

**RESOLUTION 15-98**

**BE IT RESOLVED** that the appropriate officers of the City are authorized but not required to execute and deliver on behalf of the City that certain Agreement between the City and Gulf Power Company, relating to **the use of Frank Brown Park as a staging area for GPC personnel and equipment in the event of a storm**, for a period beginning May 1, 2015 and ending December 31, 2016, 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 12<sup>th</sup> day of May, 2015.

**CITY OF PANAMA CITY BEACH**

By:   
Gayle P. Oberst, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Holly White, City Clerk

**AGREEMENT FOR USE AS STORM RESTORATION STAGING SITE**

This agreement confirms that Gulf Power Company has requested and has been granted the nonexclusive use of the City of Panama City Beach's Frank Brown Park, in the areas designated on the attached map, to be used as restoration staging areas (to park trucks for dispatch, meeting spot for crews, etc.) as hereafter described. Gulf Power Company requests the use of these areas during storm restoration. The contemplated use of these locations will be for staging of personnel and equipment to support Gulf Power Company's restoration effort. The duration of this agreement shall be from no earlier than May 1, 2015 to December 31, 2016.

**PLEASE ATTACH A MAP OF THE AREAS THAT GULF POWER IS APPROVED TO USE.**

Gulf Power Company agrees to hold the City of Panama City Beach, and its officers, agents, members and employees, harmless from any unintentional acts or omissions.

While Gulf Power Company is in use of this area, it shall assume all liability to third parties as a result of activities by Gulf Power Company's employees and likewise agrees to hold the City of Panama City Beach harmless as to such events.

Gulf Power Company is self-insured up to one million dollars with excess liability insurance in excess of one hundred million dollars. Gulf Power Company is self-insured and self-administered under Florida Statutes 440.38(1)(b) for workers' compensation.

The duration of this staging shall be immediately after the storm and until such reasonable time as is necessary for Gulf Power Company to relocate to suitable Gulf Power facilities.

Gulf Power Company agrees to maintain the City of Panama City Beach's Frank Brown Park parking lots and buildings in a like and similar condition as when Gulf Power Company assumed possession. Gulf Power Company agrees to repair any damage done to these facilities as a result of Gulf Power Company's possession promptly and professionally, as circumstances permit. In return, City of Panama City Beach agrees that it shall notify Gulf Power Risk Management (at the address shown below) of any damages within thirty (30) days from the date that Gulf Power vacates the facilities, in order that these claims may be documented and verified. If no report of damages is made according to this process within this timeframe, City of Panama City Beach acknowledges that Gulf Power may choose to decline any claim as being untimely filed.

Gulf Power Company also agrees to read the meters prior to occupation of the facilities (buildings, parking lot lighting) and to read them again when we vacate the facilities.

The undersigned further declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made, and that this agreement contains the entire agreement between the parties hereto, and that the terms of this agreement are contractual and not a mere recital.

**THE UNDERSIGNED HAS READ THE FOREGOING AGREEMENT AND FULLY UNDERSTANDS IT.**

**Gulf Power Company Contact for this Staging Site:**

\_\_\_\_\_  
Petie J. Bailey, Storm Logistics Manager  
Gulf Power Company – Bin 11  
1230 E. 15<sup>th</sup> Street  
Panama City, FL 32405  
Phone: (850) 872-3279

Date Signed: \_\_\_\_\_

**Facility Owner Contact for this Staging Site:**

\_\_\_\_\_  
Mario Gisbert, City Manager  
City of Panama City Beach  
110 S. Arnold Rd.  
Panama City Beach, FL 32407  
Phone: (850) 233-5100

Date Signed: \_\_\_\_\_

ATTEST:

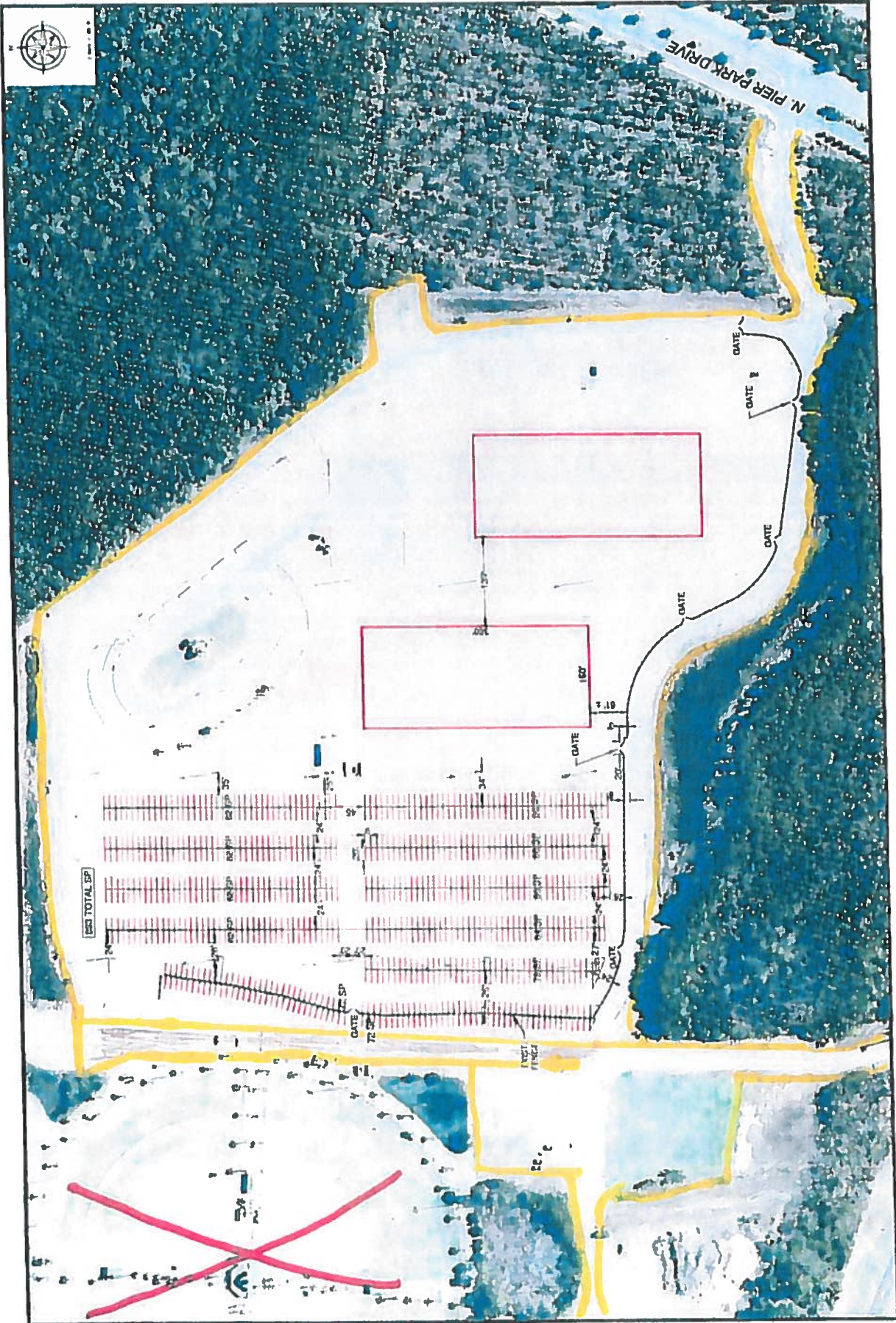
\_\_\_\_\_  
Holly J. White, City Clerk

**Gulf Power Risk Management Claim Contact Information:**

Julie L. Jones, Gulf Power Company – Bin 703, One Energy Place, Pensacola, FL 32520  
Phone: (850) 444-6686 Fax: (850) 444-6273

For Gulf Power Internal Use Only:

- Signed copy of agreement sent to Risk Management, Bin 703  
Name of Sender: \_\_\_\_\_ Date Sent: \_\_\_\_\_
- Agreement received by Risk Management and entered into log  
Risk Mgmt: \_\_\_\_\_ Date Entered: \_\_\_\_\_



N. PIER PARK DRIVE



1521 TOTAL SP

FENCE

GATE

GATE

GATE

GATE

GATE

GATE

GATE

GATE

