



# 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.

MEETING DATE: OCTOBER 12, 2017  
MEETING TIME: 6:00 P.M.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION- PASTOR JOHN WOODROW OF GULFVIEW UNITED METHODIST CHURCH
- III. PLEDGE OF ALLEGIANCE- COUNCILMAN SOLIS
- IV. COMMUNITY ANNOUNCEMENTS
- V. APPROVAL OF THE REGULAR MINUTES OF SEPTEMBER 28, 2017
- VI. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS
- VII. PRESENTATIONS- COUNCILMAN SOLIS
  - 1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD
- VIII. PUBLIC COMMENTS-REGULAR & CONSENT ITEMS ONLY (LIMITED TO THREE MINUTES)
- IX. CONSENT AGENDA
  - 1 **RESOLUTION 18-01, "BREW 'N' BOO FESTIVAL" ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida, related to the "Brew 'N' Boo Festival"; authorizing road closures on portions of Pier Park Drive between L.C.Hilton Drive and Longboard Way, and of Sea Monkey Way on Saturday, October 28, 2017 for the Event."
  - 2 **RESOLUTION 18-02, "SHRIMP AND OYSTER FESTIVAL" ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida, related to the "Shrimp and Oyster Festival"; authorizing road closures on portions of Pier Park Drive between Sea Monkey Way and Longboard Way on Saturday, November 11, 2017 for the Event."
  - 3 **RESOLUTION 18-03, "MALL O WEEEN" ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida, related to "Mall O Ween"; authorizing road closures on portions of Sea Monkey Way, Longboard Way, and Pier Park Drive between L.C.Hilton Drive and Front Beach Road on Tuesday, October 31, 2017 for the Event."
  - 4 **RESOLUTION 18-04, NEW YEAR'S EVE STREET PARTY, BALL DROP AND ROAD CLOSURES.** "A Resolution of the City of Panama City Beach related to the New Year's Eve Street Party event; authorizing various road closures within Pier Park on December 29, 30 and 31, 2017 for the event's street party and ball drop; and providing an immediately effective date."
  - 5 **RESOLUTION 18-06, J.R.ARNOLD HIGH SCHOOL HOMECOMING PARADE.** "A Resolution of the City of Panama City Beach authorizing the temporary closure of certain sections of North Alf Coleman Road, Market Street and North Richard Jackson Boulevard to permit the J. R. Arnold High School Homecoming Parade on October 26,2017."

**X. REGULAR AGENDA - DISCUSSION/ACTION**

- | <b>NO.</b> | <b>OFFICIAL</b> | <b>ITEM</b>   |
|------------|-----------------|---|
| 1          | DW              | <b>ORDINANCE 1419, POLICE OFFICERS PENSION PLAN AMENDMENT REGARDING BENEFIT IMPROVEMENTS, 2<sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.</b> |
| 2          | ML              | <b>ORDINANCE 1430, WIRELESS FACILITIES IN PUBLIC RIGHTS-OF-WAY, 2<sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.</b>                           |
| 3          | DW              | <b>ORDINANCE 1433, CAMPING ON THE BEACH, 2<sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.</b>  |
| 4          | KJ              | <b>PLAT APPROVAL BREAKFAST POINT 3B, <u>PUBLIC HEARING</u>. (Continued)</b>   |
| 5          | ML              | <b>ORDINANCE 1437, SURFACE PARKING STANDARDS, 1<sup>ST</sup> READING.</b>   |
| 6          | AM              | <b>ORDINANCE 1438, CHARTER AMENDMENT PIGGYBACKING, 1<sup>ST</sup> READING.</b>  |
| 7          | AM              | <b>ORDINANCE 1439, CHARTER AMENDMENT EASEMENT SWAP, 1<sup>ST</sup> READING.</b>   |
| 8          | MG              | <b>RESOLUTION 18-05, CITY CLERK CONTRACT.</b>   |
| 9          | MG              | <b>DISCUSSION ON SECOND NOVEMBER / DECEMBER MEETING DATES.</b>  |
| 10         | MT              | <b>BEACH CHAIRS- DISCUSSION.</b>  |

**XI. DELEGATES AND STAFF**

- 1** **DELEGATIONS.** In accordance with the City Council's rules and procedures, residents or tax-collectors of the City (upon any subject of general or public interest), City employees (regarding his/her employment), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card. Speaker cards are located inside the Council meeting room and should be provided to the City Clerk. Please observe the time limit of three (3) minutes while speaking under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by the Chair.
- 2** **ATTORNEY REPORT.**
- 3** **CITY MANAGER REPORT.**
- 4** **COUNCIL COMMENTS.**
- 5** **ADJOURN.**

JOHN REICHARD	<u>  X  </u>	JOHN REICHARD	<u>  X  </u>
PHIL CHESTER	<u>  X  </u>	PHIL CHESTER	<u>  X  </u>
JOSIE STRANGE	<u>  X  </u>	JOSIE STRANGE	<u>  X  </u>
HECTOR SOLIS	<u>  X  </u>	HECTOR SOLIS	<u>  X  </u>
MIKE THOMAS	<u>  X  </u>	MIKE THOMAS	<u>  X  </u>

I certify that the Council members listed above have been contacted and given the opportunity to include items on this agenda.

I certify that the Council members listed above have been contacted and made aware of the items on this agenda.

  
Deputy City Clerk      10/19/17  
Date

  
Deputy City Clerk      10/19/17  
Date

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.

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E-mailed and/or Faxed to following interested parties on: 10/10/17, 1 P.M.

**NEWS MEDIA**

News Herald  
Bullet  
Channel 4  
Channel 7  
Channel 13  
Comcast  
WOW  
WKGC  
WLTG  
Clear Channel  
Powell Broadcasting

**CONTACT**

Tyra Jackson  
Linda Lucas  
Ryan Rodig  
Jeremy Pate  
Ken McVay  
Stefanie Bowden  
Cil Schnitker  
Emily Balazs  
A. D. Whitehurst  
Crystal Presley  
Jeff Storey, GM

NOTE; COPIES OF THE AGENDA ITEMS ARE POSTED ON THE CITY'S WEBSITE [WWW.PCBGOV.COM](http://WWW.PCBGOV.COM) UNDER "AGENDA INFORMATION".  
THIS MEETING WILL BE LIVE-STREAMED ON THE CITY WEBSITE.

NOTICE IS HEREBY PROVIDED THAT ONE OR MORE MEMBERS OF OTHER CITY BOARDS MAY ATTEND AND SPEAK AT THIS MEETING.

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)

The Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on September 28, 2017.

ROLL  
MAYOR MIKE THOMAS

COUNCILORS:  
JOHN REICHARD  
JOSIE STRANGE  
PHIL CHESTER  
HECTOR SOLIS

CITY MANAGER:  
MARIO GISBERT  
DEPUTY CITY CLERK:  
JO SMITH  
CITY ATTORNEY:  
AMY MYERS

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

Campus Pastor Derrick Bennett of the Northstar Church gave the invocation and Councilwoman Strange led the Pledge of Allegiance.

The Mayor announced the upcoming Community Events including that the City Tree Lighting would be held at Aaron Bessant Park on November 27, 2017 instead of Frank Brown Park on December 4, 2017. Councilwoman Strange announced the Barktoberfest at Hook'd on October 21, 2017. Councilman Solis reminded everyone about the Warrior Beach Retreat being open to the public. Councilman Reichard advised flags would be available for the public at Hathaway bridge.

The Minutes of the Regular Meeting of September 14, 2017 were read and approved as written per motion by Councilwoman Strange. Second was by Councilman Chester. The motion passed by unanimous roll call vote recorded as follows:

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

Mayor Thomas asked if there were any additions or deletions to the Agenda. Mr. Gisbert asked to add Resolution 17-147 for the Storm Event Emergency Pay Policy. Councilman Reichard asked to add Chief Whitman to the Agenda to advise the assistance given by the Department during Hurricane Irma. There were no objections. Councilwoman Strange made the motion to approve the Agenda as amended. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

#### PRESENTATIONS

**1 "NATIONAL FALLEN FIREFIGHTERS MEMORIAL SERVICE WEEKEND" PROCLAMATION AND PRESENTATION.** Councilwoman Strange invited Chief Daly to the podium as she read the Proclamation declaring October 7-8, 2017 as "National Fallen Firefighters Memorial Service Weekend".

**2 MOONEY SUMMIT V AT ORIGINS, BETTER THE BREED- DR RON DUBIN.** Councilwoman Strange welcomed Dr. Ron Dubin to the podium to explain about the Mooney Summit and his bringing Mooney aircraft pilots to the beach.



**PUBLIC COMMENTS (Consent and Regular Items only)**

The Mayor opened the Public Comments portion of the meeting and reminded that the speakers were limited to three minutes. There were none. He closed the Public Comments portion of the meeting.

**CONSENT AGENDA**

Ms. Smith read the Consent Agenda items by title.

**1 RESOLUTION 17-144, BID AWARD, US 98 UTILITY RELOCATION AT MOYLAN.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Royal American Construction Company, Inc., in the amount of \$350,413 for the US-98 Utility Relocation Project at Moylan."

**2 RESOLUTION 17-145, BID AWARD, PCB PARKWAY AND CAULEY AVE UTILITY RELOCATION.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Royal American Construction Company, Inc., in the amount of \$436,143 for relocation of the City's water and sewer utilities necessitated by DOT's intersection improvements at Panama City Beach Parkway and Cauley Avenue."

**3 RESOLUTION 17-139, FDEP INSPECTION & REMEDIATION AGREEMENT AT WWTP.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Florida Department of Environmental Protection, relating to the Assessment and Cleanup from a possible petroleum contamination at City's Wastewater Treatment Plant site; authorizing the City Manager to enter a Site Access Agreement with FDEP's contractor for performance of the work; and providing an effective date."

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

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

**REGULAR AGENDA- DISCUSSION/ACTION**

**ITEM 1 ORDINANCE 1420, BAY PARKWAY COMP PLAN AMENDMENT, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1420 by title. The Mayor asked if there were any questions from the Council; there were none. He opened the Public Hearing at 9:19 A.M. and asked if any questions or comments from the audience; there were none. He closed the Public Hearing at 9:20 A.M. **Councilwoman Strange made the motion to approve Ordinance 1420. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 2 ORDINANCE 1421, BAY PARKWAY REZONING, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1421 by title. The Mayor asked if there were any questions from the Council; there were none. He opened the Public Hearing at 9:20 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:20 A.M. **Councilwoman Strange made the motion to approve Ordinance 1421. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 3 ORDINANCE 1422, HOMBRE GOLF CLUB COMP PLAN AMENDMENT, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1422 by title. The Mayor asked if there were any questions or comments from the Council; there were none. He opened the Public Hearing at 9:22 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:23 A.M. **Councilman Reichard made the motion to approve Ordinance 1422. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 4 ORDINANCE 1423, HOMBRE GOLF CLUB REZONING, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1423 by title. The Mayor asked if there were any questions or comments from the Council; there were none. He opened the Public Hearing at 9:23 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:24 A.M. **Councilman Chester made the motion to approve Ordinance 1423. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 5 ORDINANCE 1424, WATER, SEWER, AND RECLAIMED WATER FY 2017-2018 RATE INCREASE, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1424 by title. The Mayor asked if there were any questions or comments from the Council; there were none. He opened the Public Hearing at 9:25 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:25 A.M. **Councilman Reichard made the motion to approve Ordinance 1424. Second was by Councilman Solis and the motion passed by majority roll call vote recorded as follows:**

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

**ITEM 6 ORDINANCE 1426, REVISING PODIUM STANDARDS IN FBO-1 DISTRICT, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1426 by title and explained this came with the recommendation of the Planning Board. Mr. Leonard explained the intent of podium standards and their being visually apparent. He said lots less than 55' wide were not required to do the podium and it was already the rule on the north side of Front Beach Road. The Mayor asked if there were any questions from Council.

Councilman Solis asked the areas affected by this Ordinance and Mr. Leonard responded with the three areas affected. Mayor Thomas asked Mr. Leonard if the Front Beach Overlay had not been created, then this Ordinance would not be necessary, and Mr. Leonard replied affirmatively. Mr. Leonard said Staff had no objections. **Councilwoman Strange made the motion to approve Ordinance 1426. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 7 ORDINANCE 1429, FRONT YARD SETBACKS FOR LAWN DEVELOPMENTS IN FBO DISTRICTS, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1429 by title. She added that this came with the recommendation of the Planning Board. Mayor Thomas asked if there were any questions or comments from the Council. There were none. Mayor Thomas asked Mr. Leonard that if the Front Beach Overlay had not been created, then this Ordinance would not be necessary, and Mr. Leonard replied affirmatively. **Councilwoman Strange made the motion to approve Ordinance 1429. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 8 ORDINANCE 1434, REVISION OF ROADS ON WHICH GOLF CARTS CAN TRAVEL, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1434 by title and explained Ordinance 980 had specified streets in which golf carts were prohibited, one being Beckrich Road. Since then, Beckrich Road was renamed Richard Jackson Blvd. and this Ordinance would clarify the name change as well as that North Richard Jackson Blvd. would permit golf carts due to having a lower speed limit. **Councilwoman Strange made the motion to approve Ordinance 1434. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 9 RESOLUTION 17-140, GOLF CART CROSSING AT NAUTILUS.** Ms. Myers read Resolution 17-140 by title. Councilwoman Strange asked for a timeline and Ms. Myers said once adopted, Staff would prepare a traffic study and submit the application to FDOT. Mayor Thomas said he opposed even preparing a study for the golf cart crossing because FDOT had already denied the first application and they did not want a crossing at that location. He asked Chief Whitman to confirm that a fourteen year old child could drive a golf cart in the community, and Chief Whitman responded affirmatively due to State law. Mayor Thomas opposed the crossing due to the liability of possibly fourteen year olds crossing the Parkway. Councilman Solis said he shared that concern. Councilman Reichard questioned fourteen year olds being allowed to drive the golf carts and the Mayor said the golf carts were meant to stay within neighborhoods. Councilwoman Strange mentioned keeping traffic off the Parkway with one less car. Councilman Chester said Pier Park had a golf cart crossing in which fourteen year olds could cross the Parkway. **Councilwoman Strange made the motion to approve Resolution 17-140. Second was by Councilman Chester and the motion failed by majority roll call vote recorded as follows:**

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

**ITEM 10 RESOLUTION 17-142, NORTH GLADES TRAIL NAME CHANGE TO BREAKFAST POINT BLVD.** Ms. Myers read Resolution 17-142 by title. The Mayor asked for comments and questions from the Council. Councilman Reichard said he thought it was a good idea. **Councilman Reichard made the motion to approve Resolution 17-142. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 11 RESOLUTION 17-143, BREAKFAST POINT PHASE 3B HORIZONTAL INFRASTRUCTURE COMPLETION AGREEMENT.** Ms. Myers read Resolution 17-143 by title, explained the HICA and stated the Agreement came with the recommendation of Ms. Jenkins. The Mayor asked if there were questions or comments from the Council; there were none. **Councilwoman Strange made the motion to approve Resolution 17-143. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 12 PLAT APPROVAL BREAKFAST POINT PHASE 3B, PUBLIC HEARING.** Ms. Myers stated that the developer had requested that the Public Hearing be continued until October 12<sup>th</sup> in order to resolve a title issue. There were no objections.

**ITEM 13 RESOLUTION 17-141, BREAKFAST POINT CHANNEL CONTRACT.** Ms. Myers read Resolution 17-141 by title and said Breakfast Point LLC would give the City an easement and right of entry to maintain a widened stormwater ditch. She said Staff believed this would alleviate some of the drainage issues in that area. Mayor Thomas said that was one of the wettest areas and a good opportunity. Councilman Reichard asked Ms. Jenkins about the annual maintenance and she responded with details as to how the maintenance would occur. She said it would reduce the flood level in the Glades by 6 inches and added that the State planned to move the culverts to better align with the new channel which would help with the water flow. In response to Councilman Reichard's questions concerning appearance, Ms. Jenkins said there would be no excessive landscape maintenance required, only mowing and cleaning out the ditch. She said the City was paying for the channel and had replied for a grant but had been denied. The permit could take up to a year to be approved, and she was continuing to look for other funding. Ms. Jenkins said Staff was meeting with Water Management next week to explore their funding. **Councilwoman Strange made the motion to approve Resolution 17-141. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 14\* RESOLUTION 17-136, ADOPTION OF THE AMENDMENT TO THE 2016-2017 CRA AGENCY BUDGET AND ADOPTION OF THE PROPOSED 2017-2018 CRA AGENCY BUDGET.** Action on this item was taken by both the City Council and the City of Panama City Beach Community Redevelopment Agency, jointly and concurrently. Ms. Myers read Resolution 17-136 by title. The Mayor asked if there were any questions or comments by the Council members. There were none. **Councilman Solis made the motion to approve Resolution 17-136. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 15 RESOLUTION 17-137, AMENDING FISCAL YEAR 2016-2017 CITY BUDGET.** Ms. Myers read Resolution 17-137 by title. The Mayor asked if there were any questions or comments by the Council members; there were none. **Councilman Solis made the motion to approve Resolution 17-137. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**



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

**ITEM 16 RESOLUTION 17-138, ESTABLISHING FISCAL YEAR 2017-2018 CITY BUDGET.** Ms. Myers read Resolution 17-138 by title. The Mayor asked the Council members if there were any questions or comments. There were none. **Councilman Reichard made the motion to approve Resolution 17-138. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 17 RESOLUTION 17-135, PAYOFF SRF LOAN WWG120694060.** Ms. Myers read Resolution 17-135 by title. Mayor Thomas said this had been suggested by Councilman Solis and Mr. Gisbert said this payoff would save approximately \$400,000 over ten years. **Councilman Solis made the motion to approve Resolution 17-135. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 18 JOB DESCRIPTION- REVISED BUILDING CODE ADMINISTRATOR.** Mr. Leonard explained the proposed changes to the current job description, raising the standards with additional certifications. He said the Department was now in the position to need someone with the wide range of certifications. The Mayor asked the Council members if there were any questions or comments, and there were none. **Councilman Solis made the motion to approve the revised Building Code Administrator job description. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 19 RESOLUTION 17-146, PUBLIC RECORDS POLICY.** Ms. Myers read Resolution 17-146 by title. She mentioned two issues since the agenda was published that in light of the volume of public records requests received that the time frame to produce the records be changed from immediate to two business days for very specific requests. For the second, with regards to the calculations, the City's practice was for the first 60 minutes of labor be free instead of 30 minutes noted in the policy. Councilman Reichard suggested changing the time frame for producing the records to be two business days following the date of the request. **Councilman Solis made the motion to approve Resolution 17-146 with the changes. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 20 RESOLUTION 17-148, CLOSING A PORTION OF LYNDELL LANE.** Ms. Myers read Resolution 17-148 by title. The Mayor asked if there were any questions or comments from the Council members; there were none. **Councilwoman Strange made the motion to approve Resolution 17-148. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 21 RESOLUTION 17-147, STORM EVENT EMERGENCY PAY POLICY.** Ms. Myers read Resolution 17-147 and Mr. Gisbert explained the current protocol. He said this Resolution would authorize the City to pay those essential employees 1.5 times their usual salary if they were required to stay during a storm. The employees required to stay home would receive their normal pay. Mayor Thomas asked why and Mr. Gisbert responded it was the practice of the rest of Bay County and the other municipalities. The Mayor stated he had no problems paying those employees who stayed but did have issues with paying those employees who stayed home. Councilman Solis said he understood the Mayor's concerns but felt it was the right thing to do in a state of emergency. However, there was a problem with the notice that the bridges would be closed at 40 mph as opposed to 55 mph, causing many problems with businesses getting their employees to work. Discussion ensued. Councilman Solis said he felt it had been an over-reaction and City Hall should not have closed. He said he had a problem with implementing the policy. Mr. Gisbert explained the main issue was the change of closing the bridges at 40 mph which prompted the call from Mark Bowen and that a majority of the City's employees live across the bridge. **Councilwoman Strange made the motion to approve Resolution 17-147. Second was by Councilman Chester and the motion passed by majority roll call vote recorded as follows:**

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

#### DELEGATIONS

Mayor Thomas read the language on the Agenda that in accordance with the City Council's rules and procedures, residents or tax-collectors of the City (upon any subject of general or public interest), City employees (regarding his/her employment), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card. Speaker cards are located inside the Council meeting room and should be provided to the City Clerk. Please observe the time limit of three (3) minutes while speaking under Delegations. The Mayor asked who had filled out cards.

1 Ms. Colleen Swab, California Cycles, 13416 Front Beach Road. Ms. Swab said she had made changes to the brochure and had given copies to Chief Whitman for his consideration. She explained the changes and her reasons for suggesting the brochure be updated. Councilwoman Strange asked for a copy and the Mayor stated all Council members would receive a copy.

2 Ms. Genese Hatcher. Ms. Hatcher entered into the record a picture of the new blacktop on Oleander Drive and questioned the sand being able to correct the drainage problem. She explained about the water runoff and its flow.

3 Mr. Matthew Bush, 170 Crane St. Mr. Bush asked if the Council members would give their addresses at the first of each meeting and made comments about Department Heads being afraid to enforce the laws.

4 Mr. Todd Ingram, Sports Vehicles Assn, 12282 Hutchison Blvd. Mr. Ingram had questions concerning Ordinance 1434 and Resolution 17-140, and differentiating between golf carts and LSVs.



5 Dr. Ron Dubin. Dr Dubin complimented the Council on their tremendous job and professionalism and the City growing in a positive way. He said he owned 18 homes on the beach and he was very happy with the City.

There were no further speakers. The Mayor closed the Delegation section of the meeting.

Ms. Myers had no report and responded to Mr. Ingram that Ordinance 1434 and Resolution 17-140 were specific to golf carts since State laws regulated LSVs.

Mr. Casto addressed Ms. Hatcher's concerns about the Oleander Drive blacktop and that it would be a sand swale for the excess water. He said the water would be diverted towards the north and the swale instead of toward the homes since the grade was changed. He added that the project was not completed and the water would percolate into the sand.

For the City Manager report, Mr. Gisbert read the posted job vacancies. He explained at the last meeting, Staff was requested to start another sewer Impact Fee financing program and the packets were now available. He said door hangers would be placed on every home not already connected and a list was available of the seven neighborhoods. He said most of the seven neighborhoods were less than 50% connected so there would be the opportunity for over 1200 people to be connected to the system. He said it would be strictly residential and only within the seven neighborhoods.

Mr. Gisbert said the City had received commendations from various mayors and officials thanking the City for sending the sworn officers to the hurricane impacted areas. Chief Whitman explained these officers were all volunteers with the missions of patrolling, helping in the shelters, extra help as needed. He said the officers did a great job, working 12 on/12 off, varying from 7 to 13 days deployed. He added that a total of seventeen officers were sent to Tallahassee and to the Keys.

Regarding the Gulf Coast Jam, Mr. Gisbert said they had asked the City for a multiyear contract for Frank Brown Park, three years through 2020 with the same date each year. They stated this would help their efforts in attracting top entertainment. **Councilwoman Strange made the motion to approve a three year contract through 2020 with Gulf Coast Jam. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Councilman Solis thanked the Police Department for extending the helping hand to the hurricane devastated areas. He also gave judos to the Department for the recent bust leading to federal indictments. He complimented the Chief in the participation in the task force.

Councilman Chester announced that the Optimist Club had honored Chief Daly and Deputy Chief Couch. Mr. Gisbert said in January when Chief Daly retired, Deputy Chief Couch would assume the rank of Chief. Mayor Thomas said that was a good choice.

Mayor Thomas said he did not see a lot of construction work being done on the CRA and that he would like a status report at the next meeting since he saw the roadway torn up but no one working. Regarding the bridges being closed during the hurricane, it was the Florida Highway Patrol who closed the bridges, not FDOT. He said common sense should have been used in the emergency as those actions crippled a lot of the state that had not been affected.

The meeting was adjourned at 10:29 A.M.

READ AND APPROVED this 12th of October, 2017.

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

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFT

# PRESENTATIONS

CITY OF PANAMA CITY BEACH

# CIVIC ACHIEVEMENT AWARD

*Be It Known That*

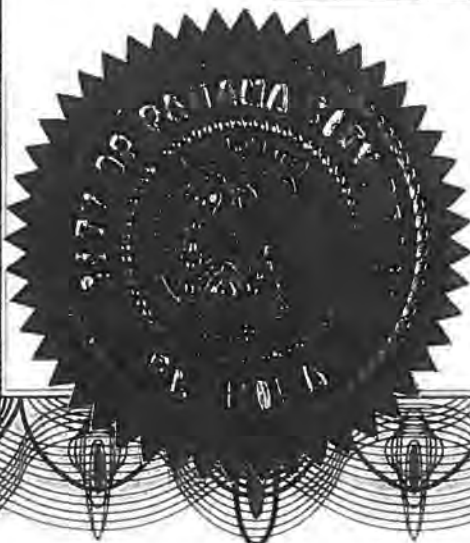
**Keaton Contreras**

**HAS GIVEN EXCEPTIONAL SERVICE**

**TO THE BOYS AND GIRLS CLUB  
OF PANAMA CITY BEACH**

For the responsibility assumed, for the unselfish service rendered his community and its citizens in discharging the duties of good citizenship, this token of CIVIC ACHIEVEMENT is hereby awarded.

**Presented this 12<sup>th</sup> of October, 2017**



A handwritten signature in black ink, appearing to read "Mike Thomas".

MAYOR MIKE THOMAS

# CONSENT ITEM

1



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:

Consideration of Resolution 18-01 to close portions of Pier Park Drive and Sea Monkey Way on Saturday, October 28, 2017.

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)

The Brew 'n' Boo Festival will hold an event scheduled on October 28, 2017.

The event necessitates closure of portions of Pier Park Drive between Hilton Drive and Longboard Way, and of Sea Monkey Way within the corporate limits of Panama City Beach.

Staff recommends approval.



RESOLUTION NO. 18-01

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA RELATED TO THE "BREW 'N' BOO FESTIVAL"; AUTHORIZING ROAD CLOSURES ON PORTIONS OF PIER PARK DRIVE BETWEEN L.C. HILTON DRIVE AND LONGBOARD WAY, AND OF SEA MONKEY WAY ON SATURDAY, OCTOBER 28, 2017 FOR THE EVENT.

WHEREAS, the "Brew 'n' Boo Festival" (the "Event") is being held on Saturday, October 28, 2017 in Panama City Beach; and

WHEREAS, the Event necessitates careful traffic control and extraordinary usage of portions of Pier Park Drive and Sea Monkey Way within the corporate limits of Panama City Beach.

NOW, THEREFORE, be it resolved by the City of Panama City Beach that during the hours of 6:00 A.M. and 7:00 P.M. on Saturday, October 28, 2017, Sea Monkey Way and portions of Pier Park Drive between L.C. Hilton Drive and Longboard Way, shall be closed and all vehicular traffic shall be rerouted or otherwise controlled in accordance with the attached map which accompanies this Resolution to accommodate the Event.

PASSED, APPROVED AND ADOPTED IN REGULAR SESSION THIS \_\_\_ day of \_\_\_\_\_, 2017.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

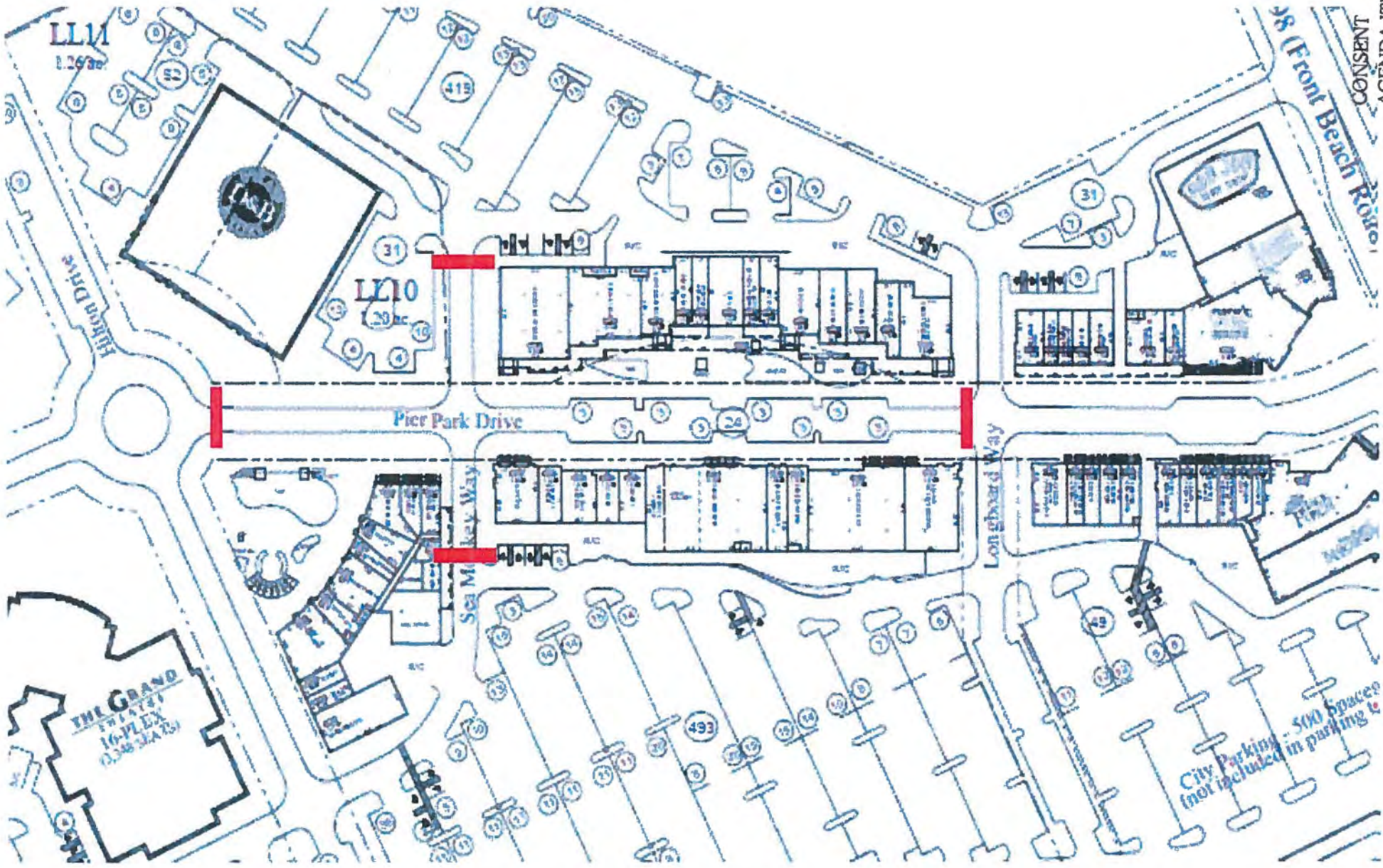
ATTEST:

\_\_\_\_\_  
City Clerk

Resolution 18-01

CONSENT  
AGENDA ITEM # \_\_\_\_\_

**Brew 'n' Boo Road Closure Map**  
**October 28, 2017 6:00 am - 7:00 pm**



# CONSENT ITEM

2





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:

Consideration of Resolution 18-02 to close portions of Pier Park Drive on Saturday, November 11, 2017.

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)

The Shrimp and Oyster Festival will hold an event scheduled on November 11, 2017.

The event necessitates closure of portions of Pier Park Drive between Sea Monkey Way and Longboard Way within the corporate limits of Panama City Beach.

Staff recommends approval.

RESOLUTION NO. 18-02

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA RELATED TO THE "SHRIMP AND OYSTER FESTIVAL" AUTHORIZING ROAD CLOSURES ON PORTIONS OF PIER PARK DRIVE BETWEEN SEA MONKEY WAY AND LONGBOARD WAY ON SATURDAY, NOVEMBER 11, 2017 FOR THE EVENT.

WHEREAS, the Shrimp and Oyster Festival (the "Event") is scheduled on Saturday, November 11, 2017, in Panama City Beach; and;

WHEREAS, the Event necessitates careful traffic control and extraordinary usage of portions of Pier Park Drive within the corporate limits of Panama City Beach;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of Panama City Beach that during the hours of 12:00 A.M. and 9:00 P.M. on November 11, 2017, Pier Park Drive between Sea Monkey Way and Longboard Way, shall be closed and all vehicular traffic shall be controlled in accordance with the attached map which accompanies this Resolution to accommodate the Event.

PASSED, APPROVED AND ADOPTED IN SPECIAL SESSION THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



CONSENT  
AGENDA ITEM # 2

THE GRAND  
THEATRE  
16-PLEX  
(SEATS)

— Road Closure Barricades

Pier Park Shrimp and Oyster Fest  
November 11 2017  
Closure request from 12:00 a.m.—9:00 p.m.



# CONSENT ITEM

3



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:

Consideration of Resolution 18-03 to close portions of Sea Monkey Way, Longboard Way, and Pier Park Drive on Tuesday, October 31, 2017.

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)

The Mall O Ween event will be held on October 31, 2017.

The event necessitates closure of portions of Sea Monkey Way, Longboard Way and Pier Park Drive between L.C. Hilton Drive and Front Beach Road within the corporate limits of Panama City Beach.

Staff recommends approval.

RESOLUTION NO. 18-03

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA RELATED TO "MALL O WEEEN"; AUTHORIZING ROAD CLOSURES ON PORTIONS OF SEA MONKEY WAY, LONGBOARD WAY, AND PIER PARK DRIVE BETWEEN L.C. HILTON DRIVE AND FRONT BEACH ROAD ON TUESDAY, OCTOBER 31, 2017 FOR THE EVENT.

WHEREAS, "Mall O Ween" (the "Event") is being held on Tuesday, October 31, 2017 in Panama City Beach; and

WHEREAS, the Event necessitates careful traffic control and extraordinary usage of portions of Pier Park Drive, Sea Monkey Way and portions of Longboard Way within the corporate limits of Panama City Beach.

NOW, THEREFORE, be it resolved by the City of Panama City Beach that during the hours of 4:00 P.M. and 10:00 P.M. on Tuesday, October 31, 2017, portions of Sea Monkey Way and Long Board Way, together with a portion of Pier Park Drive between L.C. Hilton Drive and Front Beach Road, shall be closed and all vehicular traffic shall be rerouted or otherwise controlled in accordance with the attached map which accompanies this Resolution to accommodate the Event.

PASSED, APPROVED AND ADOPTED IN REGULAR SESSION THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Resolution 18-03

CONSENT  
AGENDA ITEM #

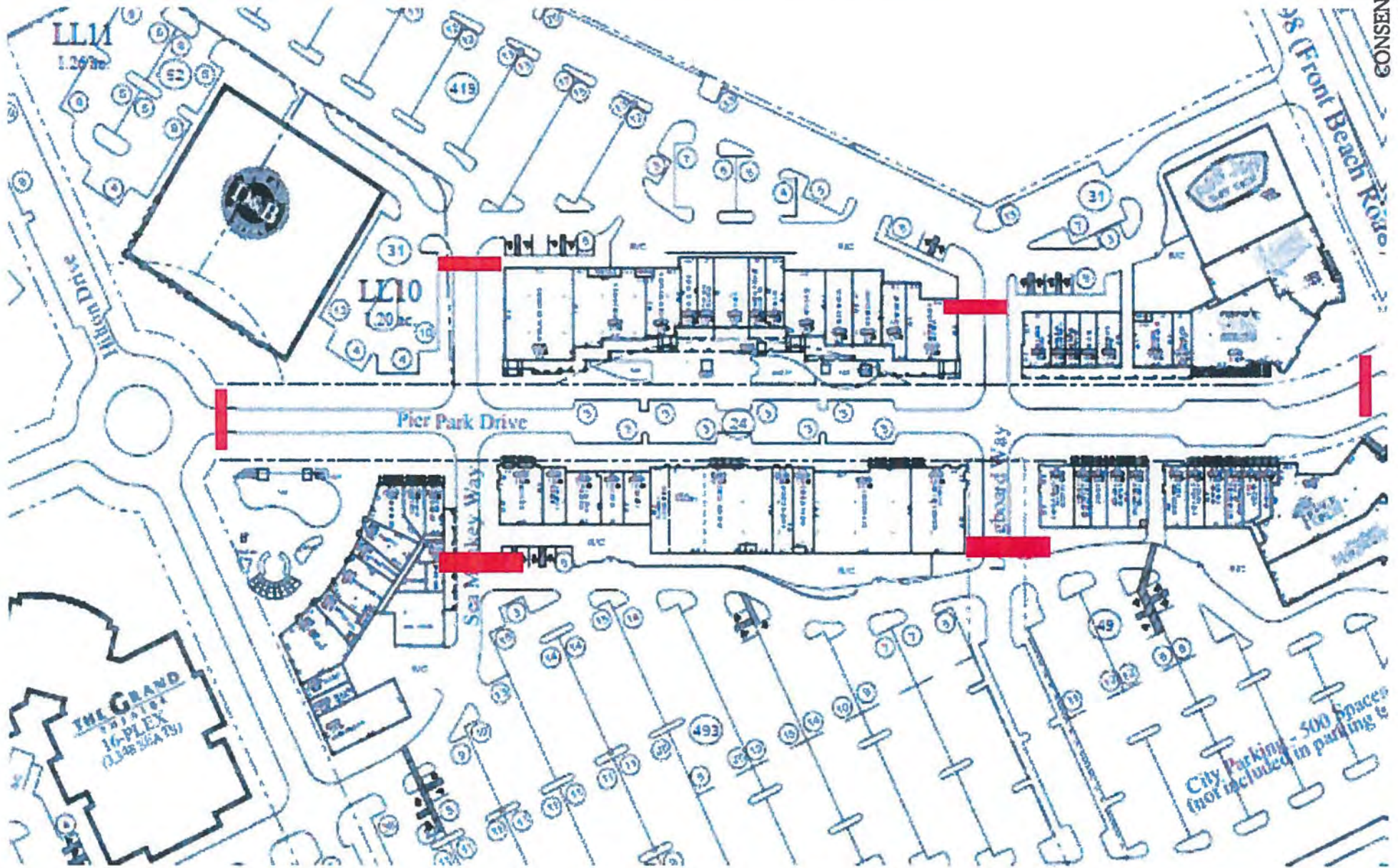
3



2

# Mall O Ween Road Closure Map

October 31, 2017 4:00 pm - 10:00 pm



# CONSENT ITEM

4





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
October 12, 2017

3. REQUESTED MOTION/ACTION:

Consideration of Resolution 18-04 to close portions of roads in Pier Park on Saturday, December 30 to 31, 2017 for the street party and ball drop.

4. AGENDA

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input checked="" type="checkbox"/>
REGULAR	<input type="checkbox"/>

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)

The New Years Eve Street Party will hold an event scheduled on December 30-31, 2017.

The event necessitates closure of portions of Pier Park Drive and L.C. Hilton Drive on December 29, 2017 to January 1, 2018, closure of portions of Pier Park Drive from Sea Monkey Way to Longboard way on December 30, 2017 to January 1, 2018, and closure of portions of Pier Park Drive from Longboard Way to Front Beach Road on December 31, 2017 to January 1, 2018 within the corporate limits of Panama City Beach.

Staff recommends approval.

CONSENT  
AGENDA ITEM # 4



RESOLUTION NO. 18-04

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH RELATED TO THE NEW YEAR'S EVE STREET PARTY EVENT; AUTHORIZING VARIOUS ROAD CLOSURES WITHIN PIER PARK ON DECEMBER 29, 30 and 31, 2017 FOR THE EVENT'S STREET PARTY AND BALL DROP; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the New Year's Eve Street Party (the "Event") is planned for December 31, 2017, and shall include the consumption of alcoholic beverages on City streets.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of Panama City Beach that:

1. The City hereby authorizes the temporary closure of portions of certain streets within Pier Park for the New Year's Eve Street Party, as follows:
  - a. The traffic circle in front of the Grand Theater, including Pier Park Drive and LC Hilton Drive, shall be closed to vehicular traffic beginning from 12:01 A.M. on December 29, 2017 until 6:00 A.M. on January 1, 2018, for the Event's Street Party, and all vehicular traffic shall be rerouted away from these roads per the attached map which accompanies this Resolution; and
  - b. Pier Park Drive from Sea Monkey Way to Longboard Way shall be closed to vehicular traffic beginning from 12:01 A.M. on December 30, 2017 until 6:00 A.M. on January 1, 2018, for the Event's Street Party, and all vehicular traffic shall be rerouted away from these roads per the attached map which accompanies this Resolution; and
  - c. Pier Park Drive from Longboard Way to Front Beach Road shall be closed to vehicular traffic beginning from 12:01 A.M. on December 31, 2017 until 6:00 A.M. on January 1, 2018, for the Event's Street Party, and all vehicular traffic shall be rerouted away from these roads per the attached map which accompanies this Resolution.
2. This Resolution shall take effect immediately upon its passage.

PASSED in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

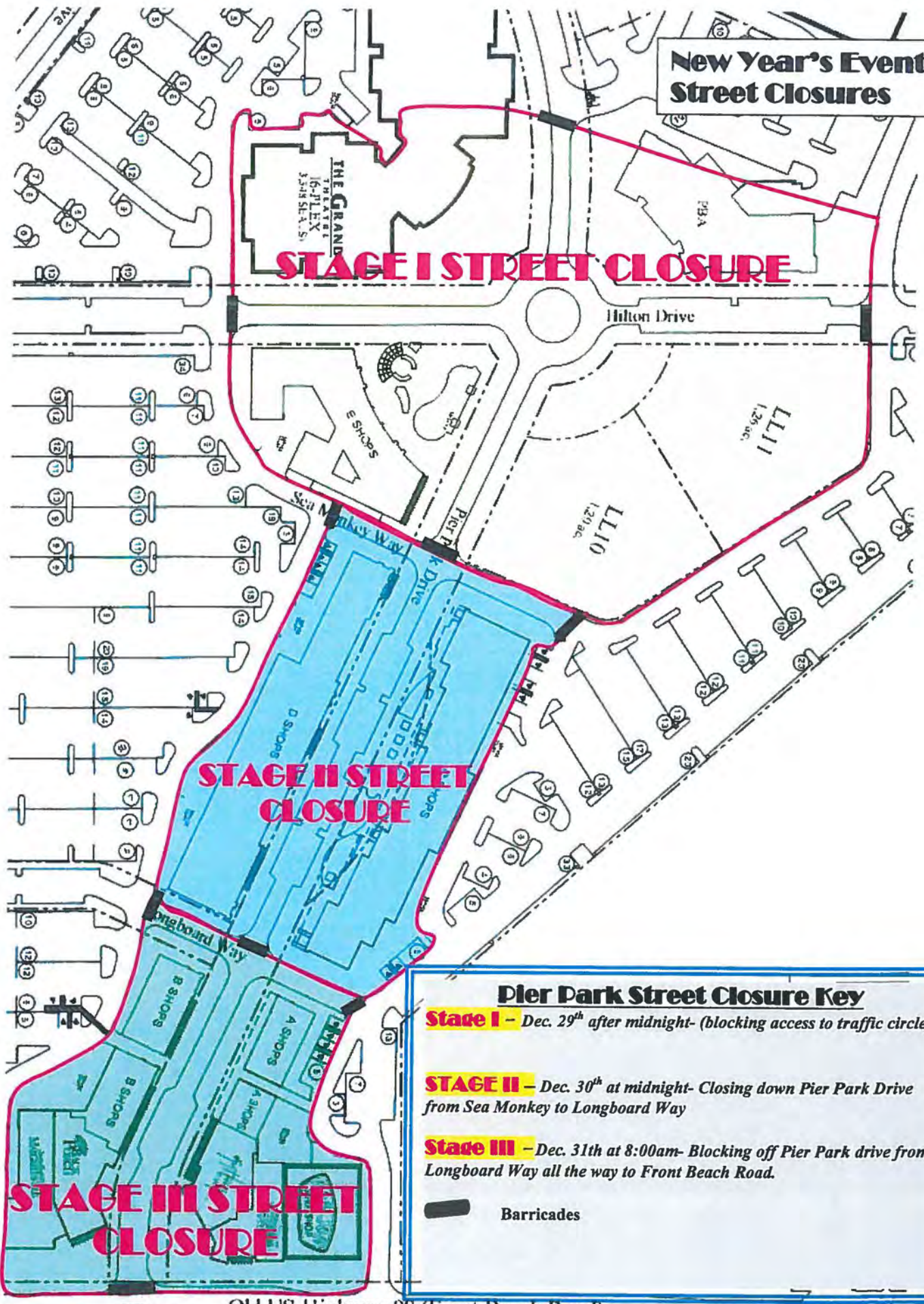
CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**New Year's Event  
Street Closures**



Old US Highway 98 (Front Beach Road)

CONSENT

AGENDA ITEM #

4

# CONSENT ITEM

5





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
ADMINISTRATION

2. MEETING DATE:  
October 12, 2017

3. REQUESTED MOTION/ACTION:

Consideration of Resolution 18-06 to close section of roads near J.R. Arnold High School on Thursday, October 26, 2017 for the Homecoming Parade.

4. AGENDA

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input checked="" type="checkbox"/>
REGULAR	<input type="checkbox"/>

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)

The J.R. Arnold High School will hold the Homecoming Parade on October 26, 2017.

The occasion necessitates closure of sections of North Alf Coleman Road, Market Street and North Richard Jackson Boulevard between 12:30 P.M. and 2:00 P.M. on October 26, 2017, within the corporate limits of Panama City Beach.

Staff recommends approval.

RESOLUTION NO. 18-06

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN SECTIONS OF NORTH ALF COLEMAN ROAD, MARKET STREET AND NORTH RICHARD JACKSON BOULEVARD TO PERMIT THE J.R. ARNOLD HIGH SCHOOL HOMECOMING PARADE ON OCTOBER 26, 2017.

WHEREAS, the J. R. Arnold High School Homecoming Parade will be held on Panama City Beach; and

WHEREAS, the Homecoming Parade has been scheduled for Thursday, October 26, 2017; and

WHEREAS, the occasion necessitates careful traffic control and extraordinary usage of certain sections of North Alf Coleman Road, Market Street and North Richard Jackson Boulevard, within the corporate limits of Panama City Beach;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of Panama City Beach that, during the hours of 12:30 P.M. and 2:00 P.M., on October 26, 2017, certain sections of North Alf Coleman Road, Market Street and North Richard Jackson Boulevard, shall be temporarily closed to permit the J.R. Arnold High School Homecoming Parade, and all vehicular traffic shall be controlled in accordance with the map which accompanies this Resolution.

This Resolution shall be effective immediately upon passage.

PASSED, APPROVED AND ADOPTED in regular session of the Panama City Beach City Council this 12th day of October, 2017.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Resolution 18-06

CONSENT  
AGENDA ITEM # 5



10-06-17; 15:44 ; From:

To: 919043368678 ;

# 3 / 3



CONSENT  
AGENDA ITEM #

5

10-06-17;13:44 ;From:

To:319043369678 ;

# 2/ 3

Rule 14-85.0035(1)(c), F.A.C.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TEMPORARY CLOSING OF STATE ROAD PERMIT

850-040-65 MAINTENANCE 12/11

Date: 10/6/17

Permit No. \_\_\_\_\_

Governmental Entity

Approving Local Government	<u>City of Panama City Beach</u>	Contact Person	<u>Jo Smith</u>
Address	<u>110 S. Arnold Rd. PCB, FL 32413</u>		
Telephone	<u>850-233-5100 x2230</u>	Email	<u>j.smith@pcb.gov.com</u>

Organization Requesting Special Event

Name of Organization	<u>J.R. Arnold High School</u>	Contact Person	<u>Liz Dagen</u>
Address	<u>550 Alf Coleman Rd., PCB, FL 32407</u>		
Telephone	<u>850-767-3700</u>	Email	<u>ldagen@haji.k12.fl.us</u>

Description of Special Event

Event Title	<u>AHS Homecoming Parade</u>	Date of Event	<u>10/26/17</u>
Start Time	<u>12:30p.m.</u>	End Time	<u>2:00p.m.</u>
Event Route (attach map)	_____		
Detour Route (attach map)	_____		

Law Enforcement Agency Responsible for Traffic Control

Name of Agency	<u>Panama City Beach Police Dept.</u>
----------------	---------------------------------------

US Coast Guard Approval for Controlling Movable Bridge

Not Applicable

Copy of USCG Approval Letter Attached

Bridge Location \_\_\_\_\_

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator	<u>Heather Bethea</u>	Signature	<u>Heather D. Bethea</u>	Date	<u>10/6/17</u>
Law Enforcement Name/Title	_____	Signature	_____	Date	_____
Government Official Name/Title	_____	Signature	_____	Date	_____

FDOT Special Conditions


FDOT Authorization

Name/Title	_____	Signature	_____	Date	_____
------------	-------	-----------	-------	------	-------

10-06-17;13:44 ;From:

To:919043368678 ;

# 1/ 3

# FAX COVER SHEET

To: Jo Smith, City of Panama City Beach

Fax Number: 850-233-5108

*Heather Bethea*

---

From: , Arnold High School

RE: Application for road closure for Homecoming Parade

Notes: Please call me if you need anything else. We would love to have the Mayor come join us for the parade! Thank you so much for all your help!

CONSENT  
AGENDA ITEM # 5

REGULAR ITEM

1





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
Panama City Beach Police Department

2. MEETING DATE:  
October 12, 2017

3. REQUESTED MOTION/ACTION:

We respectfully request the Council's approval and adoption of Ordinance NO. 1419 amending the Police Officer's Retirement Plan. (Ordinance No. 1419 attached)

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)

The Police Officer's Pension Board approved the ordinance amending the Police Officer's Retirement Plan. Then on September 14, 2017 the City Council approved the ordinance at first reading. We respectfully request the approval and adoption of Ordinance NO. 1419 amending the Police Officer's Retirement Plan. Officers currently have to reach the age of fifty (50) and have completed twenty (20) years of Credited Service, or reach the age of fifty-five (55) with ten (10) years of Credited Service to reach the normal retirement age and date. Your approval will allow retirement after twenty-five (25) years of Credited Service, regardless of age, to include a one hundred fifty dollar (\$150.00) supplemental benefit which is funded with state premium tax rebate funds at no cost to the City. (Ordinance No. 1419 attached).

ORDINANCE NO. 1419

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH FURTHER AMENDING THE CITY OF PANAMA CITY BEACH POLICE OFFICERS' RETIREMENT PLAN, ADOPTED PURSUANT TO ORDINANCE NO. 1159, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA;

**SECTION 1:** That the City of Panama City Beach Police Officers' Retirement Plan, adopted by ordinance number 1159, as subsequently amended, is hereby further amended by amending Section 6, Benefit Amounts and Eligibility, subsection 1., Normal Retirement Date and adding subsection 6. Supplemental Benefit, to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

1. Normal Retirement Age and Date.

A Member's normal retirement age is the earlier of the attainment of age fifty (50) and the completion of twenty (20) years of Credited Service, ~~or the attainment of age fifty-five (55) and the completion of ten (10) years of Credited Service,~~ **or the completion of twenty-five (25) years of Credited Service, regardless of age.** Each Member shall become one hundred percent (100%) vested in his accrued benefit at normal retirement age. A Member's normal retirement date shall be the first day of the month coincident with or next following the date the Member retires from the City after attaining normal retirement age.

\* \* \*

6. Supplemental Benefit.

**In addition to the benefits provided for above, all normal and early retirees (not disability retirees or terminated vested persons), retiring on or after the effective date of the ordinance adopting this subsection 6, shall receive an additional supplemental monthly benefit of one hundred fifty dollars (\$150.00) per month payable for the life of the retiree.**

**In the event that the total state premium tax rebate in any fiscal year is reduced below \$137,096.00, the supplemental benefit for the following year shall be reduced proportionally to reflect the reduction in the state premium tax rebate below the**

**stated amount. In any fiscal year in which the state premium tax rebate is \$137,096.00 or higher, the above supplemental benefit shall not be adjusted for the following fiscal year.**

**SECTION 2:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3:** That this Ordinance shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
MIKE THOMAS, MAYOR

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MIKE THOMAS, MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2017

Posted on pcbgov.com on the \_\_\_\_ day of \_\_\_\_\_, 2017.



## **City of Panama City Beach Police Officers' Pension Plan**

### **Actuarial Impact Statement as of October 1, 2015**

**Amends the plan to allow for a 25 and out normal retirement and add a \$150/month supplemental benefit.**





Ms. Holly J. White  
Assistant to City Manager for Finance  
City of Panama City Beach  
110 South Arnold Road  
Panama City Beach, FL 32407

Re: *Panama City Beach Police Officers' Pension Plan*

Dear Ms. White:

In accordance with the City's request, we are pleased to present this report on the actuarial funding impact of a proposed change to the Pension Plan. The proposed change would introduce a "25 and out" normal retirement provision as well as add a \$150/month supplemental benefit for those who retire from active status. This change would be paid for by using excess Premium Tax Rebates. The change would be effective October 1, 2017, and would apply only for members who are actively employed on or after that date. That this proposed change is funded by rebates is demonstrated by the fact that the State Minimum Required Contribution remains relatively unchanged.

This actuarial impact study was performed as of October 1, 2015, using the same actuarial basis as the actuarial valuation as of that date. The cost estimates provided in this report were developed as if the proposed plan change were effective for the plan/fiscal year beginning October 1, 2015. The presumption is that the relative impact will be the same if the plan change in fact does not apply until the 2016-2017 fiscal year.

This report includes a Summary of Major Plan Provisions and a description of the Actuarial Basis used in the valuation. We relied on employee and financial data provided by the City. The Actuarial Cost Method used is considered acceptable under the Rules of the Department of Administration, Division of Retirement, Chapter 60T-1, Local Retirement Systems' Actuarial Reports.

STATEMENT BY ENROLLED ACTUARY

This actuarial valuation and/or cost determination was prepared and completed by the undersigned or under my direct supervision, and I acknowledge responsibility for the results. To the best of my knowledge, the results are complete and accurate, and in my opinion, the techniques and assumptions used are reasonable and meet the requirements and intent of Part VII, Chapter 112, Florida Statutes. There is no benefit or expense to be provided by the plan and/or paid from the plan's assets for which liabilities or current costs have not been established or otherwise provided for in the valuation. All known events or trends which may require a material increase in plan costs or required contribution rates have been taken into account in the valuation.

Respectfully submitted,

06/18/2017

\_\_\_\_\_  
Stephen Lambert-Oswald, F.S.A., E.A., M.A.A.A.  
Enrollment No. 17-07225

\_\_\_\_\_  
Date

**City of Panama City Beach  
Police Officers' Pension Plan**

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## City of Panama City Beach Police Officers' Pension Plan

### Development of Normal Cost for State Minimum Required Contribution

October 1, 2015

	<u>Current</u>	<u>Proposed</u>
1. Number of Participants		
Active	56	56
Terminated with Vested Benefits	3	3
Retirees and Beneficiaries	24	24
Total	83	83
2. Participant's Compensation		
a. Below Normal Retirement Age	\$ 2,969,177	\$ 2,969,177
b. Beyond Normal Retirement Age	-	-
c. Total	\$ 2,969,177	\$ 2,969,177
3. Present Value of Benefits		
Active	\$ 13,427,491	\$ 13,800,735
Terminated with Vested Benefits	891,656	891,656
Retirees	9,572,240	9,572,240
Excess State Monies Reserve	58,474	-
Total	\$ 23,949,861	\$ 24,264,631
4. Unfunded Actuarial Accrued Liability	\$ 332,748	\$ 647,518
5. Actuarial Value of Assets	\$ 16,808,417	\$ 16,808,417
6. Past Excess Contributions	\$ 40,746	\$ 40,746
7. Present Value of Future Employee Contributions	\$ 2,478,410	\$ 2,478,410
8. Present Value of Future City Normal Costs = (3) – (4) – [(5) – (6)] – (7) *	\$ 4,371,032	\$ 4,371,032
9. Present Value of Future Compensation	\$ 24,697,974	\$ 24,697,974
10. Normal Cost Rate = (8) ÷ (9)	17.70%	17.70%
11. Normal Cost = (2a) x (10)	\$ 525,544	\$ 525,544

## City of Panama City Beach Police Officers' Pension Plan

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### State Minimum Required Contribution

October 1, 2015

	Plan Year Ended	
	<u>Current</u>	<u>Proposed</u>
1. Normal Cost	\$ 525,544	\$ 525,544
2. Amortization of Actuarial Accrued Liability	\$ 55,360	\$ 102,016
3. Interest Adjustment on (1) and (2) for Quarterly Payment	\$ 22,789	\$ 24,619
4. Expenses		
Current Year Estimate Equal to Prior Year's Actual	\$ 67,958	\$ 67,958
Make-up for Shortfall in Prior Year's Estimate	14,970	14,970
Total	\$ 82,928	\$ 82,928
5. Estimated State Premium Tax Refund (Equal to Prior Year's Actual Refund and Excluding Excess Premium Tax Revenues That Have Not Been Used to Provide Additional Benefits)	\$ 93,639	\$ 140,295
6. Past Excess Contributions plus Interest Adjusted for Quarterly Payment	\$ 42,344	\$ 42,344
7. Minimum Required Contribution by City for Fiscal Year = (1) + (2) + (3) + (4) – (5) – (6)	\$ 550,638	\$ 552,468
8. Percent of Participants' Compensation Below Normal Retirement Age*	18.55%	18.61%

\* Under a new state interpretation, the actual required contribution is based on this percentage of actual, not estimated, Participants' Compensation Below Normal Retirement Age.



**City of Panama City Beach  
Police Officers' Pension Plan**

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**Unfunded Frozen Initial and Supplemental Liabilities**

October 1, 2015

	Initial Amount to be Amortized	Beginning Amortization Period	Original Amortization Period (Years)	Years Remaining	(BOY) Annual Amortization Amount	Unamortized Balance as of 10/1/2015
Initial Liability	\$ 369,135	10/1/1994	17	0	\$ -	\$ -
Benefit Improvement	407,851	10/1/1994	30	9	33,545	226,316
Plan/Assumption Change	265,236	10/1/1994	30	9	21,815	147,178
Add \$150/month Supplemental Plus 25 and out	314,770	10/1/2016	9	9	46,656	314,770
					<hr/> \$ 102,016	
						1. Unamortized Balance as of 10/1/2015 \$ 688,264
						2. Past Excess Contributions <hr/> 40,746
						3. Remaining Unfunded Liabilities = (1) - (2) \$ 647,518

**City of Panama City Beach  
Police Officers' Pension Plan**

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**Schedule Illustrating the Amortization of  
Unfunded Liabilities Existing This Date**

October 1, 2015

October 1	Liability
2015	\$ 647,518
2016	589,142
2017	526,096
2018	458,007
2019	384,471
2020	305,052
2021	219,279
2022	126,644
2023	26,599
2024	-

The first figure is the Unfunded Frozen Initial and Supplemental Liabilities as of the current valuation date. For each year thereafter, the preceding year's Unfunded Liability is reduced by the annual amortization amount shown on the page titled History of Unfunded Frozen and Supplemental Liabilities and increased with interest at 8.00% per annum.

Thus the remaining amortization period as of the October 1, 2015, valuation is 2024 less 2015, or 9 years.

**City of Panama City Beach  
Police Officers' Pension Plan**

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**Past Excess Contributions (State Requirements)**

October 1, 2015

	Plan Year Ended	
	<u>9/30/2014</u>	<u>9/30/2015</u>
<b>Charges:</b>		
Deficiency Brought Forward	\$ -	\$ -
Normal Cost	N/A	N/A
Expenses (Estimated and Make up)	N/A	N/A
Amortization of Frozen Initial and Supplemental Liabilities	N/A	N/A
Required City Contribution, per State* State (Estimated)	600,619	615,560
Interest	93,639	93,639
	<u>25,175</u>	<u>27,822</u>
Total Charges	\$ 719,433	\$ 737,021
<b>Credits:</b>		
Excess Contribution Brought Forward	\$ 2,883	\$ 62,506
City Contributions	646,023	589,810
State Contributions (Excluding Excess Premium Tax Revenues That Have Not Been Used to Provide Additional Benefits)	105,385	93,639
Interest	27,648	31,812
	<u>781,939</u>	<u>777,767</u>
Total Credits	\$ 781,939	\$ 777,767
<b>Balance:</b>		
Excess Contribution Carried Forward	<u>\$ 62,506</u>	<u>\$ 40,746</u>
Deficiency Carried Forward	<u>\$ -</u>	<u>\$ -</u>

\*Under a new state interpretation, the actual required contribution is based on the required contribution rate times actual Participants' Compensation Below Normal Retirement Age for the Plan Year. See the "State Required Exhibit" for this determination.

## City of Panama City Beach Police Officers' Pension Plan

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### Market Value of Assets

October 1, 2015

	<u>10/1/2013</u>	<u>10/1/2015</u>
<b>Assets:</b>		
Cash	\$ 1,050,790.21	\$ 1,284,356.72
Certificates of Deposit	-	-
Government and Corporate Bond	4,540,069.65	4,380,901.23
Real Estate and Equity Funds	10,958,812.72	10,237,566.60
Due from City Funds	-	359,893.76
Due from State of Florida	-	117,869.72
Accrued Interest	-	-
Miscellaneous Receivable	-	21,583.68
	<hr/>	<hr/>
Total Assets	\$ 16,549,672.58	\$ 16,402,171.71
<b>Liabilities and Fund Balance:</b>		
<b>Liabilities:</b>		
Accounts Payable	\$ (9,941.51)	\$ (15,076.85)
Refunds or Benefits Payable	(549.64)	(390.27)
Due Other Funds	-	(42,498.14)
	<hr/>	<hr/>
Total Liabilities	\$ (10,491.15)	\$ (57,965.26)
Pension Fund Balance:	<u>\$ 16,539,181.43</u>	<u>\$ 16,344,206.45</u>



## City of Panama City Beach Police Officers' Pension Plan

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### Reconciliation of Assets (Market Value)

October 1, 2015

	Plan Year Ended	
	<u>9/30/2014</u>	<u>9/30/2015</u>
<b>Revenues:</b>		
City Contributions	646,022.66	589,810.48
Employee Contributions	307,896.30	325,235.28
State Contributions	111,256.94	117,869.72
Repayment of Contributions	-	-
Interest & Dividends	260,376.11	380,177.70
Unrealized/Realized Gains (Losses)	1,291,130.89	(613,462.95)
Commissions	-	-
	<hr/>	<hr/>
Total Revenues	\$ 2,616,682.90	\$ 799,630.23
<b>Expenses:</b>		
Pension Payments	670,793.07	826,245.48
Contribution Refunds	107,621.01	100,401.84
DROP Payments	210,819.03	-
Investment Expenses	34,355.55	47,486.59
Other Expenses	18,632.35	20,471.30
	<hr/>	<hr/>
Total Expenses	\$ 1,042,221.01	\$ 994,605.21
<b>Net Income:</b>	\$ 1,574,461.89	\$ (194,974.98)
<b>Fund Balance, Beginning of Year:</b>	14,964,719.53	\$ 16,539,181.42
<b>Fund Balance, End of Year:</b>	\$ 16,539,181.42	\$ 16,344,206.44

**City of Panama City Beach  
Police Officers' Pension Plan**

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**Investment Gain/(Loss)**

October 1, 2015

	10/1/2015	10/1/2014	10/1/2013	10/1/2012
1. Date of Actuarial Value of Assets:	10/1/2015	10/1/2014	10/1/2013	10/1/2012
2. Market Value as of Prior Year (including receivable contributions)	\$ 16,539,181	\$ 14,964,720	\$ 12,948,979	\$ 10,896,205
3. Receivable Contribution included above	\$ -	\$ -	\$ -	\$ -
4. Market Value Excluding Receivable (2) - (3)	\$ 16,539,181	\$ 14,964,720	\$ 12,948,979	\$ 10,896,205
5. Employer, Employee & State Contributions (made for the year, i.e., excluding the receivable contribution, item (3), but including contributions made after the end of the year with no expected return thereon)	\$ 1,032,915	\$ 1,065,176	\$ 857,352	\$ 773,832
6. Benefit Distributions	\$ 926,647	\$ 989,233	\$ 607,431	\$ 699,279
7. Administrative Expenses	\$ 67,958	\$ 52,988	\$ 52,529	\$ 57,490
8. Expected Return %	8.00%	8.00%	8.00%	8.00%
a. Item (4) for 1 year	\$ 1,323,135	\$ 1,197,178	\$ 1,035,918	\$ 871,696
b. Item (3) for partial & (5) for 1/2 year	40,522	41,787	33,634	30,358
c. Item (6) for 1/2 year	(36,353)	(38,808)	(23,830)	(27,433)
d. Item (7) for 1/2 year	(2,666)	(2,079)	(2,061)	(2,255)
	<u>\$ 1,324,638</u>	<u>\$ 1,198,078</u>	<u>\$ 1,043,661</u>	<u>\$ 872,366</u>
9. Expected Market Value (2)+(5)-(6)-(7)+(8)	\$ 17,902,130	\$ 16,185,752	\$ 14,190,032	\$ 11,785,635
10. Actual Market Value this Year (including receivable contributions)	\$ 16,344,206	\$ 16,539,181	\$ 14,964,720	\$ 12,948,979
11. Investment Gain/(Loss) from Experience	\$ (1,557,923)	\$ 353,429	\$ 774,687	\$ 1,163,343

# City of Panama City Beach Police Officers' Pension Plan

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## Actuarial Value of Assets

October 1, 2015

5 -YEAR SMOOTHED MARKET VALUE WITHOUT PHASE-IN	10/1/2015
1. Market Value of Assets	\$ 16,344,206
2. Investment Gains/(Losses) for Four Prior Years	
a.           Oct-14	\$ (1,557,923)
b.           Oct-13	353,429
c.           Oct-12	774,687
d.           Oct-11	1,163,343
3. Unrecognized Investment Gains/(Losses)	
a.           Oct-14   80%   of (2)(a)	\$ (1,246,339)
b.           Oct-13   60%   of (2)(b)	212,057
c.           Oct-12   40%   of (2)(c)	309,875
d.           Oct-11   20%   of (2)(d)	<u>232,669</u>
e.    Total: (a)+(b)+(c)+(d)	\$ (491,738)
4. Preliminary Actuarial Value of Assets = (1) - (3)(e)	\$ 16,835,944
5. Adjustment to be within 20% of market value	\$ -
6. Actuarial Value of Assets = (4) + (5)	\$ 16,835,944

**City of Panama City Beach  
Police Officers' Pension Plan**

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**Allocation of Actuarial Value of Assets to the  
Reserve for Other Retirement Benefits (i.e., Excluding DROP)**

October 1, 2015

	<u>Actuarial Value Allocated in Proportion to Market Value</u>	<u>Market Value</u>
Reserve for DROP	\$ 27,527	\$ 26,723
Reserve for Other Retirement Benefits	<u>16,808,417</u>	<u>16,317,483</u>
 Total Fund Balances	 \$ 16,835,944	 \$ 16,344,206



## City of Panama City Beach Police Officers' Pension Plan

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### Funded Status – Accrued Benefits (ASC 960)

October 1, 2015

Generally the best measures of the Funded Status of a defined benefit plan are considered to be the levels of funding of the Actuarial Present Values of Accumulated Plan Benefits and Vested Benefits. Accumulated Plan Benefits are those future benefit payments that are attributable under the plan's provisions to employees' service rendered prior to the valuation date. Accumulated Plan Benefits are based on employees' actual pay histories, or estimates thereof; possible future salary increases or changes in Social Security levels are not recognized. Vested Benefits are those benefits which are nonforfeitable under the plan's vesting provisions.

The Actuarial Present Value of Accumulated Plan Benefits is the amount resulting from the application of actuarial assumptions to the Accumulated Plan Benefits to reflect the time value of money and the probabilities of death, disability, withdrawal and retirement. Underlying these assumptions (described on the Actuarial Basis page) is an assumption of an ongoing plan. Since most Accumulated Plan Benefits are generally synonymous with "Accrued Benefits" as defined in the plan, the Actuarial Present Value of Accumulated Plan Benefits has also been called the Present Value of Accrued Benefits.

	<u>10/1/2014</u>	<u>10/1/2015</u>
<b>NET ASSETS AVAILABLE FOR BENEFITS*</b>	\$ 15,507,985	\$ 16,808,417
<b>ACTUARIAL PRESENT VALUE OF ACCUMULATED PLAN BENEFITS</b>		
Vested Benefits		
Participants Currently Receiving Payments	\$ 8,922,332	\$ 9,572,240
All Other Participants	5,112,446	5,612,051
<b>TOTAL VESTED BENEFITS</b>	<b>\$ 14,034,778</b>	<b>\$ 15,184,291</b>
Percent Funded	110%	111%
<b>NONVESTED BENEFITS</b>	1,044,455	844,322
<b>EXCESS STATE MONIES RESERVE</b>	16,625	58,474
<b>TOTAL ACTUARIAL PRESENT VALUE OF ACCUMULATED PLAN BENEFITS</b>	<b>\$ 15,095,858</b>	<b>\$ 16,087,087</b>
Percent Funded	103%	104%

\* Actuarial Value of Assets

## City of Panama City Beach Police Officers' Pension Plan

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### Funded Status – Accrued Benefits (ASC 960) (Continued)

October 1, 2015

	<u>10/1/2014</u>	<u>10/1/2015</u>
<b>ACTUARIAL PRESENT VALUE OF ACCUMULATED PLAN BENEFITS AS OF PRIOR VALUATION DATE</b>	\$ 14,026,578	\$ 15,088,316
Increase (Decrease) During the Year Attributable to:		
Increase for Interest Due to the Decrease in the Discount Period	\$ 1,090,990	\$ 1,169,999
Benefits Paid	(778,414)	(926,647)
Benefits Accumulated, Turnover, Other Experience	749,162	755,419
Change in Actuarial Assumptions	-	-
Plan Amendment	-	-
Net Increase (Decrease)	\$ 1,061,738	\$ 998,771
<b>ACTUARIAL PRESENT VALUE OF ACCUMULATED PLAN BENEFITS AS OF CURRENT VALUATION DATE</b>	<b>\$ 15,088,316</b>	<b>\$ 16,087,087</b>

**City of Panama City Beach  
Police Officers' Pension Plan**

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**State Required Exhibit**

October 1, 2015

	<u>10/1/2014</u>	<u>10/1/2015</u>
<b>A. <u>Member Data</u></b>		
1. Active Members	54	56
2. Retired Members and beneficiaries receiving benefits (including DROP)	20	24
3. Disabled Members receiving benefits	0	0
4. Terminated vested Members	6	3
5. Prior year active compensation	\$ 2,590,023	\$ 2,858,939
6. Annual benefits payable to retirees and beneficiaries (including DROP)	\$ 776,956	\$ 847,166
7. Annual benefits payable to disabled retirees	\$ -	\$ -
8. Annual benefits payable to terminated vested Members	\$ 131,144	\$ 93,594
<b>B. <u>Assets</u></b>		
1. Actuarial value	\$ 15,507,985	\$ 16,808,417
2. Market value	16,539,181	16,317,483
<b>C. <u>Liabilities</u></b>		
1. Actuarial present value of future expected benefit payments for active members		
a. Retirement benefits	\$ 9,990,011	\$ 11,703,095
b. Termination benefits	2,087,315	1,881,734
c. Death benefits	76,992	82,357
d. Disability benefits	121,477	133,549
e. Total	\$ 12,275,795	\$ 13,800,735
2. Actuarial present value of future expected benefit payments for terminated vested members	\$ 1,114,230	\$ 891,656
3. Actuarial present value of future expected benefit payments for members currently receiving benefits		
a. Service retired, beneficiaries and DROP	\$ 8,922,332	\$ 9,572,240
b. Disability retired	-	-
c. Total	\$ 8,922,332	\$ 9,572,240
4. Excess State Monies Reserve	\$ 16,625	\$ 58,474
5. Total actuarial present value of future expected benefit payments	\$ 22,328,982	\$ 24,323,105
6. Entry age normal accrued liability	\$ 18,078,928	\$ 18,078,928
7. Unfunded entry age normal accrued liability	\$ 1,539,747	\$ 1,761,445
8. Liabilities at FRS discount rate		
a. Discount rate	7.65%	7.65%
b. Entry age normal accrued liability	\$ 18,718,027	\$ 18,718,027
c. Unfunded entry age normal accrued liability	\$ 3,210,042	\$ 1,909,610

## City of Panama City Beach Police Officers' Pension Plan

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State Required Exhibit (Continued)

October 1, 2015

	<u>10/1/2014</u>	<u>10/1/2015</u>
<b>D. <u>Statement of Accumulated Plan Benefits</u></b>		
1. Actuarial present value of accumulated vested benefits		
a. Members currently receiving benefits (including DROP)	\$ 8,922,332	\$ 9,572,240
b. Other Members	5,112,446	5,612,051
c. Total	\$ 14,034,778	\$ 15,184,291
2. Actuarial present value of accumulated non-vested plan benefits	1,044,455	844,322
3. Excess State Monies Reserve	16,625	58,474
4. Total actuarial present value of accumulated plan benefits	\$ 15,095,858	\$ 16,087,087
5. Liabilities at FRS discount rate		
a. Discount rate	7.65%	7.65%
b. Actuarial present value of accumulated vested benefits	\$ 14,595,408	\$ 14,595,408
c. Total actuarial present value of accumulated plan benefits	\$ 15,704,488	\$ 15,746,337
<b>E. <u>Statement of Change in Accumulated Plan Benefits</u></b>		
1. Actuarial present value of accumulated plan benefits as of Prior Valuation Date	\$ 14,026,578	\$ 15,088,316
2. Increase (decrease) during year attributable to:		
a. Plan amendment	0	0
b. Change in actuarial assumptions	0	0
c. Benefits paid	(778,414)	(926,647)
d. Other, including benefits accumulated and increase for interest due to decrease in the discount period	1,840,152	1,925,418
e. Net increase	\$ 1,061,738	\$ 998,771
3. Actuarial present value of accumulated plan benefits as of Current Valuation Date	\$ 15,088,316	\$ 16,087,087

## City of Panama City Beach Police Officers' Pension Plan

### State Required Exhibit (Continued)

October 1, 2015

Actuarial Valuation Date For Contribution Year	<u>10/1/2013</u> 2013-14	<u>10/1/2014</u> 2014-15
<b>F. <u>Past Contributions</u></b>		
1. Total contribution required		
a. City		
i. Estimated Dollars, from Actuarial Valuation	\$ 615,147	\$ 550,638
ii. Percentage of Participants' Compensation	23.08%	18.55%
iii. Actual Compensation Under NRA	\$ 2,590,023	\$ 2,858,939
iv. Required, per new state interpretation = (ii.) x (iii.)	\$ 597,777	\$ 530,333
b. State (Estimated)	93,639	93,639
c. Member*	293,119	300,595
d. Total = (a.iv.) + (b.) + (c.)	\$ 984,535	\$ 924,567
2. Actual contributions made:		
a. City	\$ 646,023	\$ 589,810
b. State**	93,639	93,639
c. Member	307,896	325,235
d. Total	\$ 1,047,558	\$ 1,008,684
<b>G. <u>Net Actuarial Gain (Loss)</u></b>	N/A	N/A
<b>H. <u>Disclosure of Following Items:</u></b>	<u>10/1/2014</u>	<u>10/1/2015</u>
1. Actuarial present value of future salaries - attained age***	\$ 22,998,907	\$ 24,697,974
2. Actuarial present value of future employee contributions - attained age***	\$ 2,307,237	\$ 2,478,410
3. Actuarial present value of future contributions from other sources	N/A	N/A
4. Amount of active members' accumulated contributions	\$ 1,894,166	\$ 2,042,622
5. Actuarial present value of future salaries and future benefits at entry age	Not provided by system	
6. Actuarial present value of future employee contributions at entry age	Not provided by system	

\* Determined by applying the required employee contribution rate (11.0%) to expected compensation for the year for participants under Normal Retirement Age (NRA)

\*\* Excluding Excess Premium Tax Revenues that have not been used to provide Additional Benefits

\*\*\* Participants under Normal Retirement Age (NRA) only



## City of Panama City Beach Police Officers' Pension Plan

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### Summary of Major Plan Provisions

October 1, 2015

**Effective Date:** August 25, 1971.

**Plan Year:** October 1 to September 30.

**Last Amendment:** Restatement (Ordinance 669) effective June 8, 2000. First Amendment (Ordinance 715) effective March 8, 2001 (changing Employee Contributions from 7.0% to 9.7% and the multiplier from 3.00% to 3.25%). Second Amendment (Ordinance 794) effective April 10, 2003 (for various law and other changes). Third Amendment (Ordinance 811) effective July 10, 2003 (adding Early Retirement). Fourth Amendment (Ordinance 881) effective July 22, 2004 (adding 3% increasing annuities as an Optional Form of Payment and changing investment policy). Fifth Amendment (Ordinance 1029) effective May 11, 2006 (changing various provisions as required by new IRS rules). Sixth Amendment (Ordinance 1070) effective May 17, 2007 (changing Employee Contributions from 9.7% to 11.0% and the multiplier from 3.25% to 3.50%). Seventh Amendment (Ordinance 1083) effective July 26, 2007 (adding 5% fixed investment return option for DROP). Restatement (Ordinance 1159) adopted August 17, 2009. First Amendment (Ordinance 1222) effective February 9, 2012 (adding 300 hours of overtime cap).

**Eligibility:** All permanent Police Officers who have passed the medical examination.

**Employee Contributions:** 11% of Compensation (9.7% prior to May 17, 2007) and excluded from taxable income under IRC Section 414(h).

**Compensation:** Total compensation paid by the City for services rendered as reported on Form W-2, plus all tax deferred, tax sheltered or tax exempt amounts derived from elective employee contributions or salary reductions. Compensation includes regular pay, overtime (up to 300 hours) and other cash incentives. Payments of leave amounts (vacation, sick, etc.) upon termination of employment shall not be included. Auto allowance and mileage reimbursements shall not be included. Compensation in excess of the IRC Section 401(a)(17) limit is disregarded.

**Average Final Compensation:** The Compensation received during the 5 years out of the last 10 years of Credited Service divided by 60, which produces the highest average, or the career average as a full-time Police Officer, if greater.

**Credited Service:** Years and fractional parts of years of service as a Police Officer with the City and while making Employee Contributions.

**Accrued Benefit:** The benefit using the formula for the Normal Retirement Benefit, based upon the Average Final Compensation and Credited Service as of the date of the calculation. The Accrued Benefit is payable at the Normal Retirement Date in the Normal Form of Benefit.

**Accumulated Contributions:** A participant's contributions with interest compounded annually at 5.25% through June 8, 2000; after that date interest is no longer accrued.

**Normal Retirement Date:** The first day of the month coincident with or next following the earlier of (1) the date a participant attains age 50 and has completed at least 20 years of Credited Service or (2) the date he attains age 55 and has completed at least 10 years of Credited Service. The proposed plan change would

## City of Panama City Beach Police Officers' Pension Plan

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also allow normal retirement with 25 years of service regardless of age.

**Early Retirement Date:** The first day of the month coincident with or next following the date a participant attains age 50 and has completed at least 10 years of Credited Service.

**Normal Form of Benefit:** A monthly annuity for life with 10 years certain.

**Optional Forms of Benefit:** Benefits Actuarially Equivalent to the benefit provided under the Normal Form of Benefit; optional forms:

- a. Life annuity (with no modified cash refund feature),
- b. Joint and survivor annuity (100%, 75%, 66 2/3% or 50%; reducing upon death of participant only),
- c. Level income option,
- d. Any of the above forms, increasing 3% per year on each January 1, or
- e. Lump Sum if under \$5,000, or less than \$100 per month.

**Normal Retirement Benefit:** A monthly benefit commencing at the Normal Retirement Date equal to 3.5% of Average Final Compensation multiplied by years of Credited Service, but not more than 100% of Average Final Compensation (excluding COLA's). The proposed plan change would also add a fixed \$150/month supplement for anyone retiring from active service. The normal form for this benefit would be a life annuity.

**Late Retirement Benefit:** Additional benefits will accrue after the Normal Retirement Date.

**Early Retirement Benefit:** A participant who elects to retire on or after his Early Retirement Date may receive an Early Retirement Benefit commencing at his Normal Retirement Date equal to his Accrued Benefit. If he further elects to have such benefit commence prior to his Normal Retirement Date, it shall be reduced 3% per year (.25% per month) for each period by which the benefit commencement date precedes his Normal Retirement Date. For this purpose Normal Retirement Date is determined based on the participant's actual years of Credited Service as a Police Officer at his termination date.

**Death Benefit:** The beneficiary of a participant who dies (1) during employment or after termination with a vested benefit and (2) with respect to whom benefit payments have not commenced shall be entitled to a Death Benefit equal to 100 times his monthly Accrued Benefit based on his Credited Service and Average Final Compensation as of the time of death. This benefit is payable in a lump sum unless the Police Officer elected that it be paid in an Actuarially Equivalent annuity or installments. The Plan also provides minimum Death Benefits based upon the vested, 10-year-certain portion of the Normal Form of Benefit or the refund of Accumulated Contributions.

**Termination of Employment Benefit:** A participant who terminates his employment after completing ten years of Credited Service for reason other than death, disability or retirement shall be entitled to a vested deferred monthly benefit commencing at his Normal Retirement Date equal to his Accrued Benefit. Any participant may withdraw his Accumulated Contributions; a vested participant who withdraws his Accumulated Contributions forfeits his rights to his vested Accrued Benefit or Death Benefit.

If a participant terminates after completing 10 years but prior to being eligible for retirement:

- With less than 20 years of Credited Service, his annuity can begin unreduced at age 55 or reduced (3% per year) between ages 50 and 55, or
- With 20 or more years of Credited Service, his annuity can begin unreduced at age 50.

## City of Panama City Beach Police Officers' Pension Plan

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**Disability Benefit:** A Participant who becomes totally and permanently disabled shall be eligible to receive a Disability Benefit in the form of an immediate monthly annuity for life with ten years certain as follows:

**Job-Related Disability:** Without regard to years of Credited Service, a benefit equal to the greater of his Accrued Benefit or 42% of Average Final Compensation as of the date of disability.

**Non-Job-Related Disability:** With ten or more years of Credited Service, a benefit equal to his Accrued Benefit as of the date of disability.

The Disability Benefit together with worker's compensation benefits may not exceed 100% of pay, as provided in the Plan. Optional Forms of Benefit may be elected.

**Actuarial Equivalent:** A benefit or amount of equal value, based upon the 1983 Group Annuity Mortality Table for Males and an interest rate of 8% per annum. In practice, in accordance with the prior document, the Table for Males is used for all Police Officers, regardless of sex, and the same table with ages set back 6 years is used for all beneficiaries and survivor annuitants, regardless of sex.

**Maximum Benefits:** IRC Section 415 limits apply as modified for governmental plans and for police and fire plans.

### **Deferred Retirement Option Program (DROP):**

- a. **Eligibility:** Normal Retirement.
- b. **Benefit Amount:** The participant's Accrued Benefit calculated as of the beginning of the DROP period, accumulated quarterly with interest at a rate equal to either the Pension Plan's net investment performance during the quarter or a fixed guaranteed rate of 5% annually, plus cost-of-living adjustments, if any, during the DROP period. The participant elects which interest basis he wants upon his entry into the DROP, and may change such election only once during the DROP period.
- c. **Form of Benefit:** When the DROP period ends (maximum 5 years), the employee must terminate employment. At that time, the accumulated DROP benefits will be distributed in the form of a lump sum, a rollover, or a nonforfeitable fixed annuity to the participant, or if deceased, such participant's designated beneficiary. In addition, the monthly annuity, including any COLA adjustments, will continue to the participant as otherwise provided in the Plan.
- d. **Other Provisions:** A participant in DROP is no longer eligible for Death or Disability Benefits. Employee Contributions are no longer collected, and Credited Service and Average Final Compensation are frozen as of the date of entry into DROP.

# City of Panama City Beach Police Officers' Pension Plan

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## Actuarial Basis

October 1, 2015

### ACTUARIAL COST METHOD

Entry Age Normal with Frozen Initial Liability. Changes in actuarial assumptions are reflected in Normal Cost. Since at least 1999, all changes in plan benefits have been funded either by increases in the employee contribution rate or by increased Premium Tax Revenues.

### ACTUARIAL ASSUMPTIONS

**Investment Yield:** The investment rate of earnings is assumed to be 8.00% per annum.

**Interest on Employee Contributions:** No interest is credited beyond June 8, 2000.

**Mortality:** Mortality is based on the RP-2000 (Retirement Plans-2000) Generational Tables from the year 2000 using Scale. [ProVal name: IRS 2008 Generational Mortality]

**Disability:** Preretirement disability is assumed to occur in accordance with a standard scale of disability rates (1955 UAW, male and female). Sample rates are shown below:

Age	Probability of Disablement	
	Male	Female
20	0.03%	0.04%
30	0.04%	0.06%
40	0.07%	0.10%
50	0.18%	0.26%
60	0.90%	1.21%

Twenty-five percent of disabilities are assumed to be non-job-related.

**Withdrawal:** Preretirement withdrawals are assumed to occur in accordance with a standard scale of turnover rates (T-5). Sample rates are shown below:

Age	Probability of Withdrawal
20	7.9%
30	7.2%
40	5.2%
50	2.6%

**Salary Scale:** Future salaries are assumed to increase at the rate of 6% per year.

## City of Panama City Beach Police Officers' Pension Plan

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**Actuarial Value of Assets:** Assets are valued using a 5-year smoothed market value without phase-in.

**Retirement Rate:** Each active participant is assumed to retire on the later of the actuarial valuation date or his Normal Retirement Date.

**Timing of Contribution:** The contribution is assumed to be made quarterly throughout the plan year.

**Employees Covered:** All participants as of the actuarial valuation date.

**Expenses:** Expenses for the current year are assumed to equal actual expenses for the prior year. If actual expenses for the current year differ from this estimate, a make-up contribution or credit is included.

**Maximum Compensation:** Compensation is limited to \$260,000 projected to increase at the rate of 4% per annum.

**Maximum Benefits:** The \$210,000 maximum for years ending in 2014 and other applicable Benefit Limitations under Section 415 are projected to increase at the rate of 4% per annum.

**Completeness of Assumptions:** All benefits and expenses to be provided by the Plan are recognized in the valuation. All known events are taken into account; no current trends are assumed to discontinue in the future.

### COMPARABILITY WITH PRIOR VALUATION

**Significant Events During the Year:** None.

**Significant Changes in the Summary of Major Plan Provisions:** None.

**Significant Changes in the Actuarial Cost Method or Actuarial Assumptions:** Mortality was updated to RP-2000 Generational Mortality using Scale AA.

**Other Information Needed to Fully and Fairly Disclose the Actuarial Position of the Plan:** None.



## City of Panama City Beach Police Officers' Pension Plan

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### Actuarial Cost Method "Entry Age Normal with Frozen Initial Liability"

October 1, 2015

An actuarial valuation is a series of mathematical calculations which project future benefits under a pension plan and future contributions to fund those benefits. The true cost of a pension plan cannot be determined until the last benefit is paid, because the true cost is the actual benefits ultimately paid, plus the expense of maintaining the plan, less the actual income earned on invested funds. Since funding cannot wait until the last benefit is paid, however, actuarial assumptions are used to project ultimate benefit levels and the reserves needed to provide them. An actuarial cost method is then used to establish a reasonable pattern of contributions to accumulate those reserves. The assumptions and cost method themselves, therefore, only impact on the incidence of funding, not the true cost. Each new valuation automatically corrects for any differences between the assumptions and actual experience, and the correction is spread over the current and future years of funding.

The Entry Age Normal with Frozen Initial Liability cost method spreads the funding of a portion of the pension benefits over the future service of all active participants and the balance is funded in a separate amortization schedule.

The Frozen Initial Liability is determined and fixed in the first year the cost method is adopted, although it may be redetermined or a supplemental piece added when the Plan is amended. The Frozen Initial Liability is the excess of the Present Value of Benefits over the sum of (a) the Present Value of Future Entry Age Normal Costs, (b) the Present Value of Future Employee Contributions, and (c) the Actuarial Value of Assets in the Trust Fund. The Entry Age Normal Cost is the annual cost determined by assuming the current Plan was always in effect and calculating the amount needed to produce level funding of benefits for all current participants from the date they would have entered the Plan. The Frozen Initial Liability may be amortized over as many as 40 years.

In each subsequent year, the order of steps is reversed. The Present Value of Future Normal Costs is calculated as the excess of the Present Value of Benefits over the sum of (a) the unfunded portion of the Frozen Initial Liability, (b) the Actuarial Value of Assets and (c) the Present Value of Future Employee Contributions.

The Normal Cost is developed by spreading the Present Value of Future City Normal Costs over the future compensation of all participants as a level percentage of pay, i.e., by dividing it by the Present Value of Future Compensation to get the Normal Cost Rate. The Normal Cost is the product of the Normal Cost Rate and the current Participants' Compensation. Actuarial gains or losses are included in the Present Value of Future Normal Costs, and are reflected in the Normal Cost Rate and thereby spread over the remaining future service of the participants in the Normal Cost. The Frozen Initial Liability is not adjusted for actuarial gains or losses.

## City of Panama City Beach Police Officers' Pension Plan

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The state minimum required contribution in a particular year is equal to the Normal Cost, plus a level amount which will amortize the Frozen Initial Liability and supplemental bases over the applicable number of years, plus expected and "make-up" expenses, less the Past Excess Contributions.

In the event of either a negative Normal Cost or an unfunded liability that is zero or less, the Cost Method will operate temporarily as the Aggregate Cost Method, in effect, until a positive unfunded liability is established at the time of a plan amendment, when a new Frozen Initial Liability is established.

The calculation of the contribution has been made in a manner that assumes quarterly payment during the Plan Year. In order to meet the state minimum funding requirements, the state minimum required contribution must be made at least quarterly during the Plan Year.

REGULAR ITEM

2



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
LEGAL/PLANNING/STREET

2. MEETING DATE:  
OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:  
APPROVE SECOND READING OF ORDINANCE ESTABLISHING STANDARDS FOR PLACEMENT OF WIRELESS FACILITIES IN PUBLIC ROW

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)

The City needs to reevaluate various policies relating to Telecommunications Towers, i.e. cell towers, within public rights-of-way ("ROW") based on new legislation passed by the State of Florida in its last session. Typically, Telecommunications Towers have been considered not allowed within ROW in Panama City Beach due to various requirements in the City of Panama City Beach Land Development Code (the "LDC"), despite not being expressly prohibited. Shorter poles with wireless facilities mounted to them, and sometimes with other equipment installed around their bases, are becoming common in Florida ("small cells"). The LDC does not provide different requirements for small cells, so generally they also have not been allowed in ROW. Collocations of telecommunications antennas onto existing structures, whether or not in the ROW, are allowed by the LDC with minimal restrictions.

Small cells are meant to improve cellular and wireless coverage and signals and stricter rules will lessen those improvements while at the same time increase the likelihood of an industry backed challenge. Regardless, it is important for the City to address rules for locations adopted promptly because it is arguable that the City would have no limits on locations aside from the very limited statutory rules if the current Telecommunications Towers limits (1500 feet between towers, 50-foot setback from parcel lines) were found "unreasonable" under the statute.

The City's rules regulating Telecommunications Towers and Collocations of Antennas (all as defined by the LDC) have been left intact and would not be amended in the ordinance. The ordinance does propose new sections focused on small cells in the public rights-of-way. The result is no change to how property outside of the public right-of-way is regulated and no change within public-rights-of-way for equipment too large to be considered a Small Wireless Facility or Small Wireless Pole. For equipment and structures that do qualify as a Small Wireless Facility or Small Wireless Pole, the rules proposed include design, height and spacing requirements, and clarification of the process by which applications for these facilities will be processed. A utility pole may be replaced as part of a Collocation if no part of the new utility pole and small wireless facility would extend more than 10 feet above the original utility pole.



ORDINANCE NO. 1430

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE FOR CONSISTENCY WITH HOUSE BILL 687 REGARDING WIRELESS FACILITIES IN PUBLIC RIGHTS-OF-WAY; CREATING DEFINITIONS FOR SMALL WIRELESS FACILITY AND SMALL WIRELESS POLE; ESTABLISHING PERMISSIBLE DESIGN AND LOCATIONS FOR SMALL WIRELESS FACILITIES AND SMALL WIRELESS POLES IN RIGHTS-OF-WAY; REQUIRING LIGHT POLE STEALTH DESIGN; REQUIRING MINIMUM DISTANCE FROM DWELLINGS; REQUIRING MINIMUM DISTANCE FROM A BUSINESS'S PRIMARY PEDESTRIAN PUBLIC ENTRANCE; ESTABLISHING MINIMUM DISTANCE BETWEEN SMALL WIRELESS POLES; ESTABLISHING ADDITIONAL DISTANCE REQUIREMENTS FOR OTHER GROUND-MOUNTED EQUIPMENT; MAKING APPLICATIONS FOR SMALL WIRELESS FACILITIES AND SMALL WIRELESS POLES GOVERNED BY TYPE I PROCEDURES; AMENDING THE CITY CODE TO ESTABLISH MINIMUM SPACING OF SEVENTY-FIVE FEET BETWEEN FACILITIES THAT ARE OVER FIFTEEN FEET TALL; REPEALING ALL ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City of Panama City Beach Land Development Code (the "LDC") regulates Telecommunications Towers including Telecommunications Towers in public rights-of-way; and

WHEREAS, applications to install Telecommunications Towers in rights-of-way have become prevalent in Florida, including by companies not generally considered to be communications services providers; and

WHEREAS, such applications include structures that range from modest heights to tall structures similar to the large monopole Telecommunications Towers that currently exist in the City; and

WHEREAS, the LDC does not define different categories of Telecommunications Towers based on height or location and generally provides uniform regulation of all Telecommunications Towers; and

WHEREAS, the City has interpreted its LDC to generally prohibit Telecommunications Towers from being constructed in a right-of-way; and



WHEREAS, the Legislature passed House Bill 687 regarding wireless facilities and collocation in public right-of-way during the 2017 regular legislative session, with the new law effective July 1, 2017; and

WHEREAS, House Bill 687 is unclear about the extent that certain local regulation is allowed, particularly regarding locations of new wireless poles and "wireless support structures," (defined in Bill) but it is doubtful that a prohibition or effective prohibition of these structures in the right-of-way is still allowed; and

WHEREAS, the City wishes to create new categories for certain smaller wireless equipment and facilities located in the public right-of-way and regulate them differently than Telecommunications Towers and consistently with House Bill 687; and

WHEREAS, the primary complaint in other localities where wireless structures are prevalent in rights-of-way is the placement of structures in front of homes, particularly ground mounted boxes, generators, and other structures or equipment near the base of a pole; and

WHEREAS, House Bill 687 defines small wireless facility to generally mean the antennae and related small equipment, but not the structure on which it is mounted; and

WHEREAS, House Bill 687 does not allow the City to limit the placement of small wireless facilities by minimum separation distances, which are often placed by collocation on preexisting structures, but does allow the City to adopt reasonable spacing requirements by ordinance concerning the location of ground-mounted equipment; and

WHEREAS, the term "ground-mounted equipment" is not defined but likely includes poles and certainly includes other structures and equipment that are sometimes installed near the base of a pole; and

WHEREAS, it is uncertain how large of a distance separation between Small Wireless Poles (defined herein) may be required before being found unreasonable under House Bill 687 or before interfering with the effectiveness of types of current or future wireless technology; and

WHEREAS, House Bill 687 also permits a city to adopt objective design standards by ordinance that require a small wireless facility to meet reasonable location, context, color, stealth, and concealment requirements; and

WHEREAS, rather than attempting to minimize the number of new Small Wireless Poles, the City considers it more prudent to focus on preventing their placement in certain objectionable locations and requiring stealth and concealment requirements appropriate for

the right-of-way environment; and

WHEREAS, the LDC already requires Telecommunications Towers to be designed and painted to resemble natural objects, such as trees that are typical of the surrounding area and House Bill 687 allows color, stealth, and concealment requirements;

WHEREAS, trees are not prevalent in the right-of-way and it is unlikely that Small Wireless Poles in the right-of-way could be concealed effectively as trees or vegetation; and

WHEREAS, concealing Small Wireless Poles as light poles occurs already in some communities, is a more convincing approach, and should make the new Small Wireless Poles less objectionable to nearby owners, citizens, and visitors; and

WHEREAS, in addition to the LDC rules for Telecommunications Towers, the Code of Ordinances regulates utilities and utility poles in the right-of-way more generally; and

WHEREAS, the City wishes to adopt a seventy-five-foot spacing requirement generally applicable to all new utility poles and other Facilities that are over fifteen feet tall, regardless of the type of utility that uses the Facility; and

WHEREAS, House Bill 687 requires the City to adopt rates, fees, and terms for the collocation of small wireless facilities on the City's utility pole which comply with House Bill 687 by the later of January 1, 2018, or three months after receiving a request to collocate its first small wireless facility on a utility pole owned or controlled by an authority; and

WHEREAS, despite this timeframe allowed by House Bill 687, the City finds that certain issues must be addressed immediately since one or more of the City's location rules may be inconsistent with the new legislation as to certain facilities in rights-of-ways and if found invalid could result in very minimal restrictions on the locations of Small Wireless Poles within the ROW; and

WHEREAS, House Bill 687 states that "permit application requirements and small wireless facility placement requirements, including utility pole height limits, that conflict with this [Bill] shall be waived" by the City but for any applications filed before the effective date of ordinances implementing House Bill 687, the City "may apply current ordinances relating to placement of communications facilities in the right-of-way related to registration, permitting, insurance coverage, indemnification, performance bonds, security funds, force majeure, abandonment, [City] liability, or [City] warranties;" and

WHEREAS, until such time the City has adopted a subsequent ordinance to implement House Bill 687's administrative and procedural rules, the City intends to apply the location and distance requirement provided herein, the height requirements provided

by House Bill 687, and the review times provided by House Bill 687, and not require more information for any application involving right-of-way than what is allowed by House Bill 687 regardless of any ordinance or Code to the contrary; and

WHEREAS, House Bill 687 does not cover equipment and activities outside of a right-of-way, so this ordinance only applies to equipment and activities within a public right-of-way; and

WHEREAS, House Bill 687 has limited applicability to collocations on privately owned or State-owned structures within a right-of-way, so this ordinance is not intended to apply to those situations except as provided below; and

WHEREAS, the City may consider uniform processes for all types of collocations, regardless of location or ownership, when the City adopts a subsequent ordinance to implement House Bill 687's administrative and procedural rules, but until then the City's existing rules regarding Collocations of Antennas will continue to apply to locations outside of a public right-of-way.

NOW THEREFORE, 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, the following definitions in Section 1.07.00 of the Land Development Code of the City of Panama City Beach related to Acronyms and Definitions are amended or created to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Small Wireless Facility – Means equipment generally used for wireless communications that (1) is located in a public right-of-way and (2) meets the definition of "small wireless facility" under Florida Statute 337.401. The term Small Wireless Facility does not include the term Wireless Support Structure, as defined by Florida Statute 337.401, or the pole, structure, or improvement on which an Antennae and associated wireless equipment are mounted, supported, or Collocated.**

Small Wireless Pole means (1) a Wireless Support Structure as defined by Florida Statute 373.401 that is located in a public right-of-way or (2) a utility pole in the public rights-of-way that was designed and constructed to support the Collocation of Small Wireless Facilities within nine months following the approval of an application to construct. A structure not originally intended to support a Small Wireless Facility or Antennae, but on which a Small Wireless Facility or Antennae is later collocated is not a Small Wireless Pole.

*Telecommunications Tower* - Means any structure designed and constructed for the purpose of supporting one or more communication *Antennas*, including camouflaged towers, conventional wireless towers, and low impact or stealth towers. The term includes towers to support *Antennas* for transmitting or receiving personal wireless services and cellular telephone communications towers. The term includes equipment fundamental to the operations of the tower. The term does not include commercial radio and television broadcast towers, amateur short-wave radio towers or those towers used solely for private use dispatch services. The term does not include Small Wireless Facility or Small Wireless Pole.

SECTION 2. From and after the effective date of this ordinance, Section 5.05.00 of the Land Development Code of the City of Panama City Beach related to Telecommunications Towers and Antennas is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

#### **5.05.00 TELECOMMUNICATIONS TOWERS AND ANTENNAS**

### 5.05.01 Generally

- A. It is the intent of the *City* to allow *Telecommunications Towers* and/or *Antennas* in compliance with State and federal regulations. It is further the intent of the *City* to protect the public health, safety and welfare through regulating the placement and design of allowable *Telecommunications Towers*. The regulations in this section are designed to meet the following purposes:
1. To protect *Residentially* zoned areas and *Residential Development* from potential adverse impacts of *Telecommunications Towers* that are placed in inappropriate locations;
  2. To minimize visual impacts of *Telecommunications Towers* through site design requirements, location requirements and innovative camouflage techniques, in accordance with acceptable engineering and planning principles; and
  3. To allow *Telecommunications Towers* that meet State, federal and local requirements for location, site design and appearance.
- B. *Telecommunications Towers* proposed within the *City* shall provide for *Collocation* consistent with State and federal regulations.
- C. *Telecommunications Towers* proposed within the *City* shall provide for *Collocation* consistent with State and federal regulations.
- D. *Small Wireless Facilities and Small Wireless Poles located in public rights-of-way shall not be subject to the rules for Telecommunications Towers and Antennas, but will instead be subject to different rules as provided herein, which shall always be read in a manner consistent with state and federal law.*

### 5.05.02 Applicability

All *Telecommunications Towers* and *Antennas* proposed to be located in the *City* shall be subject to the regulations in this section. *Small Wireless Facilities and Small Wireless Poles located in public rights-of-way are not subject to Sections 5.05.03 through 5.05.06.*

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### 5.05.07 Allowable Locations for Small Wireless Poles and associated Ground-Mounted Equipment Located in Public Right-of-Way

- A. *Applications to place Small Wireless Facilities and Small Wireless Poles in a public right-of-way shall be reviewed according to the procedures of Chapter 10 except as preempted*



and provided for by Florida Statute 337.401 (2017) and are may permissible not be denied solely based on without regard to the Comprehensive Plan future land use categories and zoning categories of adjacent parcels.

- B. Small Wireless Poles in public right-of-way (as opposed to a Collocation on a preexisting structure) are not permissible within 250 feet of the footprint of any Dwelling, including attached garages, porches, and balconies, except Dwellings that front on the Front Beach Road or South Thomas Drive rights-of-way, in which case the minimum distance shall be 100 feet. In addition, Small Wireless Poles in public right-of-way (as opposed to a collocation on a preexisting structure) shall not be permissible within 50 feet of the primary public pedestrian entrance to any business.
- C. A new Small Wireless Pole is not permitted within 200 feet of an existing Small Wireless Pole.
- D. It is preferable for all equipment to be integrated into or mounted on the Wireless Support Structure or utility pole. Ground-mounted equipment that is in addition to a Wireless Support Structure or utility pole or associated with a Collocation shall not be permissible within 500 feet of the footprint of any Dwelling, including attached garages, porches, and balconies, except Dwellings that front on the Front Beach Road or South Thomas Drive rights-of-way, in which case the minimum distance shall be 150 feet. This restriction does not apply to equipment installed entirely underground consistent with existing grade. In addition, ground mounted equipment associated with or installed because of a Small Wireless Pole or a Small Wireless Facility, including the Collocation of a Small Wireless Facility, may not be placed on a sidewalk, bike path, or multi-use trail. Ground-mounted equipment includes, but is not limited to, any of the following associated with a Small Wireless Facility or installed due to a Small Wireless Facility: electric generators or meters, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and guy wires or other secondary supports.
- E. Small Wireless Facilities, Small Wireless Poles, and associated equipment are not exempt from the City's applicable undergrounding requirements that prohibit above-ground structures in certain public right-of-way, except that Collocations on existing above-ground structures are not subject to undergrounding requirements that are applicable to a location. At such time an existing above-ground structure is transitioned to underground, any right to Collocate above ground on it is lost.
- F. Applications for Small Wireless Poles or Collocations of Small Wireless Facilities in locations subject to covenants, conditions, restrictions, articles of incorporation, and bylaws of a homeowners' association are governed by the more stringent rules provided for Telecommunications Towers and Antennas unless the Homeowner Association is a co-applicant, in which case the more lenient rules for Small Wireless Facilities and Small Wireless Poles will apply. This paragraph does not apply to the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly

authorized aerial communications facilities as provided by Florida law.

**5.05.08 Requirements for Small Wireless Poles and Collocations Located in a Right-of-Way**

- A. All wireless facilities, as defined by Florida Statute 337.401, located within a right-of-way must meet the definition of a Small Wireless Facility.
- B. All requirements of Chapter 19, Article VIII of the Code of Ordinances, entitled Right-of-Way Permitting, apply unless a more specific requirement is provided hereunder.
- C. The City may deny a proposed Small Wireless Pole or Collocation of a Small Wireless Facility in the public rights-of-way if it:
  - 1. Materially interferes with the safe operation of traffic control equipment.
  - 2. Materially interferes with sight lines or clear zones for transportation, pedestrians, or public safety purposes.
  - 3. Materially interferes with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement.
  - 4. Materially fails to comply with the 2010 edition of the Florida Department of Transportation Utility Accommodation Manual.
  - 5. Fails to comply with this LDC, or any uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address threats of destruction of property or injury to persons.
- D. All Small Wireless Facilities and Small Wireless Poles shall be maintained in good condition and in accordance with all standards in this section. No Additions, changes or modifications shall be made except in conformity with the standards of this section.
- E. In the event that a Small Wireless Facility or Small Wireless Pole is Abandoned, the owner of the Small Wireless Facility or Small Wireless Pole shall restore the property to its condition prior to the installation of the Small Wireless Facility or Small Wireless Pole. Restoration shall be completed not later than six (6) months after Abandonment.
- F. Applications to Collocate Small Wireless Facilities within a right-of-way that do not increase the height of the existing structure shall be reviewed under the expedited procedure provide by Section 10.09.04 of the LDC. Application for all other Small Wireless Poles and

Collocations located in a Right-of-Way shall be reviewed and processed according to the Type I Procedures provided by Section 10.06.00 of the LDC, except to the extent preempted by Florida Statute 337.401 (2017).

- G. Consistent with Florida Statute 337.401, a Collocation may include the replacement of an existing utility pole. If no portion of the replacement utility pole or the Small Wireless Facility would extend more than ten feet above the height of the existing utility pole, then the rules and procedures herein governing Collocations apply. If any portion of the replacement utility pole or the Small Wireless Facility would extend more than ten feet above the existing utility pole, then the project will be considered a new Small Wireless Pole and will not be approved unless it meets all requirements for Small Wireless Poles, including light pole Stealth Facility design, location requirements, and any applicable undergrounding requirements.
- H. Ground mounted-equipment and other equipment not detailed and drawn on an approved application may not be installed. In the event that a permittee wishes to install additional or different equipment not shown on the original approved application, the permittee must file a new application.

#### 5.05.09 Additional Requirements for Collocations Located in a Right-of-Way

- A. Collocations are allowed on a City owned pole or similar structure that is used in whole or in part to provide communications services or for electric distribution, lighting, traffic control, signage, or a similar function, but not on a horizontal structure to which signal lights or other traffic control devices are attached or any pole or structure 15 feet in height or less.
- B. Collocations on utility poles or other structures that are owned by private parties or the State of Florida shall require written proof of the owner's consent to the Collocation.
- C. The height of a Small Wireless Facility may only extend 10 feet above the utility pole or structure upon which the Small Wireless Facility is to be Collocated.

#### 5.05.10 Additional Requirements for Small Wireless Poles Located in a Right-of-Way

- A. The height for a new Small Wireless Pole is limited to the tallest existing utility pole as of July 1, 2017, located in the same right-of-way, other than a utility pole for which a height waiver has previously been granted, measured from grade in place within 500 feet of the proposed location of the Small Wireless Facility. If there is no utility pole within 500 feet, the Small Wireless Pole shall be no taller than 50 feet.

- B. New Small Wireless Poles must be Stealth Facilities designed to look and function like light poles. If there are multiple existing light poles within 500 feet of the proposed location in the same right-of-way that have a consistent design, then the new Small Wireless Pole must look substantially like the existing light poles and be the same color as the existing light poles, except for its height, which is controlled by 1. above. Minor design deviations that maintain the same or better aesthetic quality may be approved by City staff.
- C. New Small Wireless Poles in right-of-way under the jurisdiction of the Florida Department of Transportation requires the consent of the Florida Department of Transportation, but still shall comply with the City's placement and design requirements.

SECTION 3. From and after the effective date of this ordinance, Section 19-154 of the Code of Ordinances of the City of Panama City Beach related to Permittee Obligations in Right-of-Way Permitting is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 19-154. - Permittee obligations.

- A. Telecommunications Towers, Small Wireless Poles, Collocations, and other wireless communications Facilities are governed additionally by the more specific requirements of the Panama City Beach Land Development Code.
- B. No new Facility that is over 15 feet in height from grade may be constructed within 75 feet of any another Facility that is over 15 feet in height from grade, unless granted a variance due to unique circumstances. This restriction shall not prohibit the City from installing new Facilities for public safety and welfare reasons, including light poles.
- C. A Permittee shall place or maintain all Facilities in the Right-of-way so as not to unreasonably interfere with the drainage of all lands lying within the City, the travel and use of the Right-of-way by the public and with the rights and convenience of property owners who adjoin any portion of the Right-of-way, and in a manner consistent with accepted industry practice and applicable law.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. 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 Code of Ordinances, 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 6. 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 \_\_\_\_\_, 2017.

CITY OF PANAMA CITY BEACH

ATTEST:

By \_\_\_\_\_  
MIKE THOMAS, MAYOR

\_\_\_\_\_  
CITY CLERK

PUBLISHED in \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 2017.

POSTED on pcb.gov.com on the \_\_\_ day \_\_\_\_\_, 2017.

\_\_\_\_\_  
CITY CLERK



REGULAR ITEM

3



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:  
Panama City Beach Police Department

2. MEETING DATE:  
October 12, 2017

3. REQUESTED MOTION/ACTION:

We respectfully request the Council's approval and adoption of Ordinance NO. 1433 amending the prohibited times from 1 a.m. until 7 a.m.

4. AGENDA

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input checked="" type="checkbox"/>
CONSENT	<input type="checkbox"/>
REGULAR	<input checked="" type="checkbox"/>

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)

On September 14, 2017 the City Council approved the first reading of Ordinance No. 1433. This action will assist enforcement by identifying specific times this code provision should be enforced. We respectfully request the Council's approval and adoption of this ordinance.

ORDINANCE NO. 1433

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCE RELATED TO MUNICIPAL OFFENSES; AMENDING THE DEFINITION OF CAMPING TO CLARIFY ITS APPLICATION BETWEEN THE HOURS OF 1AM AND 7AM; CLARIFYING THAT ANY PERSON FOUND OUT-OF-DOORS AFTER 1AM AND BEFORE SUNRISE MAY BE ASKED THEIR PLACE OF LODGING; 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 Section 16-8 of the Code of Ordinances of the City of Panama City Beach, related to offenses is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**Sec. 16-8. Restrictions on sleeping or camping on beaches or in public areas.**

(a) No person shall remain overnight or camp in, at, or upon the gulf beaches, any public park or public area of the city. "Camping" is defined as sleeping or resting in an attitude of sleep in the nighttime, or purporting to reside, even temporarily, in any such area, or sitting or standing about ~~after~~ **between** 1:00 a.m. **and 7 a.m.**, in any such beaches, public park or public area.

(b) Any person found out-of-doors after 1:00 a.m. **and before sunrise** may be asked his ~~or~~ **her** place of lodging within the city, or destination within the city and shall, upon request, furnish any such information to the requesting official of the city. The lack of lodging or destination shall prima facie constitute camping within the city within a public area and a violation of this section.

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 \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2017.

Posted on pcbgov.com on the \_\_\_\_ day of \_\_\_\_\_, 2017.

REGULAR ITEM

4





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Public Works/Kelly Jenkins

2. MEETING DATE:

10/12/2017

3. REQUESTED MOTION/ACTION:

Approve the Plat for the Breakfast Point Phase 3B subdivision.

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)

The City's Land Development Code requires most subdivisions of land to be platted in order to confirm compliance with the Code. The Breakfast Point Phase 3B development is generally located north of Panama City Beach Parkway and east of N. Richard Jackson Blvd. This plat has been publicly advertised and was continued from the 09/28/17 City Council meeting. The site and engineering plans have been approved for this subdivision under one common project of Breakfast Point Phase 3 and is planned to be developed in 3 phases (3A, 3B & 3C). Infrastructure in Phase 3A (includes 62 residential lots) has been constructed and the proposed 3B consists of an additional 86 residential lots.

Staff has reviewed the subject plat and determined that it does meet applicable requirements.

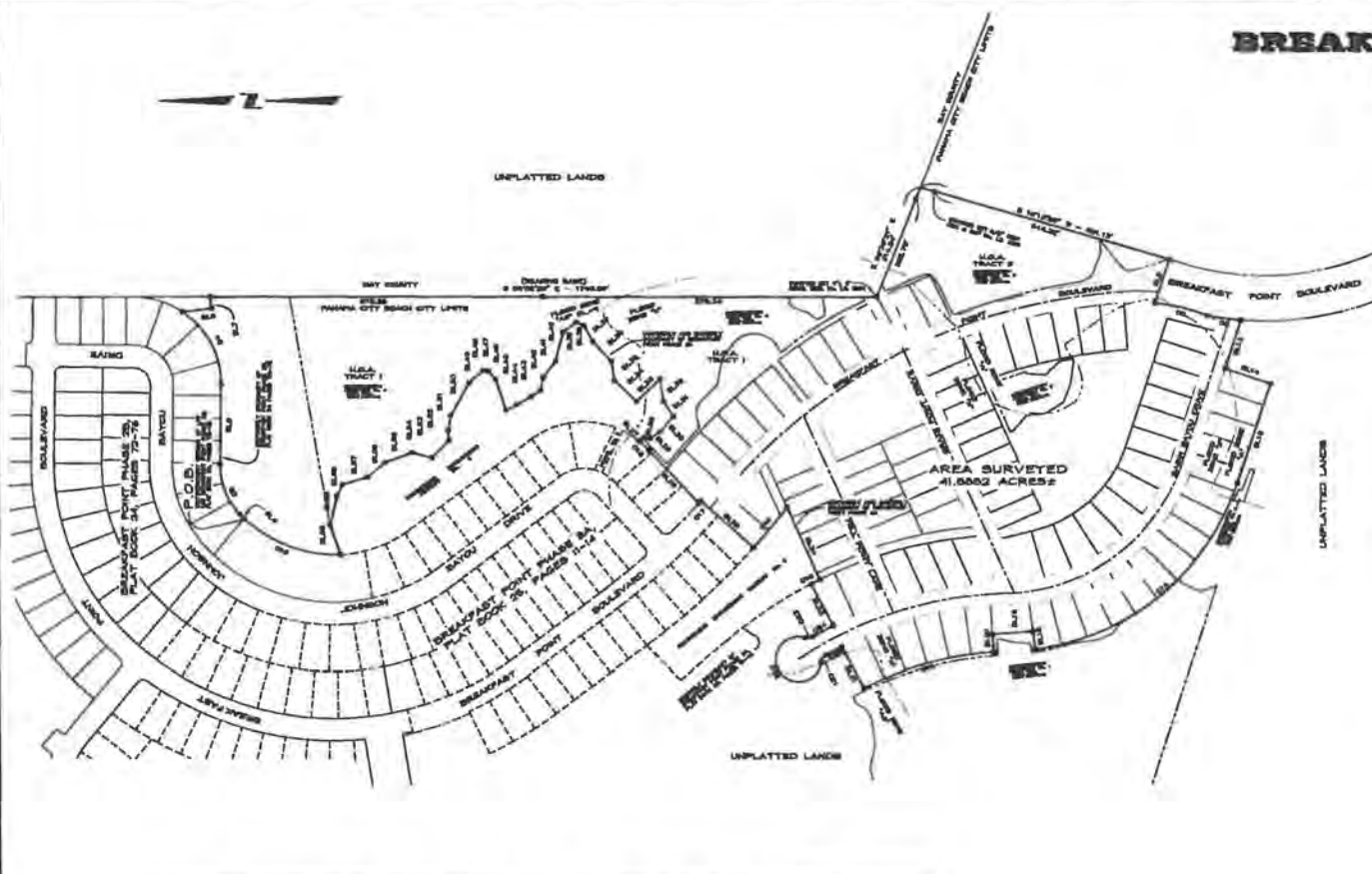


# BREAKFAST POINT PHASE 3B

A PORTION OF SECTION 25,  
TOWNSHIP 3 SOUTH, RANGE 18 WEST  
CITY OF PANAMA CITY BEACH  
BAY COUNTY - FLORIDA

SEPTEMBER 2017  
SCALE: 1" = 100'

**Associates**  
PROFESSIONAL SURVEYING  
REGISTERED PROFESSIONAL SURVEYORS  
STATE OF FLORIDA LICENSE NO. 12 7704  
1110 N. WINDY COT BAY BLVD., PANAMA CITY, FLORIDA 32401



- NOTES:**
- SEE SHEET 1 OF 3 FOR DECISION AND APPROVAL.
  - SEE SHEET 2 OF 3 FOR BOUNDARY.
  - SEE SHEET 3 OF 3 FOR MET DATA.
  - SEE SHEET 4 OF 3 FOR MET DATA AND DIMENSIONS.
  - SEE SHEET 5 OF 3 FOR MET DATA AND DIMENSIONS.
  - SEE SHEET 6 OF 3 FOR MET DATA AND DIMENSIONS.

**REVISIONS:**

**P.L. 177-001 (07)**  
ALL PLATTED LOTS AND LOTS SHOWN ON THIS PLAN ARE THE OFFICIAL BOUNDARIES OF THE CITY OF PANAMA CITY BEACH, FLORIDA. THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY CODE AND THE FLORIDA PLAT ACT. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

**P.L. 177-001 (08)**  
ALL PLATTED LOTS SHOWN ON THIS PLAN ARE THE OFFICIAL BOUNDARIES OF THE CITY OF PANAMA CITY BEACH, FLORIDA. THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY CODE AND THE FLORIDA PLAT ACT. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

- LEGEND:**
1. - BOUNDARY FROM PERMANENT RECORDS SUBMITTAL NO. 12 2001
  2. - BOUNDARY FROM PERMANENT RECORDS SUBMITTAL NO. 12 2001
  3. - BOUNDARY FROM PERMANENT RECORDS SUBMITTAL NO. 12 2001
  4. - BOUNDARY FROM PERMANENT RECORDS SUBMITTAL NO. 12 2001
  5. - BOUNDARY FROM PERMANENT RECORDS SUBMITTAL NO. 12 2001
  6. - BOUNDARY FROM PERMANENT RECORDS SUBMITTAL NO. 12 2001
  7. - THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
  8. - ALL DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.
  9. - THE DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.
  10. - THE DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.
  11. - THE DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.
  12. - THE DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.
  13. - THE DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.
  14. - THE DIMENSIONS SHOWN ARE APPROXIMATE AND NOT DIMENSIONS.

BOUNDARY LINE TABLE				BOUNDARY CURVE TABLE			
LINE	BEARING	LENGTH	REMARKS	CHORD	CHORD BEARING	CHORD	BEARING
B1.4	N 40°47'00" E	8.70'	TO CORNER 1	C1	187.34'	183.31'	N 80°19'00" E
B1.4	(S 40°47'00" E)	(8.70')	TO CORNER 2	(C1)	(187.34')	(183.31')	(S 80°19'00" E)
B1.5	S 89°02'00" E	211.40'	TO CORNER 3	C2	206.90'	212.00'	N 82°22'00" E
B1.5	(S 89°02'00" E)	(211.40')	TO CORNER 4	(C2)	(206.90')	(212.00')	(N 82°22'00" E)
B1.6	S 07°19'00" E	76.82'	TO CORNER 5	C3	143.26'	142.86'	S 17°32'13" W
B1.6	(S 07°19'00" E)	(76.82')	TO CORNER 6	(C3)	(143.26')	(142.86')	(S 17°32'13" W)
B1.7	N 82°14'00" E	38.74'	TO CORNER 7	C4	38.74'	38.74'	N 82°14'00" E
B1.7	(N 82°14'00" E)	(38.74')	TO CORNER 8	(C4)	(38.74')	(38.74')	(N 82°14'00" E)
B1.8	N 72°00'00" W	134.10'	TO CORNER 9	C5	134.10'	134.10'	N 72°00'00" W
B1.8	(N 72°00'00" W)	(134.10')	TO CORNER 10	(C5)	(134.10')	(134.10')	(N 72°00'00" W)
B1.9	S 11°50'00" E	138.50'	TO CORNER 11	C6	138.50'	138.50'	S 11°50'00" E
B1.9	(S 11°50'00" E)	(138.50')	TO CORNER 12	(C6)	(138.50')	(138.50')	(S 11°50'00" E)
B1.10	S 11°50'00" E	138.50'	TO CORNER 13	C7	138.50'	138.50'	S 11°50'00" E
B1.10	(S 11°50'00" E)	(138.50')	TO CORNER 14	(C7)	(138.50')	(138.50')	(S 11°50'00" E)
B1.11	S 11°50'00" E	138.50'	TO CORNER 15	C8	138.50'	138.50'	S 11°50'00" E
B1.11	(S 11°50'00" E)	(138.50')	TO CORNER 16	(C8)	(138.50')	(138.50')	(S 11°50'00" E)
B1.12	S 11°50'00" E	138.50'	TO CORNER 17	C9	138.50'	138.50'	S 11°50'00" E
B1.12	(S 11°50'00" E)	(138.50')	TO CORNER 18	(C9)	(138.50')	(138.50')	(S 11°50'00" E)
B1.13	S 11°50'00" E	138.50'	TO CORNER 19	C10	138.50'	138.50'	S 11°50'00" E
B1.13	(S 11°50'00" E)	(138.50')	TO CORNER 20	(C10)	(138.50')	(138.50')	(S 11°50'00" E)
B1.14	S 11°50'00" E	138.50'	TO CORNER 21	C11	138.50'	138.50'	S 11°50'00" E
B1.14	(S 11°50'00" E)	(138.50')	TO CORNER 22	(C11)	(138.50')	(138.50')	(S 11°50'00" E)
B1.15	S 11°50'00" E	138.50'	TO CORNER 23	C12	138.50'	138.50'	S 11°50'00" E
B1.15	(S 11°50'00" E)	(138.50')	TO CORNER 24	(C12)	(138.50')	(138.50')	(S 11°50'00" E)
B1.16	S 11°50'00" E	138.50'	TO CORNER 25	C13	138.50'	138.50'	S 11°50'00" E
B1.16	(S 11°50'00" E)	(138.50')	TO CORNER 26	(C13)	(138.50')	(138.50')	(S 11°50'00" E)
B1.17	S 11°50'00" E	138.50'	TO CORNER 27	C14	138.50'	138.50'	S 11°50'00" E
B1.17	(S 11°50'00" E)	(138.50')	TO CORNER 28	(C14)	(138.50')	(138.50')	(S 11°50'00" E)
B1.18	S 11°50'00" E	138.50'	TO CORNER 29	C15	138.50'	138.50'	S 11°50'00" E
B1.18	(S 11°50'00" E)	(138.50')	TO CORNER 30	(C15)	(138.50')	(138.50')	(S 11°50'00" E)
B1.19	S 11°50'00" E	138.50'	TO CORNER 31	C16	138.50'	138.50'	S 11°50'00" E
B1.19	(S 11°50'00" E)	(138.50')	TO CORNER 32	(C16)	(138.50')	(138.50')	(S 11°50'00" E)
B1.20	S 11°50'00" E	138.50'	TO CORNER 33	C17	138.50'	138.50'	S 11°50'00" E
B1.20	(S 11°50'00" E)	(138.50')	TO CORNER 34	(C17)	(138.50')	(138.50')	(S 11°50'00" E)
B1.21	S 11°50'00" E	138.50'	TO CORNER 35	C18	138.50'	138.50'	S 11°50'00" E
B1.21	(S 11°50'00" E)	(138.50')	TO CORNER 36	(C18)	(138.50')	(138.50')	(S 11°50'00" E)
B1.22	S 11°50'00" E	138.50'	TO CORNER 37	C19	138.50'	138.50'	S 11°50'00" E
B1.22	(S 11°50'00" E)	(138.50')	TO CORNER 38	(C19)	(138.50')	(138.50')	(S 11°50'00" E)
B1.23	S 11°50'00" E	138.50'	TO CORNER 39	C20	138.50'	138.50'	S 11°50'00" E
B1.23	(S 11°50'00" E)	(138.50')	TO CORNER 40	(C20)	(138.50')	(138.50')	(S 11°50'00" E)
B1.24	S 11°50'00" E	138.50'	TO CORNER 41	C21	138.50'	138.50'	S 11°50'00" E
B1.24	(S 11°50'00" E)	(138.50')	TO CORNER 42	(C21)	(138.50')	(138.50')	(S 11°50'00" E)
B1.25	S 11°50'00" E	138.50'	TO CORNER 43	C22	138.50'	138.50'	S 11°50'00" E
B1.25	(S 11°50'00" E)	(138.50')	TO CORNER 44	(C22)	(138.50')	(138.50')	(S 11°50'00" E)
B1.26	S 11°50'00" E	138.50'	TO CORNER 45	C23	138.50'	138.50'	S 11°50'00" E
B1.26	(S 11°50'00" E)	(138.50')	TO CORNER 46	(C23)	(138.50')	(138.50')	(S 11°50'00" E)
B1.27	S 11°50'00" E	138.50'	TO CORNER 47	C24	138.50'	138.50'	S 11°50'00" E
B1.27	(S 11°50'00" E)	(138.50')	TO CORNER 48	(C24)	(138.50')	(138.50')	(S 11°50'00" E)
B1.28	S 11°50'00" E	138.50'	TO CORNER 49	C25	138.50'	138.50'	S 11°50'00" E
B1.28	(S 11°50'00" E)	(138.50')	TO CORNER 50	(C25)	(138.50')	(138.50')	(S 11°50'00" E)
B1.29	S 11°50'00" E	138.50'	TO CORNER 51	C26	138.50'	138.50'	S 11°50'00" E
B1.29	(S 11°50'00" E)	(138.50')	TO CORNER 52	(C26)	(138.50')	(138.50')	(S 11°50'00" E)
B1.30	S 11°50'00" E	138.50'	TO CORNER 53	C27	138.50'	138.50'	S 11°50'00" E
B1.30	(S 11°50'00" E)	(138.50')	TO CORNER 54	(C27)	(138.50')	(138.50')	(S 11°50'00" E)
B1.31	S 11°50'00" E	138.50'	TO CORNER 55	C28	138.50'	138.50'	S 11°50'00" E
B1.31	(S 11°50'00" E)	(138.50')	TO CORNER 56	(C28)	(138.50')	(138.50')	(S 11°50'00" E)
B1.32	S 11°50'00" E	138.50'	TO CORNER 57	C29	138.50'	138.50'	S 11°50'00" E
B1.32	(S 11°50'00" E)	(138.50')	TO CORNER 58	(C29)	(138.50')	(138.50')	(S 11°50'00" E)
B1.33	S 11°50'00" E	138.50'	TO CORNER 59	C30	138.50'	138.50'	S 11°50'00" E
B1.33	(S 11°50'00" E)	(138.50')	TO CORNER 60	(C30)	(138.50')	(138.50')	(S 11°50'00" E)
B1.34	S 11°50'00" E	138.50'	TO CORNER 61	C31	138.50'	138.50'	S 11°50'00" E
B1.34	(S 11°50'00" E)	(138.50')	TO CORNER 62	(C31)	(138.50')	(138.50')	(S 11°50'00" E)
B1.35	S 11°50'00" E	138.50'	TO CORNER 63	C32	138.50'	138.50'	S 11°50'00" E
B1.35	(S 11°50'00" E)	(138.50')	TO CORNER 64	(C32)	(138.50')	(138.50')	(S 11°50'00" E)
B1.36	S 11°50'00" E	138.50'	TO CORNER 65	C33	138.50'	138.50'	S 11°50'00" E
B1.36	(S 11°50'00" E)	(138.50')	TO CORNER 66	(C33)	(138.50')	(138.50')	(S 11°50'00" E)
B1.37	S 11°50'00" E	138.50'	TO CORNER 67	C34	138.50'	138.50'	S 11°50'00" E
B1.37	(S 11°50'00" E)	(138.50')	TO CORNER 68	(C34)	(138.50')	(138.50')	(S 11°50'00" E)
B1.38	S 11°50'00" E	138.50'	TO CORNER 69	C35	138.50'	138.50'	S 11°50'00" E
B1.38	(S 11°50'00" E)	(138.50')	TO CORNER 70	(C35)	(138.50')	(138.50')	(S 11°50'00" E)
B1.39	S 11°50'00" E	138.50'	TO CORNER 71	C36	138.50'	138.50'	S 11°50'00" E
B1.39	(S 11°50'00" E)	(138.50')	TO CORNER 72	(C36)	(138.50')	(138.50')	(S 11°50'00" E)
B1.40	S 11°50'00" E	138.50'	TO CORNER 73	C37	138.50'	138.50'	S 11°50'00" E
B1.40	(S 11°50'00" E)	(138.50')	TO CORNER 74	(C37)	(138.50')	(138.50')	(S 11°50'00" E)
B1.41	S 11°50'00" E	138.50'	TO CORNER 75	C38	138.50'	138.50'	S 11°50'00" E
B1.41	(S 11°50'00" E)	(138.50')	TO CORNER 76	(C38)	(138.50')	(138.50')	(S 11°50'00" E)
B1.42	S 11°50'00" E	138.50'	TO CORNER 77	C39	138.50'	138.50'	S 11°50'00" E
B1.42	(S 11°50'00" E)	(138.50')	TO CORNER 78	(C39)	(138.50')	(138.50')	(S 11°50'00" E)
B1.43	S 11°50'00" E	138.50'	TO CORNER 79	C40	138.50'	138.50'	S 11°50'00" E
B1.43	(S 11°50'00" E)	(138.50')	TO CORNER 80	(C40)	(138.50')	(138.50')	(S 11°50'00" E)
B1.44	S 11°50'00" E	138.50'	TO CORNER 81	C41	138.50'	138.50'	S 11°50'00" E
B1.44	(S 11°50'00" E)	(138.50')	TO CORNER 82	(C41)	(138.50')	(138.50')	(S 11°50'00" E)
B1.45	S 11°50'00" E	138.50'	TO CORNER 83	C42	138.50'	138.50'	S 11°50'00" E
B1.45	(S 11°50'00" E)	(138.50')	TO CORNER 84	(C42)	(138.50')	(138.50')	(S 11°50'00" E)
B1.46	S 11°50'00" E	138.50'	TO CORNER 85	C43	138.50'	138.50'	S 11°50'00" E
B1.46	(S 11°50'00" E)	(138.50')	TO CORNER 86	(C43)	(138.50')	(138.50')	(S 11°50'00" E)
B1.47	S 11°50'00" E	138.50'	TO CORNER 87	C44	138.50'	138.50'	S 11°50'00" E
B1.47	(S 11°50'00" E)	(138.50')	TO CORNER 88	(C44)	(138.50')	(138.50')	(S 11°50'00" E)
B1.48	S 11°50'00" E	138.50'	TO CORNER 89	C45	138.50'	138.50'	S 11°50'00" E
B1.48	(S 11°50'00" E)	(138.50')	TO CORNER 90	(C45)	(138.50')	(138.50')	(S 11°50'00" E)
B1.49	S 11°50'00" E	138.50'	TO CORNER 91	C46	138.50'	138.50'	S 11°50'00" E
B1.49	(S 11°50'00" E)	(138.50')	TO CORNER 92	(C46)	(138.50')	(138.50')	(S 11°50'00" E)
B1.50	S 11°50'00" E	138.50'	TO CORNER 93	C47	138.50'	138.50'	S 11°50'00" E
B1.50	(S 11°50'00" E)	(138.50')	TO CORNER 94	(C47)	(138.50')	(138.50')	(S 11°50'00" E)
B1.51	S 11°50'00" E	138.50'	TO CORNER 95	C48	138.50'	138.50'	S 11°50'00" E
B1.51	(S 11°50'00" E)	(138.50')	TO CORNER 96	(C48)	(138.50')	(138.50')	(S 11°50'00" E)
B1.52	S 11°50'00" E	138.50'	TO CORNER 97	C49	138.50'	138.50'	S 11°50'00" E
B1.52	(S 11°50'00" E)	(138.50')	TO CORNER 98	(C49)	(138.50')	(138.50')	(S 11°50'00" E)
B1.53	S 11°50'00" E	138.50'	TO CORNER 99	C50	138.50'	138.50'	S 11°50'00" E
B1.53	(S 11°50'00" E)	(138.50')	TO CORNER 100	(C50)	(138.50')	(138.50')	(S 11°50'00" E)

**SYMBOLS & ABBREVI**













REGULAR ITEM

5



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

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

Building and Planning Department

**2. MEETING DATE:**

10/12/2017

**3. REQUESTED MOTION/ACTION:**

It is requested that the City Council consider the Planning Board's recommendation to amend the requirements related to the location of surface parking spaces for Gulf-front properties in the FBO-4 Overlay District.

**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 issue was mentioned at the City Council - Planning Board workshop. Section 7.02.03.J.2 of the Land Development Code requires surface parking areas to be located in the rear yard or in a side yard provided that the side yard width does not exceed 100 feet or fifty (50) percent of the width of the Lot or Parcel whichever is less. The purpose is to not allow the street to be lined with parking lots which is counterproductive to creating a bicycle/pedestrian friendly environment along Front Beach Road. However, placing vehicles on a surface parking lot between the building and the Gulf detracts from the scenic views of the water that most Gulf-front businesses want to enhance. To maintain a street-edge that is bicycle/pedestrian friendly, the Planning Board recommended a decorative wall or hedge (not exceeding 42 inches) along the front property line in instances where parking is placed in the front or side yards in excess of the current restrictions.

It is requested that the City Council consider the issue at a 1st reading and determine if Gulf-front properties should be exempted from this requirement.



ORDINANCE NO. 1437

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE RELATED TO SURFACE PARKING STANDARDS IN THE FRONT BEACH OVERLAY DISTRICT; PROVIDING THAT GULF FRONT LOTS IN FBO-4 MAY LOCATE THEIR PARKING AREAS IN SIDE AND FRONT YARDS PROVIDED THAT A DECORATIVE WALL OR HEDGE IS INSTALLED ALONG THE FRONT PROPERTY LINE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the City's Land Development Code requires surface parking areas in the Front Beach Overlay District be located in rear or side yards in order to minimize the parking of cars adjacent to the pedestrian and bicycle corridor; and

WHEREAS, on Gulf-front lots, placing parking in rear yards detracts from the scenic view of the water that many Gulf-front property owners wish to enhance; and

WHEREAS, the Council finds and determines that the interests of pedestrians and property owners may be balanced by requiring the installation of a fence or hedge along the front property line of any parking area located on in the front yard of a Gulf-front lot in the FBO-4.

NOW THEREFORE, 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, Section 7.02.03J of the Land Development Code of the City of Panama City Beach related to Surface Parking Standards, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Ordinance 1437  
Page 1 of 3

AGENDA ITEM # 5



**7.02.03 J. Surface Parking Standards**

1. Surface parking shall comply with the standards in sections 4.05.00 and 4.06.00, except as otherwise provided herein.

2. Surface parking areas located on-site shall be located in the rear *Yard* or in a *Side Yard* location provided that the *Side Yard* width does not exceed 100 feet or fifty (50) percent of the width of the *Lot* or *Parcel*, whichever is less. On gulf-front lots in FBO-4, on-site surface parking areas may be located in a Front or Side Yard provided that a decorative wall or hedge, not exceeding 42 inches in height, is installed along the front property line.

3. As shown in Figure 7.02.03.B-E, surface or garage parking for *Single Family Residential* lots along Front Beach Road shall be accessed from a side *Street*, rear *Street* or *Alley*, if available. Where side or rear *Access* is not available, garages and *Parking Spaces* shall be located behind the front of the *Building* in accordance with the figures.

4. Parking for lots with direct access to Front Beach Road, South Thomas Drive or Arnold Road shall be designed to enable drivers to enter and leave the lots in a forward gear. Figure 7.02.03.E shows sample *Driveway* configurations that enable compliance with this provision.

[illustrations not amended or included]

...

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  
\_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of  
\_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2017.

Posted on pcbgov.com on the \_\_\_\_ day of \_\_\_\_\_, 2017.

REGULAR ITEM

6



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

LEGAL

2. MEETING DATE:

OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:

CONSIDER FIRST READING OF ORDINANCE AMENDING CHARTER TO PERMIT PIGGYBACKING OF CURRENT STATE CONTRACTS REGARDLESS OF WHEN BID

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)

THE CITY CHARTER PRESENTLY PERMITS PROCUREMENT OF GOODS THAT HAVE BEEN COMPETITIVELY BID BY ANOTHER LOCAL GOVERNMENT OR STATE AGENCY WITHIN A YEAR OF THE CITY'S PROPOSED PURCHASE. WHILE STAFF OFTEN IDENTIFIES NEEDED GOODS AVAILABLE FOR PURCHASE VIA STATE CONTRACT, THOSE CONTRACTS ARE USUALLY OUTSIDE OF THE ONE YEAR BID WINDOW REQUIRED BY OUR CHARTER, AND THUS ARE NOT AVAILABLE FOR CITY TO PIGGYBACK. AS A RESULT, STAFF WILL NOTICE AND COMPETITIVELY BID THE DESIRED PURCHASE, WHICH IN MANY CASES ULTIMATELY IS AWARDED TO THE SAME CONTRACTOR HOLDING THE STATE CONTRACT AND FOR THE SAME PRICE.

STAFF REQUESTS COUNCIL'S CONSIDERATION OF A CHARTER AMENDMENT TO ELIMINATE THE ONE YEAR BID WINDOW AS A LIMITATION TO THIS FORM OF PROCUREMENT, SUCH THAT STAFF MAY PIGGYBACK ANY CURRENT CONTRACTS HELD AND COMPETITIVELY BID BY OTHER LOCAL GOVERNMENTS.

IF COUNCIL APPROVES FIRST READING OF THIS ORDINANCE, THE ORDINANCE WILL BE PUBLISHED FOR SECOND READING AND PUBLIC HEARING. IF ADOPTED FOLLOWING SECOND READING, THE ORDINANCE WILL NOT BE EFFECTIVE UNTIL APPROVED BY REFERENDUM, AND A RESOLUTION TO PLACE THE QUESTION ON THE BALLOT WILL BE BROUGHT BACK TO THE COUNCIL FOR APPROVAL.

ORDINANCE NO. 1438

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH PROPOSING TO AMEND SECTION 5-7 OF THE CHARTER OF THE CITY RELATING TO COMPETITIVE BIDDING TO PROVIDE THAT A PURCHASE MADE ON THE SAME TERMS AND CONDITIONS AS A PURCHASE COMPETITIVELY BID BY THE UNITED STATES OF AMERICA, THE STATE OF FLORIDA, OR A COUNTY, MUNICIPALITY OR SPECIAL DISTRICT OF THE STATE OF FLORIDA SHALL BE DEEMED COMPETITIVELY BID; PROVIDING AN EFFECTIVE DATE; PROVIDING THAT THE AMENDMENT PROPOSED SHALL BE EFFECTIVE ONLY UPON THE APPROVAL OF REFERENDUM AS SPECIFIED IN THE ORDINANCE AND REPEALING ORDINANCES IN CONFLICT.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH, FLORIDA:

SECTION 1. From and after the effective date hereof, Section 5-7 of the Charter of the City of Panama City Beach, relating to contracts, licenses, permits, et cetera, is hereby amended to read as follows (omitted text is ~~stricken~~ and new text is

**underlined**):

Sec. 5-7. Competitive bidding.

(a) *Required.* No purchase by or on behalf of the City requiring the expenditure of ten thousand dollars (\$10,000.00) or more shall be awarded, let or made except through competitive bidding after the advertisement for the bids in the form and manner prescribed in this Charter. No purchase or the quantity thereof shall be split for the purpose of avoiding the requirements of this section.



(b) *Publication of request for bids.* Published notice of each intended purchase by competitive bid shall be posted on a designated web-page noticed upon and linked to the landing page on the City's official web site for two consecutive weeks prior to the opening date of the bid, or published in a newspaper of general circulation within the City once each week for two consecutive weeks prior to the opening date of the bid. In addition to the posting requirements of this section, the City Council may direct the City Manager to notify, by whatever means it chooses, additional potential suppliers of such requests for bids whenever the City Council determines that the website posting requirement of this section is inadequate to produce sufficiently competitive bidding. In emergency circumstances, notification time on the request may be shortened by the City Manager.

(c) *Contents of request for bids.* Each request for the submission of bids shall contain an acceptance clause granting the City a minimum of thirty (30) days in which to accept or reject the bid, during which time the tendered bid shall remain valid. The request for the submission of bids may contain a requirement that the bidder provide a performance bond in the full amount of the contract price and may further contain such other specifications and declarations as the City Council shall determine necessary for the proper evaluation of the bidder's proposal and qualifications.

(d) *Awards.* The City Council shall award the contract to the lowest fully responsive and responsible bidder; provided, that the City Council may award the contract to a bidder other than the lowest bidder should it find that the lowest bidder does not offer the reliability, quality of service or product afforded by such other bidder. Where a bid other than the lowest bid is taken, the City Council shall state the reasons upon which such award was made.

(e) *Rejection and resubmission for bids.* The City Council may reject all submitted bids and provide for the request of additional bids whenever it finds that the bids submitted are not responsive to the request for bids, that the bids are not responsible or that the bid prices are unacceptable. Requests for such additional bids shall comply with the provisions of this section.

(f) *Purchases on failure to receive bids.* Where no bids are received and the Council determines that additional requests for bids are unlikely to produce responses, the City Council may authorize the purchase, at the best obtainable price determined through direct quotation, of such products or services as are available on the open market.

(g) *Professional services.* Contracts for professional services, including but not limited to architects, attorneys, accountants, engineers and surveyors, may, upon approval by the City Council, be entered into without competitive bidding. The City Council shall review the qualifications, work history and other relevant data before contracts for such services are rendered. The Consultants' Competitive Negotiation Act shall be followed

where applicable.

(h) *Emergency purchases.* The City Council may substitute competitive quotes for the competitive bidding required by this section upon a finding by extraordinary vote that a public emergency exists making the bid delay contrary to the public interest.

(i) *Piggybacking.* Notwithstanding the foregoing, a purchase of goods made by or on behalf of the City on the same terms and conditions as were obtained by the United States of America, the State of Florida, or a county, municipality or special district of the State of Florida, through an advertised, competitive bidding process in which bids were opened within five ~~one~~ years prior to purchase by or on behalf of the City shall be deemed to be made through competitive bidding under this Charter.

(j) *Purchase of Goods for Utilities.* Notwithstanding the foregoing, a purchase by or on behalf of the City of goods which are to be used exclusively for the operation or maintenance of the City's potable water, stormwater, reuse-water or wastewater utility, or any combination of those utilities, and requiring the expenditure of not more than \$25,000 may be made by substituting competitive quotes for competitive bidding if required. No purchase or the quantity thereof shall be split for the purpose of avoiding the requirements of this section. This authorization shall not be utilized in conjunction with a construction or other service contract that requires competitive bidding

(k) *Sole Source.* Notwithstanding the foregoing, the City Council may authorize any purchase of goods without competitive bid when the City Council finds that the goods are to be used exclusively for the operation or maintenance of the City's potable water, stormwater, reuse-water or wastewater utility, or any combination of those utilities, that the goods are to replace a specialized, mechanical or electrical component of the utility, and that the goods are only available from a sole source of supply. The fact that the new component may increase capacity shall not disqualify this authorization. This authorization shall not be utilized in conjunction with a construction or other service contract that requires competitive bidding.

SECTION 2. If approved by referendum as provided in this Ordinance, the appropriate officers and agents of the City are authorized and directed to codify, include and publish the provisions of this Ordinance within the Panama City Beach Charter.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are

repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect immediately upon passage, but the amendment proposed hereby shall become effective immediately upon approval by a majority of the electors of the City voting in the next general election or special election called for such purpose; and if the electors shall not approve the amendment proposed by this Ordinance at such referendum, or should no referendum be held within one (1) year from the passage of this Ordinance, then the proposal not approved shall be void and of no force and effect.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_ day of \_\_\_, 2017.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 2017.

Posted on pcbgov.com on the \_\_\_ day of \_\_\_\_\_, 2017.

Ordinance No. 1438  
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AGENDA ITEM # 6

REGULAR ITEM

7





# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

LEGAL

2. MEETING DATE:

OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:

CONSIDER FIRST READING OF ORDINANCE AMENDING CHARTER TO PERMIT COUNCIL'S RELOCATION OF A BEACH EASEMENT WITHOUT REFERENDUM

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)

THE CITY CHARTER PRESENTLY REQUIRES A REFERENDUM TO AUTHORIZE THE ABANDONMENT OF A BEACH ACCESS EASEMENT.

STAFF REQUESTS COUNCIL'S CONSIDERATION OF A CHARTER AMENDMENT WHICH WOULD AUTHORIZE THE COUNCIL TO ACT WITHOUT A REFERENDUM WHEN THE RESULT OF SUCH ACTION IS TO RELOCATE A BEACH ACCESS EASEMENT THAT RESULTS IN NO NET LOSS OF BEACH ACCESS TO THE PUBLIC. THE STAND ALONE ABANDONMENT OF AN EASEMENT (WHICH IS NOT ACCOMPANIED BY DEDICATION OF AN EQUIVALENT EASEMENT NEARBY) WOULD STILL REQUIRE A REFERENDUM.

IF COUNCIL APPROVES FIRST READING OF THIS ORDINANCE, THE ORDINANCE WILL BE PUBLISHED FOR SECOND READING AND PUBLIC HEARING. IF ADOPTED FOLLOWING SECOND READING, THE ORDINANCE WILL NOT BE EFFECTIVE UNTIL APPROVED BY REFERENDUM, AND A RESOLUTION TO PLACE THE QUESTION ON THE BALLOT WILL BE BROUGHT BACK TO THE COUNCIL FOR APPROVAL.



ORDINANCE NO. 1439

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH PROPOSING TO AMEND SECTION 4-3 OF THE CHARTER OF THE CITY RELATING TO BEACH EASEMENTS TO PROVIDE THAT THE CITY COUNCIL SHALL BE AUTHORIZED TO ABANDON A BEACH ACCESS EASEMENT WITHOUT A REFERENDUM IN EXCHANGE FOR AND UPON THE DEDICATION OF AN EQUIVALENT BEACH ACCESS EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING THAT THE AMENDMENT PROPOSED SHALL BE EFFECTIVE ONLY UPON THE APPROVAL OF REFERENDUM AS SPECIFIED IN THE ORDINANCE AND REPEALING ORDINANCES IN CONFLICT.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH, FLORIDA:

SECTION 1. From and after the effective date hereof, 4-3 of the Charter of the City of Panama City Beach, relating to beach easements is hereby amended to read as follows (omitted text is ~~stricken~~ and new text is underlined):

**Sec. 4-3. Beach easements.**

The City shall not abandon any public, recreational beach access easement or right-of-way south of Alternate Highway 98, South Thomas Drive or Thomas Drive without approval by majority vote in a properly held City referendum, provided, however, that the City Council shall be authorized to act without a referendum in order to abandon a beach access easement in exchange for and upon the dedication of an equivalently sized and proximately located beach access easement.

SECTION 2. If approved by referendum as provided in this Ordinance, the appropriate officers and agents of the City are authorized and directed to codify,

include and publish the provisions of this Ordinance within the Panama City Beach Charter.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect immediately upon passage, but the amendment proposed hereby shall become effective immediately upon approval by a majority of the electors of the City voting in the next general election or special election called for such purpose; and if the electors shall not approve the amendment proposed by this Ordinance at such referendum, or should no referendum be held within one (1) year from the passage of this Ordinance, then the proposal not approved shall be void and of no force and effect.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_ day of \_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2017.

Posted on pcbgov.com on the \_\_\_\_ day of \_\_\_\_\_, 2017.

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AGENDA ITEM # \_\_\_\_\_

7

REGULAR ITEM

8



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

ADMIN/MARIO GISBERT

2. MEETING DATE:

OCTOBER 12, 2017

3. REQUESTED MOTION/ACTION:

APPROVE AGREEMENT APPOINTING JO SMITH AS CITY CLERK AND SETTING COMPENSATION

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)

THE CITY CLERK IS A CHARTER OFFICE APPOINTED BY THE CITY COUNCIL. THE COMPENSATION OF THE CITY CLERK SHALL BE AS DETERMINED BY THE CITY COUNCIL.

THE CITY HAS ADVERTISED THE POSITION OF CITY CLERK, AND RECOMMENDS THE APPOINTMENT OF JO SMITH TO THE FULL TIME POSITION AT AN ANNUAL SALARY OF \$66,560. THE POSITION IS CLASSIFIED AS AN EXEMPT POSITION WHICH IS NOT SUBJECT TO OVERTIME.

MS. SMITH IS CURRENTLY EMPLOYED AS THE SECRETARY TO THE CITY MANAGER AND MAYOR, AND ACTING AS THE INTERIM CITY CLERK. UPON APPOINTMENT AS CITY CLERK, THE SECRETARY POSITION WILL BECOME VACANT.



**RESOLUTION 18-05**

**BE IT RESOLVED** that the appropriate officers of the City approves and to the extent necessary ratifies the City Clerk Employment Agreement, between the City and Jo Smith, relating to the terms and conditions of her employment as City Clerk, providing for an annual salary of Sixty Six Thousand Five Hundred Sixty Dollars (\$66,560.00) together with benefits as more particularly described in the body of the Agreement, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval.

**THIS RESOLUTION** shall be effective immediately upon passage.

**PASSED** in regular session this \_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF PANAMA CITY BEACH**

By: \_\_\_\_\_  
Mike Thomas, Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

## EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (hereinafter referred to as "Agreement"), is by and between the City of Panama City Beach, Florida, a Florida municipal corporation (the "City") and Jo Smith (sometimes the "City Clerk").

### WITNESSETH:

WHEREAS, the City desires to employ Jo Smith as City Clerk of the City, as provided for in Article 3 of the City's Charter; and

WHEREAS, the City, through its City Council, desires to provide for certain benefits and compensation for the City Clerk and to establish conditions of employment applicable to the City Clerk; and

WHEREAS, Ms. Smith desires to accept employment as City Clerk of the City under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and benefits set forth in this Agreement, the parties agree as follows:

#### **Section 1. Employment.**

A. The City hereby hires and appoints Jo Smith as its City Clerk, under the terms established herein, to perform the duties and functions specified in the City's Charter and the City Code of Ordinances and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign.

B. The City's employment of Jo Smith as City Clerk shall become effective immediately upon execution of this Agreement. This Agreement shall remain in effect until terminated by the City or by the City Clerk as provided herein.

#### **Section 2. Salary and Evaluation.**

A. For the performance of services pursuant to this Agreement, the City agrees to pay the City Clerk an annual salary of \$66,560, payable in installments at the same time as other City employees are paid.

B. After the first year of the contract, should the general staff receive a cost of living increase, the City Clerk will receive the same increase at the same time as the other staff.

C. The City may also wish to increase said base salary and/or other benefits of the City Clerk in such amounts and to such an extent as the City Council may determine desirable on the basis of an annual performance evaluation of the City Clerk. Such evaluation shall be in such form and at such times as the Council deems appropriate.

D. Nothing in this Section shall require the City to increase the base salary or other benefits of the City Clerk.

**Section 3. Duties and Obligations.**

A. The City Clerk shall have the duties, responsibilities and powers of said office under the Charter and Ordinances of the City. The City Clerk agrees to perform all duties and responsibilities faithfully, industriously, and to the best of her ability and in a professional and competent manner.

B. The City Clerk shall remain in the exclusive employ of the City and shall devote all such time, attention, knowledge and skills necessary to faithfully perform her duties under this Agreement. She shall not serve or become employed by any other entity while this agreement is in effect. The City Clerk may, however, engage in educational and professional activities upon receipt of approval by the City Council, provided that such activities shall not interfere with her primary obligation to the City as its City Clerk. The City Clerk shall dedicate no less than an average of forty (40) hours per week in the performance of her duties hereunder.

C. In the event the City Clerk shall serve on any appointed boards or elected boards of any professional organization, or serve on any committees related to her professional activities, in the event any monies are paid, or gifts received, by the City Clerk related to such service, such money or property shall be paid over to or delivered to the City, unless otherwise provided by the City Council.

**Section 4. Communications Equipment**

The City shall provide the City Clerk with a city cell phone and pay the minimum monthly charge for service. The City Clerk shall pay any additional charges incurred due to personal use by reimbursing the City promptly.

**Section 5. Dues and Subscriptions**

The City agrees to pay the City Clerk's professional dues for membership in one Florida local government clerks' association, and such other professional dues and subscriptions on behalf of the City Clerk as may be approved in the City's annual budget (on a line item basis) or as authorized separately by the City Council.

**Section 6. Professional Development**

The City agrees to pay reasonable and customary travel and subsistence expenses for the City Clerk's travel to and attendance at least one annual, professional conference of Florida local government clerks. The City may choose to pay for the City Clerk's attendance at other seminars, conferences, and committee meetings as it deems appropriate and approves by Council action.

**Section 7. Community Involvement**

The City recognizes the desirability of representation in and before local civic and other organizations, and encourages the City Clerk to participate in these organizations to foster a continuing awareness of the City's activities as well as the community's attitudes and ideas.

**Section 8. Vacation and Sick Leave**

The City Clerk shall be entitled to two (2) week's vacation leave annually or as much as a department head with the same amount of service, whichever is greater. Accrual and pay-out of accumulated leave shall be governed by the same policies as those that govern other City employees.

**Section 9. Holidays**

The City Clerk is entitled to the same paid holidays as the general City staff.

**Section 10. Health, Dental, Life and Disability Insurance**

The City agrees to provide, or make available, health insurance and other benefits to the City Clerk on the same terms and conditions as are established from time to time for all City employees generally.

**Section 11. Retirement.**

The City and the City Clerk acknowledge that the City Clerk may participate in the General Employees' Retirement Fund under the terms and conditions as may from time to time be established for that Fund.

**Section 12. Termination by the City**

A. The City Clerk shall serve at the pleasure of the City Council and shall not be a member of the City's Civil Service, and the City Council may terminate this Agreement and the City Clerk's employment with the City at any time, for any reason or for no reason.

**Section 13. Termination by the City Clerk**

The City Clerk may terminate this Agreement at any time by delivering to the City Council a written notice of termination not later than ninety (90) days prior to the effective date of the termination. If the City Clerk voluntarily resigns pursuant to this Section, the City shall pay to the City Clerk all accrued compensation due the City Clerk up to the City Clerk's final day of employment, including any accrued personal time off. The City shall have no further financial obligation to Employee pursuant to this Agreement. This subsection shall not prevent the City Clerk from collecting any money earned as a result of participation in the City's retirement program.

**Section 14. Disability**

If the City Clerk becomes unable to perform her duties because of sickness, accident, injury, mental incapacity or health (but excluding death), for a period of four consecutive weeks beyond any accrued leave, the City shall have the option to terminate this Agreement.

**Section 15. Indemnification.**

A. City shall defend, save harmless, and indemnify the City Clerk against any action for any injury or damage suffered as a result of any act, event, or omission of action that the City Clerk reasonably believes to be in the scope of her duties or function, unless he acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. The City will compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon. The City shall not be liable for the acts or omissions of the City Clerk committed while acting outside the course and scope of her agreed duties or committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. In such instance, the City Clerk shall reimburse the City for any legal fees and expenses the City has incurred or otherwise paid, for or on her behalf, in connection with the charged conduct.

B. Said indemnification shall survive the termination of employment and the termination or expiration of this Agreement to provide protection for any such acts undertaken or committed in the City Clerk's capacity as a City employee, regardless of whether the notice of claim or filing of a lawsuit occurs during or following employment with the City.

**Section 16. Bonding**

The City agrees to bear the full cost of any fidelity or other bonds required of the City Clerk under any policy, regulation, ordinance or law.

**Section 17. Code of Ethics**

The "Code of Ethics" promulgated by Florida Association of City Clerks is incorporated herein, and by this reference made a part hereof. Said "Code of Ethics" shall furnish principles to guide the City Clerk's duties, responsibilities, conduct and actions as City Clerk of the City.

**Section 18. Attorney's Fees**

If any litigation is commenced between the parties concerning any provision of this Agreement or the rights and duties of any person in relation thereto, the party prevailing in such litigation will be entitled, in addition to such other relief as may be granted, to reasonable attorney's fees and expenses incurred in connection therewith, including appellate fees and expenses.

**Section 19. General Terms and Conditions**



A. If any provision, or any portion thereof, contained in this Agreement is held by a court of competent jurisdiction to be unconstitutional, illegal, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall not be affected and shall remain in full force and effect.

B. The waiver by either party of a breach of any provision of this Agreement, or the failure to demand strict compliance with any provision, shall not operate or be construed as a waiver of any subsequent breach of the same or any other provision, or as a modification of the same or any other provision.

C. This Agreement is a personal agreement between the City and the City Clerk and may not be voluntarily assigned or involuntarily transferred.

D. This Agreement contains the entire Agreement of the parties. It may not be changed verbally, but only by an Agreement in writing signed by the parties.

E. Florida law shall govern this Agreement and any litigation that may arise from this Agreement, shall be filed and litigated in the 14<sup>th</sup> Judicial Circuit, in and for Bay County, Florida.

F. Upon City Clerk's death, the City's obligations under this Agreement shall terminate except for the following which shall be for the benefit of the City Clerk's personal representative or heirs:

1. Transfer of ownership of retirement funds, if any, to her designated beneficiaries;
2. Payment of accrued leave balances in accordance with this Agreement;
3. Payment of all outstanding hospitalization, medical and dental bills in accordance with City's insurance policies or plans; and
4. Payment of all life insurance benefits in accordance with the City's insurance policies or plans.

G. The parties acknowledge that each has shared equally in the drafting and preparation of this Agreement and, accordingly, no court construing this Agreement shall construe it more strictly against one party than the other by reason of authorship, and every covenant, term and provision of this Agreement shall be construed simply according to its fair meaning.

H. This Agreement may be executed in duplicate counterparts, each of which shall be deemed an original and all of which together shall be deemed one and the same instrument. No term, condition or covenant of this Agreement shall be binding on either party until both parties have signed it.

I. The effective date of this Agreement shall be the last date it is executed by either of the parties to this Agreement.

Executed by the CITY this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF PANAMA CITY BEACH

By: \_\_\_\_\_  
Mike Thomas,  
Mayor

By: \_\_\_\_\_  
Mario Gisbert,  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO LEGALITY AND FORM:

\_\_\_\_\_  
Amy Myers, City Attorney

Executed by the CITY CLERK this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Witnesses:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Jo Smith

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

REGULAR ITEM

9

# December 2017

December 2017

Su	Mo	Tu	We	Th	Fr	Sa
					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						

January 2018

Su	Mo	Tu	We	Th	Fr	Sa
	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			

9

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 26	27	28	29	30	Dec 1	2
3	4	5	6 12:00pm 12PM-4PM- Civil Svc Board Meeting	7	8	9
10	11 2:00pm 2PM- Planning Board Meeting	12 9:00am 9AM- TDC Meeting	13	14 6:00pm Council meeting	15	16
17	18 3:00pm 3PM- Examining Board	19	20	21	22 <i>Closed for Christmas Eve</i>	23
24	25 <i>Closed Christmas</i>	26 12:00pm 12PM Noon - 1PM CSB Workshop	27	28 9:00am City Council Meeting	29 <i>Closed for NY Eve</i>	30
31	Jan 1, 18 <i>Closed New Years</i>	2	3	4	5	6

AGENDA ITEM #

# November 2017

November 2017							December 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 29	30	31	Nov 1 12:00pm 12PM-4PM- Civil Svc Board Meeting	2	3	4
5	6	7	8	9 4:00pm Impact Fee Study-Council Special 5:00pm Appeal to Planning Board 6:00pm Council meeting	10 <i>Closed for Veterans Day</i>	11
12	13 10:00am CDD Meeting-Carol Watson 2:00pm 2PM- Planning Board Meeting	14 9:00am 9AM- TDC Meeting	15	16	17	18
19	20 3:00pm 3PM- Examining Board	21	22	23 Office Closed (Thanksgiving Day)	24 Office Closed	25
26	27 <i>Tree Lighting Aaron Bessant Park 6:30 PM</i>	28 12:00pm 12PM Noon - 1PM CSB Workshop	29	30 10:00am Pension Board Meeting (Council Chambers)	Dec 1	2

AGENDA ITEM #