struckthrough):

8.02.00 ALL BOARDS

... 

8.02.04 Qualifications, Removal and Vacancy

A. Each Board member shall be a resident and a qualified elector of the City. Current members who reside outside the City limits may remain on the Board until they resign or are replaced.

B. Each Board member, except Planning Board members, serves at the pleasure of the City Council and may be removed at any time without cause.

C. Cause: Any one or more of the following shall constitute sufficient cause for dismissal of any member of the Planning Board and shall be determined by majority vote of the City Council, after notice and opportunity for hearing given to that member:
1. Violation of state or federal law, excluding civil infractions;
2. Willful failure to perform the member's duties or responsibilities;
3. Failure to attend two (2) Planning Board meetings per calendar year which are not excused by the appointing Councilmember or the Planning Board. The Clerk Chairman of the Planning Board shall report to the appointing City Councilperson the third unexcused absence of any member in any calendar year and the Chairman's recommendation either that the member be removed for cause or that the Chairman makes no recommendation;
4. Violation of the Florida Code of Ethics for Public Officers (FS Chapter 112) applicable to a Planning Board member, which Code is incorporated herein by reference;
5. Giving any private party any unwarranted benefit, advantage or preference in the discharge of the member's official duties through partiality, evident bad faith or gross negligence;
6. Publicly misrepresenting the position of the Planning Board or the City or representing personal positions as positions of the Planning Board or the City; or
7. Engaging in conduct unbecoming a public official that damages the reputation or credibility of the Planning Board or the City, or failure to conduct himself or herself in a civil manner with respect to any matter within the purview of the Planning Board.

8.03.00 PLANNING BOARD

8.03.01 Authority
The Planning Board, which was originally established pursuant to Ordinance No. 200A, adopted on July 28, 1977, as amended, is hereby confirmed and continued.

8.03.02 Membership and Terms

A. The Planning Board shall consist of five (5) seven (7) members who shall be appointed by the City Council and who shall be entitled to receive such compensation as the City Council may determine. Each Councilperson shall appoint one member to the Planning Board.

B. The members shall serve a term concurrent with the term of the Councilperson appointing the member staggered terms of four (4) years each, with three (3) or four (4)
new members appointed every two (2) years, alternatively. A member whose term expires shall continue to serve until a successor is appointed.

C. The chairman of the Planning Board shall be appointed by the City Council annually.

D. When any vacancy occurs on the planning board, the City Council person who first appointed the seat shall appoint a new member to serve the unexpired term of the member whose death, resignation or incapacity creates the vacancy.

E. Any member of the Planning Board may be removed by the City Council for good cause shown, but only upon request to the council of a majority of the members of the board. Any such request shall be made by an official letter from the planning board to the City Council, stating the facts of the case and requesting removal of the member for cause. Removal shall create a vacancy which shall be filled as provided in subsection D.

F. In addition to the foregoing members, the City Manager shall serve as an ex officio member of the Planning Board. He shall not be entitled to vote and shall not be included in the determination of a quorum.

G. In addition to the foregoing members, a representative of the Bay County School Board, a representative of Naval Support Activity Panama City and a representative of the Airport Authority for the Northwest Florida Beaches International Airport shall serve as an ex officio member of the Planning Board. He/she shall not be entitled to vote and shall not be included in the determination of a quorum.

H. All members of the Planning Board shall be residents and qualified electors of the City.

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

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

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

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ___ day of _____________, 2016.

__________________________
MAYOR

ATTEST:

__________________________
CITY CLERK

EXAMINED AND APPROVED by me this ___ day of _____________, 2016.

__________________________
MAYOR

Published in the _________________ on the ____ day of _______, 2016.

Posted on pcbgov.com on the ____ day of _________________, 2016.