

The Special 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 December 20, 2018.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

CITY MANAGER:

MARIO GISBERT

CITY CLERK:

JO SMITH

CITY ATTORNEY:

AMY MYERS

Mayor Thomas called the Special Meeting to order at 9 A.M. with Councilman Casto, Councilman Chester, and Councilman McConnell, the City Manager, City Clerk and City Attorney present.

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

Mayor Thomas asked if there were any deletions to the Agenda. There were none. **Councilman Chester made the motion to approve the Agenda as written. Second was by Councilman McConnell and the motion passed by unanimous roll call vote of those present recorded as follows:**

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

PRESENTATIONS

1 **MS. COLLEEN SWAB, CALIFORNIA CYCLES.** Ms. Swab spoke at length concerning fairness as nearby businesses could have fifty LSVs displayed where each of her five locations could only display ten. She spoke of LSVs catering to families and the increased tourist population. She asked the Council to consider allowing at least twenty LSVs per store. Ms. Swab spoke of her company being in business for 34 years. Mr. Todd Ingram also spoke concerning why 300 was chosen as the LSV cap and the free market with supply and demand. He spoke of families experiencing the beach on the LSVs.

PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)

Mayor Thomas opened the Public Comments section of the meeting at 9:13 A.M. and invited comments.

1 Mr. Gary Beck, 17001 Front Beach Road. Mr. Beck spoke of his Federal case and criminal activity.

2 Ms. Genese Hatcher said the west end of the beach in the unincorporated County allowed parking under the homes, commended the Mayor on his efforts to clean Panama City Beach and urged encouragement of investors who would clean up rundown properties.

3 Mr. Gary Beck spoke again concerning Bay County Code Enforcement and Judge Fensom, and squatters on his property.

With no further comments, the Mayor closed the Public Comments section at 9:22 A.M.

REGULAR AGENDA

ITEM 1 APPOINTMENT OF ELECTED OFFICIAL TO THE LONG TERM DISASTER RECOVERY TASK FORCE. Mr. Gisbert explained the new Task Force created by the County and that an elected official was needed to represent the City, someone with the flexibility to meet for the preset meetings. Councilman Casto said he was very interested in serving and had the time to attend the meetings. He said he had been through many hurricanes and disasters with the City.

Councilman Chester made the motion to appoint Councilman Casto to the Long Term Disaster Recovery Task Force. Second was by Councilman McConnell and the motion passed by unanimous roll call vote of those present recorded as follows:

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

Mayor Thomas explained why this Task Force was created and the thought that this would expedite funds coming to the County and cities. He said six other committees would be appointed to look at other parts of the Disaster Recovery.

ITEM 2 ORDINANCE 1485, AMENDING LDC RELATED TO PARKING CHANGES, 1ST READING. Ms. Myers read Ordinance 1485 by title. The Mayor asked if there were any questions of Staff; there were none.

Councilman McConnell made the motion to approve Ordinance 1485. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 3 ORDINANCE 1486, AMENDING LDC CLARIFYING VARIANCE APPEALS, 1ST READING. Ms. Myers read Ordinance 1486 by title and explained that this Ordinance would memorialize the process discussed during the Joint Workshop with the Planning Board. The Mayor asked if there were any questions of Staff. There were none.

Councilman Chester made the motion to approve Ordinance 1486. Second was by Councilman McConnell and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 4 ORDINANCE 1487, ANNUAL UPDATE OF CAPITAL IMPROVEMENTS SCHEDULE, 1ST READING. Ms. Myers read Ordinance 1487 by title and explained this was the annual update created from input of all Department Heads. The Mayor asked if there were any questions for Staff; there were none.

Councilman McConnell made the motion to approve Ordinance 1487. Second was by Councilman Chester and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 5 ORDINANCE 1488, AMENDING CHAPTER 25 CODE ENFORCEMENT PROCESS, 1ST READING. Ms. Myers read Ordinance 1488 by title and explained the Clerk of the Court had served as the Clerk of Code Enforcement since 2002, and next year would no longer provide that service. This would change the process to allow the City to take over those responsibilities.

Councilman Casto made the motion to approve Ordinance 1488. Second was by Councilman Chester and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 6 RESOLUTION 19-30, HAGERTY CONSULTING DISASTER RECOVERY ADMINISTRATIVE SERVICES CONTRACT AND BUDGET AMENDMENT #4. Ms. Myers read Resolution 19-30 by title and said this action would approve the Not-To-Exceed amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the contract and the Budget Amendment to fund it.

Councilman Casto asked Mr. Gisbert for an update on hurricane expenses. Mr. Gisbert said Hagerty would be reimbursed at five percent (5%) of whatever funds they bring in, capped at \$250,000. He said the original draft had been \$750,000 assuming the City would receive approximately \$15,000,000, an early assessment. Now with time to assess the storm, Staff thought it would be more in the Two to Three Million Dollar range for expenses. Mr. Gisbert said if the company was able to recover more, the overage would still come to the Council for approval above the \$250,000 reimbursement. The Mayor asked if there were any other questions and there were none.

Councilman Chester made the motion to approve Resolution 19-30. Second was by Councilman McConnell and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 7 RESOLUTION 19-31, BUDGET AMENDMENT #5 FOR TCS JANITORIAL SERVICES CONTRACT FOR LIBRARY. Ms. Myers read Resolution 19-31 by title and said the original contract for janitorial services had not contemplated services for the library but did allow additional services as needed. The modification of the contract had already been handled but the funding for the additional services required Council approval. Councilman Chester asked if the same firm cleaned all the City buildings and Ms. Myers replied affirmatively.

Councilman McConnell made the motion to approve Resolution 19-31. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 8 RESOLUTION 19-36, NORTH GLADES CHANNEL MITIGATION AGREEMENT, NORTH GLADES AND HOMBRE DRAINAGE IMPROVEMENTS PROJECT. Ms. Myers read Resolution 19-36 by title and explained about a year ago, the Council had approved an Improvement Agreement to mitigate a ditch on St. Joe property. That Agreement contemplated that once the wetland impacts were known that the City would pay the amount of mitigation necessary. The Mayor asked if there were any questions for Staff and there were none.

Councilman Casto made the motion to approve Resolution 19-36. Second was by Councilman Chester and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 9 RESOLUTION 19-40, FIRE RESCUE DISASTER DEPLOYMENT POLICY. Ms. Myers read Resolution 19-40 by title. Mr. Gisbert explained that although the City had officially ceased being in a state of emergency, the emergency still existed outside of our community. Our Firefighters volunteered to go to Mexico Beach for seven days and ended up staying twelve days, and the City did not have a policy for that type of commitment. He said this thorough policy created the base pay structure as well as the pay structure for the entire event while on location. All were following the Federal guidelines, and if the policy was not already in place prior to the incident, the City could not get paid based on the policy. Mr. Gisbert said the City had separate Interlocal Agreements with the State and local communities but would be paid on regular pay scales. The Mayor asked if there were any questions.

Councilman Chester asked if there were an amount or number of employees who could volunteer. Mr. Gisbert explained that it depended upon the request from the State, plus have the manpower available to not hurt our residents. The Mayor asked if there were any other questions and there were none.

Councilman Chester made the motion to approve Resolution 19-40. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 10 RESOLUTION 19-37, REVISED EMERGENCY PAY POLICY. Ms. Myers read Resolution 19-37 by title. Mr. Gisbert explained that, under the proposed policy, the salaried employees were given additional time off during emergencies, which had been reduced to merely extra time off once the forty hours was served. He continued that once the Council rescinded the state of emergency, he did not have the power to continue select Departments such as Police or Fire serving under the state of emergency. The Mayor asked if there were any questions for Staff and there were none.

Councilman McConnell made the motion to approve Resolution 19-37. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those present recorded as follows:

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

ITEM 11 RESOLUTION 19-38, RATIFY DISCOUNT OF MERCHANT TAX RECEIPTS. Ms. Myers read Resolution 19-38 by title. The Mayor asked if there were any questions and there were none.

Councilman McConnell made the motion to approve Resolution 19-38. Second was by Councilman Chester and the motion passed by unanimous roll call vote of those present recorded as follows:

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

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 9:38 A.M.

1 Mr. Burnie Thompson, 19272 Front Beach Road. Mr. Thompson asked if there were any City connections to Hagerty Consulting. He asked why Councilman Solis was not at the meeting. He spoke of transparency in government and questioned the timing of the Special Meeting with sparse attendance. He also questioned whether it was the County's decision to no longer hear Code Enforcement issues.

2 Mr. Gary Beck, 17001 Front Beach Road. Mr. Beck spoke of issues with FEMA, squatters on his County property, his Federal case, and Bay County Code Enforcement.

3 Ms. Genese Hatcher said parking was needed under homes since parking in front of homes was now limited.

With no further comments, the Mayor closed the Delegations period at 9:46 A.M. Mayor Thomas said it was the County's decision to cease handling the Code Enforcement Hearings over the City's objection. He continued that parking must be furnished for homes, and under prior rules the structure could be so large that parking spread over to the neighbors causing problems. Ms. Myers confirmed that the parking rules applied to new development or the redevelopment of non-conforming uses.

ATTORNEY REPORT

Ms. Myers stated she had no report.

CITY MANAGER REPORT

Mr. Gisbert read the open bids and available jobs. He announced that the Qualifications Review Committee would meet at 2 P.M. December 28th to review and rank the respondents in the Disaster Debris Monitoring Services RFP. He announced that the applicant had withdrawn their application for the Shorewalk Subdivision Quasi-Judicial Hearing so the continued Public Hearing scheduled for January 10, 2019 was canceled.

COUNCIL COMMENTS

Councilman Casto said he had attended a County meeting Monday, very productive, and heard issues about money to be recovered. He heard comments about suspending the CRA and asked Ms. Myers if the County could take that action. Ms. Myers said the City certainly objected and said that she did not believe the County could do so. She understood that the County was seeking some legislation which would authorize them to take that action and information had already been brought to the Florida League of Cities attention to assist the City.

Mayor Thomas said he had met with members from other cities via phone and through the City Manager, and determined that the County would have to go through the Legislature to take the CRA funding and he believed the County would need the support from the other cities to be successful. The Mayor said the City suggested that the County seek a Half-Cent Sales Tax rather than affect any other funds because no one wanted their Ad Valorem taxes increased. He said this Half-Cent would allow the tourists to pay their share and alleviate some of the burden to local residents. He said he thought this matter would be brought to the delegation meeting tonight and with the support from other cities, the County would not try to take the CRA funds. Mayor Thomas said this was the better option rather than change the Ad Valorem taxes because the other cities genuinely had a horrible situation to overcome.

Mayor Thomas also asked the other Council members for support to ask Staff to look into the possibility of dedicating the City's portion of the Half-Cent to Mexico Beach as their portion would be almost nothing. He said with their population, Mexico Beach would only receive \$106,000 and the City would receive \$1.2 Million Dollars. He said he thought this would help the City by giving these funds to Mexico Beach. Councilman McConnell agreed to explore that idea. Councilman Casto said he would look at the option. He said tonight's meeting was at 5 P.M. at the County offices with the Senator and Representative from this District, and he urged the other Council members to attend. Councilman Casto said encouraged the City Attorney to protect the CRA funds at all costs.

Mayor Thomas said today's Special Meeting was announced at the Council meeting last week, the notice was posted on the City website and published in the News Herald. The January 10th Quasi-Judicial Hearing was canceled. He said being called a thief and liar was upsetting to him and his family, and many times the Council was asked the same questions numerous times. He wished everyone a Merry Christmas.

With nothing further, the meeting was adjourned at 9:58 A.M.

READ AND APPROVED this 10th of January, 2019.

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



Mayor

ATTEST:


City Clerk