

**Resolution No. 20-16**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PANAMA CITY BEACH, FLORIDA, AND  
EX-OFFICIO AS THE GOVERNING BODY OF  
PANAMA CITY BEACH COMMUNITY  
REDEVELOPMENT AGENCY, RELATING TO  
COMMUNITY REDEVELOPMENT WITHIN THE  
FRONT BEACH ROAD REDEVELOPMENT AREA;  
PROVIDING FOR FINDINGS; RATIFYING,  
CONFIRMING AND RE-ADOPTING THE FIRST  
AMENDMENT TO THE FRONT BEACH ROAD  
COMMUNITY REDEVELOPMENT PLAN; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 30, 2000, the City Council of the City of Panama City Beach, Florida, (the “City”) created the Panama City Beach Community Redevelopment Agency (the “Agency”) pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex-officio as the governing body of the Agency; and subsequently reestablished the Agency, if necessary, and ratified and confirmed such action on June 20, 2002 pursuant to Resolution 02-26; and

**WHEREAS**, on June 21, 2001, by Resolution 01-25 the City Council and ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, determined the Front Beach Road Community Redevelopment Area, as therein depicted, and made a finding of necessity as set forth in Section 163.355, Florida Statutes, with respect to the Front Beach Road Community Redevelopment Area; and subsequently ratified and confirmed such actions on June 20, 2002 pursuant to Resolution 02-27; and

**WHEREAS**, on July 26, 2001, by Resolution 01-32, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, expressed its intention to adopt the Front Beach Road Community Redevelopment Plan and the Front Beach Road Community Redevelopment Trust Fund Ordinance Pursuant

to Chapter 163, Part III, Florida Statutes (the “Community Redevelopment Act” or “Act”), and directed and authorized the preparation of notices and setting of hearings concerning such actions; and

**WHEREAS**, on July 30, 2001, by its Resolution 01-02, the Planning Board of the City of Panama City Beach, Florida, determined that the Front Beach Road Community Redevelopment Plan conformed to the City of Panama City Beach Comprehensive Growth Development Plan; and

**WHEREAS**, on August 30, 2001, by its Resolution 01-41, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the Front Beach Road Community Redevelopment Plan dated August 2001 (the “Plan”) and subsequently ratified and confirmed such action on June 20, 2002 by Resolution 02-28; and

**WHEREAS**, on August 8, 2019, by its Resolution 19-126, the City Council as the governing body that created the Agency, approved the continued existence of the Agency until the completion of the roadways and streetscapes contemplated in the Plan; and

**WHEREAS**, on September 26, 2019, by its Resolution 19-140, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the First Amendment to the Front Beach Road Community Redevelopment Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

**SECTION 1. FINDINGS.** It is ascertained, determined and declared as follows:

(A) The Agency has submitted the First Amendment to the Front Beach Road Community Redevelopment Plan to the City and each taxing authority that levies ad valorem taxes on taxable real property contained within the Front Beach Road Community Redevelopment Area described therein. Proof of notice,

publication and mailing of such submittals is attached as Exhibit A to Resolution No. 19-140, adopted September 26, 2019. Proof of notice, publication and mailing of a second notice that the City and Agency intended to consider ratification, confirmation and readoption of the First Amendment to the Front Beach Road Community Redevelopment Plan, in materially the same form and content as the Plan adopted August 30, 2001 is attached hereto as Exhibit A. All such governmental entities and all interested persons affected were afforded an opportunity to present oral and written comments at a duly noticed public hearing conducted by the City, and ex-officio as the Agency, on September 26, 2019, and subsequently on November 14, 2019.

(B) As a result of a review of the First Amendment of the Plan and consideration of input at the public hearings, the City Council, and ex-officio in its capacity as the governing body of the Agency, finds and ratifies and confirms its prior findings, that:

(1) The projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary to design, acquire right of way, permit and construct each transportation project; and

(2) Though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

(3) Since 2002, the Agency has:

(A) Completed the following contemplated streetscape projects:

(i) Churchwell Road;

(ii) Beckrich Road n/k/a Richard Jackson Boulevard;

(iii) Powell Adams Segment 1;

(iv) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);

(v) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);

(B) Undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:

(i) Front Beach Road Segment 3/Hwy 79;

(ii) Alf Coleman Phase 1;

(iii) Powell Adams Phase 2;

(iv) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);

(C) Yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:

(i) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);

(ii) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);

(iii) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);

(iv) Cobb Road;

(v) Hills Road;

(vi) Nautilus Street;

(viii) Clara Avenue;

(ix) North Thomas Drive; and

(4) Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and

(5) Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and

(6) On August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

(7) The Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and

(8) Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to “provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.”; and

(9) The Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and

(10) The Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and

(11) Pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019.

(C) The City and the Agency hereby adopt, ratify and confirm all prior determinations that:

(1) The Agency shall continue in existence until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

(2) Amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted.

**SECTION 2. APPROVAL OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN.**

(A) The First Amendment to the Front Beach Road Community Redevelopment Plan, dated September 26, 2019, which is attached hereto and incorporated herein by reference as Exhibit B, is hereby approved, and its prior approval and adoption is ratified and confirmed in all respects, and said First Amendment shall be implemented in a manner consistent therewith. Upon adoption hereof, the First Amendment shall be deemed to be adopted, ratified, confirmed, and in full force and effect for the Redevelopment Area.

(B) The adoption of this Resolution shall be liberally construed to comply with the content, notice, review, comment and approval requirements required by Part III, Chapter 163, Florida Statutes.

(C) If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

(D) All prior resolutions of the City or Agency inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained.

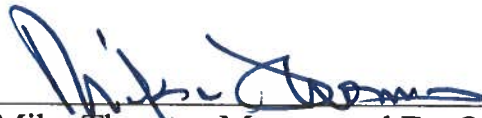
(E) It is not the City's intention, and nothing herein shall be so construed, to impair the effectiveness of any prior action or resolution taken or adopted by the City Council, or ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, with respect to the creation and establishment of the Panama City Beach Community Redevelopment Agency, any previously adopted community redevelopment plan, or any other action taken by such governmental

bodies.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

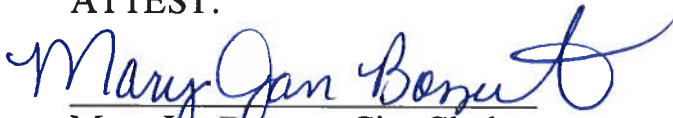
ADOPTED this 14<sup>th</sup> day of November, 2019.

**CITY COUNCIL OF PANAMA CITY  
BEACH, FLORIDA, AND EX-OFFICIO  
AS THE GOVERNING BODY OF THE  
PANAMA CITY BEACH COMMUNITY  
REDEVELOPMENT AGENCY**



Mike Thomas, Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:



Mary Jan Bossert, City Clerk,  
and Ex-Officio as  
Clerk to the Agency

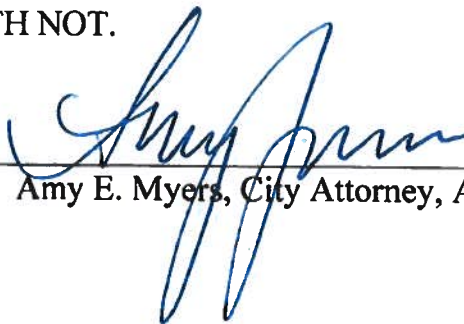
**EXHIBIT A**

**COMPOSITE PROOF OF  
PUBLICATION AND MAILING  
AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, personally appeared Amy E. Myers, who after being duly sworn, deposes and says:

1. I am the City Attorney of City of Panama City Beach, Florida (the "City").
2. Pursuant to the authority and direction received from the City Council, I timely directed the preparation, mailing, and publication of notices in accordance with sections 163.346, Florida Statutes.
3. Public notice was published in The Panama City News Herald on October 31, 2019; a copy of proof of publication of same being attached hereto as Exhibit A-1. Notices were sent by registered mail on October 29, 2019, to the following taxing authorities: Board of County Commissioners; City of Panama City Beach, Florida; Beach Mosquito Control District; Bay District School Board; and Northwest Florida Water Management District. A copy of such notice mailed is attached as composite Exhibit A-2.

FURTHER AFFIANT SAYETH NOT.



Amy E. Myers, City Attorney, Affiant

STATE OF FLORIDA  
COUNTY OF BAY

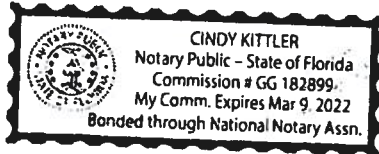
The foregoing Affidavit of Mailing was sworn to and subscribed before me this 8<sup>th</sup> day of November, 2019 by Amy E. Myers, City Attorney, City of Panama



City Beach, Florida. She is personally known to me or has produced a driver's license as intention and did take an oath.

(SEAL)

Printed/Typed Name: Cindy Kittler  
Notary Public-State of Florida  
Commission Number: GG 182899  
Commission Expires: Mar 9, 2022



# The News Herald

501 W. 11<sup>th</sup> Street  
P O Box 1940, Panama City, FL 32401  
Published Daily  
Panama City, Bay County, Florida

## State of Florida County of Bay

Before the undersigned authority personally appeared Susan Collins, who on oath says that she is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement #25030 in the matter of NOTICE OF PUBLIC HEARING in the Bay County Court, was published in said newspaper in the issue of October 31, 2019.

Affiant further says that the said The News Herald is a newspaper published at Panama City, in said Bay County, Florida, is a direct successor of the Panama City News and that the said newspaper, together with its direct predecessor, has heretofore been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays) and has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Susan Collins

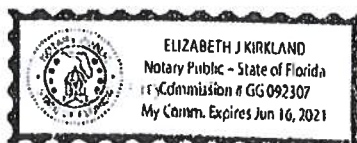
State of Florida  
County of Bay

Sworn to and subscribed before me this 31st day of October, A.D., 2019.

By Susan Collins, Legal Advertising Representative of The News Herald,

who is personally known to me or has produced N/A as identification.

Elizabeth J. Kirkland  
Notary Public, State of Florida at Large



### 25030 NOTICE OF PUBLIC HEARING

Notice is hereby given by the City Council of Panama City Beach, and Ex-Officio the Panama City Beach Community Redevelopment Agency, that it intends to hold a public hearing to ratify, confirm and re-adopt the First Amendment of the Front Beach Road Community Redevelopment Plan (the "First Amendment") in materially the same form and content as adopted by Resolution 19-140 on September 26, 2019. Such notice has also been provided by registered mail to each required taxing authority in compliance with section 183.346, Florida Statutes.

The Front Beach Road Community Redevelopment Plan (the "Plan") is intended to serve as a framework for guiding development and redevelopment of the Front Beach Road Community Redevelopment Area. The Plan focuses upon correction of transportation, parking, beach access, safety and utility issues and related capital improvements. The effect of the First Amendment is to extend the duration of the Plan to September 30, 2049.

A public hearing will be held at 6:00 pm, November 14, 2019 at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413, for the purpose of receiving public comment on the First Amendment to the Plan by the City Council, and Ex-Officio the Panama City Beach Community Redevelopment Agency.

A copy of Resolution 19-140, the Front Beach Road Community Redevelopment Plan and the proposed resolution ratifying, confirming and re-adopting the First Amendment of the Front Beach Road Community Redevelopment Plan, are also available for inspection at the office of the City Clerk at City Hall.

If a person decides to appeal any decision made by the City Council with respect to any matter considered, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk's office at 850-233-6100 or [mlbossert@pcb.gov](mailto:mlbossert@pcb.gov) at least two days prior to the date of the hearing.

MARY JAN BOSSERT,  
CITY CLERK PANAMA  
CITY BEACH, FLORIDA,  
EX-OFFICIO  
CLERK TO THE PANAMA  
CITY BEACH  
COMMUNITY REDE-



City of  
**Panama City Beach**

**PCB City Hall**  
110 S. Arnold Rd.  
PCB, FL. 32413  
P: (850) 233-5100  
F: (850) 233-5108  
www.pcbgov.com

October 29, 2019

**BY REGISTERED MAIL:**

Robert Majka, Jr., County Manager  
Board of County Commissioners  
840 West 11<sup>th</sup> Street  
Panama City, FL 32401

Mike Thomas, Mayor  
City of Panama City Beach, FL  
110 South Arnold Road  
Panama City Beach, FL 32413

William Husfelt, III, Superintendent  
Bay District School Board  
1311 Balboa Avenue  
Panama City, FL 32401

James Clauson, Director  
Beach Mosquito Control District  
1016 Cox Grade Road  
Panama City Beach, FL 32407

Northwest Florida Water Management  
District Headquarters  
Attention: Executive Director  
81 Water Management Drive  
Havana, FL 32333

**Re:** Notice of public hearing to ratify, confirm and re-adopt the First Amendment to the Front Beach Road Community Redevelopment Plan intended to advance and implement the Front Beach Road Community Redevelopment Plan as originally adopted; provided by registered mail in compliance with section 163.346, Florida Statutes.

**Dear Sirs:**

As required by Section 163.346, Florida Statutes, and the direction of the City Council, Ex-Officio the Panama City Beach Community Redevelopment Agency, notice is given by the City, and ex-officio as the Panama City Beach Community Redevelopment Agency, that it intends to hold a public hearing to ratify, confirm and re-adopt the First Amendment to the Front Beach Road Community Redevelopment Plan, in materially the same form and content as adopted by Resolution 19-140 on September 26, 2019.

Mayor  
Mike Thomas

Vice Mayor  
Phil Chester

Ward 1  
Paul Casto

Ward 3  
Geoff McConnell

Ward 4  
Hector Solis

City Manager  
Mario Gisbert

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*Home of the world's most beautiful beaches.*

October 29, 2019  
Ratification of Resolution 19-140

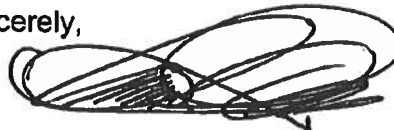
The First Amendment to the Front Beach Road Community Redevelopment Plan extends the duration of the Plan to September 30, 2049, and does not materially alter the purpose or objectives of the original Front Beach Road Community Redevelopment Plan.

A public hearing will be held at **6:00 P.M. on November 14, 2019**, at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413, for the purpose of receiving public comment on the proposed action by the City Council, and Ex-Officio as the Panama City Beach Community Redevelopment Agency.

This notice is provided pursuant to Section 163.346, Florida Statutes. A copy of the Resolution 19-140 approving the First Amendment, the Front Beach Road Community Redevelopment Plan, and the proposed resolution ratifying, confirming and re-adopting the First Amendment of the Front Beach Road Community Redevelopment Plan are available for inspection at the office of the City Clerk.

The City, and Ex-Officio as the Panama City Beach Community Redevelopment Agency, has also provided public notice pursuant to Section 166.041(3), Florida Statutes. This extraordinary notice has been given to all affected taxing authorities which have the power to levy ad valorem taxes on taxable real property contained within the City. The City looks forward to receiving any questions or comments you may offer and encourages your attendance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mario Gisbert', with a stylized flourish at the end.

Mario Gisbert  
City Manager

Enclosures: Resolution 19-140  
Proposed Resolution Ratifying

**Resolution No. 20-16**

**RESOLUTION OF THE CITY COUNCIL OF THE  
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EX-OFFICIO AS THE GOVERNING BODY OF  
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REDEVELOPMENT AGENCY, RELATING TO  
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PROVIDING FOR FINDINGS; RATIFYING,  
CONFIRMING AND RE-ADOPTING THE FIRST  
AMENDMENT TO THE FRONT BEACH ROAD  
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**WHEREAS**, on June 21, 2001, by Resolution 01-25 the City Council and ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, determined the Front Beach Road Community Redevelopment Area, as therein depicted, and made a finding of necessity as set forth in Section 163.355, Florida Statutes, with respect to the Front Beach Road Community Redevelopment Area; and subsequently ratified and confirmed such actions on June 20, 2002 pursuant to Resolution 02-27; and

**WHEREAS**, on July 26, 2001, by Resolution 01-32, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, expressed its intention to adopt the Front Beach Road Community Redevelopment Plan and the Front Beach Road Community Redevelopment Trust Fund Ordinance Pursuant

to Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act" or "Act"), and directed and authorized the preparation of notices and setting of hearings concerning such actions; and

**WHEREAS**, on July 30, 2001, by its Resolution 01-02, the Planning Board of the City of Panama City Beach, Florida, determined that the Front Beach Road Community Redevelopment Plan conformed to the City of Panama City Beach Comprehensive Growth Development Plan; and

**WHEREAS**, on August 30, 2001, by its Resolution 01-41, the City Council and ex-officio as the Panama City Beach Community Redevelopment Agency, made certain findings and approved and adopted the Front Beach Road Community Redevelopment Plan dated August 2001 (the "Plan") and subsequently ratified and confirmed such action on June 20, 2002 by Resolution 02-28; and

**WHEREAS**, on August 8, 2019, by its Resolution 19-126, the City Council as the governing body that created the Agency, approved the continued existence of the Agency until the completion of the roadways and streetscapes contemplated in the Plan; and

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**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

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(A) The Agency has submitted the First Amendment to the Front Beach Road Community Redevelopment Plan to the City and each taxing authority that levies ad valorem taxes on taxable real property contained within the Front Beach Road Community Redevelopment Area described therein. Proof of notice,

publication and mailing of such submittals is attached as Exhibit A to Resolution No. 19-140, adopted September 26, 2019. Proof of notice, publication and mailing of a second notice that the City and Agency intended to consider ratification, confirmation and readoption of the First Amendment to the Front Beach Road Community Redevelopment Plan, in materially the same form and content as the Plan adopted August 30, 2001 is attached hereto as Exhibit A. All such governmental entities and all interested persons affected were afforded an opportunity to present oral and written comments at a duly noticed public hearing conducted by the City, and ex-officio as the Agency, on September 26, 2019, and subsequently on November 14, 2019.

(B) As a result of a review of the First Amendment of the Plan and consideration of input at the public hearings, the City Council, and ex-officio in its capacity as the governing body of the Agency, finds and ratifies and confirms its prior findings, that:

(1) The projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary to design, acquire right of way, permit and construct each transportation project; and

(2) Though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

(3) Since 2002, the Agency has:

(A) Completed the following contemplated streetscape projects:

(i) Churchwell Road;

(ii) Beckrich Road n/k/a Richard Jackson Boulevard;

(iii) Powell Adams Segment 1;

(iv) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);

(v) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);

(B) Undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:

- (i) Front Beach Road Segment 3/Hwy 79;
- (ii) Alf Coleman Phase 1;
- (iii) Powell Adams Phase 2;
- (iv) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);

(C) Yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:

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- (ii) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);
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- (viii) Clara Avenue;
- (ix) North Thomas Drive; and

(4) Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and

(5) Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and

(6) On August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and



(7) The Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and

(8) Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to “provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.”; and

(9) The Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and

(10) The Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and

(11) Pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019.

(C) The City and the Agency hereby adopt, ratify and confirm all prior determinations that:

(1) The Agency shall continue in existence until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

(2) Amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted.

**SECTION 2. APPROVAL OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN.**

(A) The First Amendment to the Front Beach Road Community Redevelopment Plan, dated September 26, 2019, which is attached hereto and incorporated herein by reference as Exhibit B, is hereby approved, and its prior approval and adoption is ratified and confirmed in all respects, and said First Amendment shall be implemented in a manner consistent therewith. Upon adoption hereof, the First Amendment shall be deemed to be adopted, ratified, confirmed, and in full force and effect for the Redevelopment Area.

(B) The adoption of this Resolution shall be liberally construed to comply with the content, notice, review, comment and approval requirements required by Part III, Chapter 163, Florida Statutes.

(C) If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

(D) All prior resolutions of the City or Agency inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained.

(E) It is not the City's intention, and nothing herein shall be so construed, to impair the effectiveness of any prior action or resolution taken or adopted by the City Council, or ex-officio as governing body of the Panama City Beach Community Redevelopment Agency, with respect to the creation and establishment of the Panama City Beach Community Redevelopment Agency, any previously adopted community redevelopment plan, or any other action taken by such governmental

bodies.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

**CITY COUNCIL OF PANAMA CITY  
BEACH, FLORIDA, AND EX-OFFICIO  
AS THE GOVERNING BODY OF THE  
PANAMA CITY BEACH COMMUNITY  
REDEVELOPMENT AGENCY**

\_\_\_\_\_  
Mike Thomas, Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:

\_\_\_\_\_  
Mary Jan Bossert, City Clerk,  
and Ex-Officio as  
Clerk to the Agency

**EXHIBIT A**  
**COMPOSITE PROOF OF**  
**PUBLICATION AND MAILING**  
**AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, personally appeared Amy E. Myers, who after being duly sworn, deposes and says:

1. I am the City Attorney of City of Panama City Beach, Florida (the "City").
2. Pursuant to the authority and direction received from the City Council, I timely directed the preparation, mailing, and publication of notices in accordance with sections 163.346, Florida Statutes.
3. Public notice was published in The Panama City News Herald on October 31, 2019; copies of proofs of publication (2) of same being attached hereto as Exhibit A-1. Notices were sent by registered mail on October 29, 2019, to the following taxing authorities: Board of County Commissioners; City of Panama City Beach, Florida; Beach Mosquito Control District; Bay District School Board; and Northwest Florida Water Management District. A copy of such notice mailed is attached as composite Exhibit A-2.

**FURTHER AFFIANT SAYETH NOT.**

\_\_\_\_\_  
Amy E. Myers, City Attorney, Affiant

STATE OF FLORIDA  
COUNTY OF BAY

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_ day of November, 2019 by Amy E. Myers, City Attorney, City of Panama

City Beach, Florida. She is personally known to me or has produced a driver's license as intention and did take an oath.

(SEAL)

Printed/Typed Name: \_\_\_\_\_  
Notary Public-State of \_\_\_\_\_  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

**EXHIBIT B  
RESOLUTION 19-140  
FIRST AMENDMENT TO THE  
FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN**

## RESOLUTION 19-140

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE FIRST AMENDMENT OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN TO EXTEND THE PLAN'S DURATION; MAKING FINDINGS OF FACT; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**WHEREAS, on or about November 30, 2000, the City Council of the City of Panama City Beach, Florida, created the Panama City Beach Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex officio as the governing body of the Agency; and**

**WHEREAS, the City, acting as the Agency, oversees two community redevelopment areas: The Pier Park community redevelopment area and its associated community redevelopment plan adopted for the purpose of designing, financing, developing and maintaining Aaron Bessant Park, the City Pier and adjacent land into a thriving economic town center and entertainment area; and The Front Beach Road community redevelopment area and its associated community redevelopment plan adopted for the purpose of rehabilitating and redeveloping aging scenic corridors and public transportation facilities in a coastal community, among other things; and**

**WHEREAS, these community redevelopment initiatives have been successful—Pier Park has been developed and has turned the blighted Wayside Park into a bustling commercial and recreational city center, while the Front Beach Road community redevelopment initiative has completed streetscape and transportation projects that have fostered private redevelopment and improvement of properties; and**

**WHEREAS, the Pier Park redevelopment area and Plan will likely complete its mission in the near future, but the projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary**

to design, acquire right of way, permit and construct each transportation project; and

WHEREAS, though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

WHEREAS, since 2002, the Agency has:

(1) completed the following contemplated streetscape projects:

- (a) Churchwell Road;
- (b) Beckrich Road n/k/a Richard Jackson Boulevard;
- (c) Powell Adams Segment 1;
- (d) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);
- (e) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);

(2) undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:

- (a) Front Beach Road Segment 3/Hwy 79;
- (b) Alf Coleman Phase 1;
- (c) Powell Adams Phase 2;
- (d) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);

(3) yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:

- (a) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);
- (b) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);
- (c) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);
- (d) Cobb Road;
- (e) Hills Road;
- (f) Nautilus Street;
- (g) Clara Avenue;
- (h) North Thomas Drive; and



**WHEREAS, Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and**

**WHEREAS, Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and**

**WHEREAS, on August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and**

**WHEREAS, the Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and**

**WHEREAS, Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to "provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted."; and**

**WHEREAS, the Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and**

**WHEREAS, the Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and**

WHEREAS, pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019; and

WHEREAS, pursuant to the requirements of s. 163.362(3), Florida Statutes, the City, acting as the Agency, has reported the proposed modification to each taxing authority.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Findings. The City Council finds, declares and determines that the matters set forth in the foregoing recitals are true and correct and are incorporated herein as part of this Resolution.

Section 2. Amendment.

(A) The City Council does hereby adopt the following First Amendment to the Front Beach Road Community Redevelopment Plan:

Section 6.04 DURATION OF THE PLAN.

The redevelopment initiatives and work program described in the Front Beach Road Community Redevelopment Plan are expected to be funded through tax increment revenues and must be completed no later than **September 30, 2049**. ~~30 years after the Front Beach Road Community Redevelopment Plan is approved, adopted or amended.~~

(B) Except as modified and amended herein, the Front Beach Road Community Redevelopment Plan shall remain in full force and effect.

Section 3. This Resolution shall take effect immediately upon its approval by the City Council.

PASSED, APPROVED AND ADOPTED in regular session this 26<sup>th</sup> day of September, 2019.

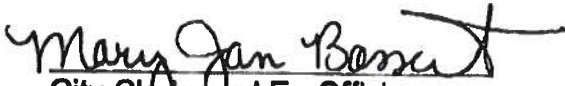
**CITY COUNCIL OF  
PANAMA CITY BEACH,  
FLORIDA, AND EX-  
OFFICIO AS THE  
GOVERNING BODY OF  
THE PANAMA CITY  
BEACH COMMUNITY  
REDEVELOPMENT  
AGENCY**



---

Mayor, and Ex-Officio as  
Chair of the Agency

**ATTEST:**



---

City Clerk, and Ex-Officio as  
Clerk to the Agency

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: Northwest Florida Water Management Distr. Hq.,  
 Attn: Executive Director 81 Water Management Dr.  
 Havana, FL 32333 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

9876 5432 1098 7654 3210 9876 5432 1098 7654 3210

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Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: Robert Majka, Jr., County Manager  
 Board of County Commissioners  
 810 West 11th Street  
 Panama City, FL 32401 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: William Husfelt, III, Superintendent  
 Bay District School Board  
 1314 Balboa Avenue  
 Panama City, FL 32401 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: Mike Thomas, Mayor  
 City of Panama City Beach, FL  
 140 South Arnold Road  
 Panama City Beach, FL 32410 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

9876 5432 1098 7654 3210 9876 5432 1098 7654 3210

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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To: James Clauson, Director  
 Beach Mosquito Control District  
 1010 Cox Grade Road  
 Panama City Beach, FL 32407 (CK)

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**EXHIBIT B  
RESOLUTION 19-140  
FIRST AMENDMENT TO THE  
FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN**

## RESOLUTION 19-140

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE FIRST AMENDMENT OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN TO EXTEND THE PLAN'S DURATION; MAKING FINDINGS OF FACT; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**WHEREAS, on or about November 30, 2000, the City Council of the City of Panama City Beach, Florida, created the Panama City Beach Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex officio as the governing body of the Agency; and**

**WHEREAS, the City, acting as the Agency, oversees two community redevelopment areas: The Pier Park community redevelopment area and its associated community redevelopment plan adopted for the purpose of designing, financing, developing and maintaining Aaron Bessant Park, the City Pier and adjacent land into a thriving economic town center and entertainment area; and The Front Beach Road community redevelopment area and its associated community redevelopment plan adopted for the purpose of rehabilitating and redeveloping aging scenic corridors and public transportation facilities in a coastal community, among other things; and**

**WHEREAS, these community redevelopment initiatives have been successful—Pier Park has been developed and has turned the blighted Wayside Park into a bustling commercial and recreational city center, while the Front Beach Road community redevelopment initiative has completed streetscape and transportation projects that have fostered private redevelopment and improvement of properties; and**

**WHEREAS, the Pier Park redevelopment area and Plan will likely complete its mission in the near future, but the projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary**

to design, acquire right of way, permit and construct each transportation project; and

WHEREAS, though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

WHEREAS, since 2002, the Agency has:

- (1) completed the following contemplated streetscape projects:
  - (a) Churchwell Road;
  - (b) Beckrich Road n/k/a Richard Jackson Boulevard;
  - (c) Powell Adams Segment 1;
  - (d) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);
  - (e) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);
  
- (2) undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:
  - (a) Front Beach Road Segment 3/Hwy 79;
  - (b) Alf Coleman Phase 1;
  - (c) Powell Adams Phase 2;
  - (d) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);
  
- (3) yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:
  - (a) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);
  - (b) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);
  - (c) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);
  - (d) Cobb Road;
  - (e) Hills Road;
  - (f) Nautilus Street;
  - (g) Clara Avenue;
  - (h) North Thomas Drive; and

**WHEREAS, Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and**

**WHEREAS, Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and**

**WHEREAS, on August 8<sup>th</sup>, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and**

**WHEREAS, the Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and**

**WHEREAS, Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to “provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.”; and**

**WHEREAS, the Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and**

**WHEREAS, the Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and**



WHEREAS, pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019; and

WHEREAS, pursuant to the requirements of s. 163.362(3), Florida Statutes, the City, acting as the Agency, has reported the proposed modification to each taxing authority.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Findings. The City Council finds, declares and determines that the matters set forth in the foregoing recitals are true and correct and are incorporated herein as part of this Resolution.

Section 2. Amendment.

(A)The City Council does hereby adopt the following First Amendment to the Front Beach Road Community Redevelopment Plan:

Section 6.04 DURATION OF THE PLAN.

The redevelopment initiatives and work program described in the Front Beach Road Community Redevelopment Plan are expected to be funded through tax increment revenues and must be completed no later than **September 30, 2049**. ~~30 years after the Front Beach Road Community Redevelopment Plan is approved, adopted or amended.~~

(B)Except as modified and amended herein, the Front Beach Road Community Redevelopment Plan shall remain in full force and effect.

Section 3. This Resolution shall take effect immediately upon its approval by the City Council.

PASSED, APPROVED AND ADOPTED in regular session this 26<sup>th</sup> day of September, 2019.

**CITY COUNCIL OF  
PANAMA CITY BEACH,  
FLORIDA, AND EX-  
OFFICIO AS THE  
GOVERNING BODY OF  
THE PANAMA CITY  
BEACH COMMUNITY  
REDEVELOPMENT  
AGENCY**



---

Mayor, and Ex-Officio as  
Chair of the Agency

**ATTEST:**



---

City Clerk, and Ex-Officio as  
Clerk to the Agency