

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 July 27, 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.

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

The Mayor announced the upcoming Community Events.

The Minutes of the Regular Meetings of June 8, June 22, and July 13, and the Special Meeting for Capital Improvements Plan Workshop of June 30, 2017 were read and approved as written per motion by Councilman Reichard. 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

Mayor Thomas asked if there were any additions or deletions to the Agenda. There were none. Councilman Reichard made the motion to approve the Agenda as prepared. 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

PRESENTATIONS

1 DONATED EMS EQUIPMENT TO THE FIRE DEPARTMENT. Deputy Chief Couch gave a presentation concerning the Fire/Rescue truck donated by the County which included the supplies. He displayed photos.

PUBLIC COMMENTS (Consent and Regular Items only)

The Mayor opened the Public Comments portion of the meeting at 9:10 A.M. and reminded that the speakers were limited to three minutes. There were no speakers.

CONSENT AGENDA

Ms. Smith read each item on the Consent Agenda by title and identified Item #6 as a CRA item and one in which the City Council was also acting as the Panama City Beach Community Redevelopment Agency and voting as both.

1 ORDER 01-RZ-17 AND FINDING OF FACTS FOR THE APPROVAL OF THE FORTUNA INVESTMENTS REZONING. *“After receiving testimony and reviewing the exhibits produced during the Quasi-Judicial Hearing on July 13, 2017, the City Council orders that the subject rezoning request is hereby GRANTED and the captioned Ordinance 1418 shall be ADOPTED.”*

2 ORDER 03-PL-17 AND FINDING OF FACTS FOR THE APPROVAL OF THE PARKSIDE PCB PLAT. "After receiving testimony and reviewing the exhibits produced during the Quasi-Judicial Hearing on July 13, 2017, the City Council orders that the subject request to subdivide the land is hereby GRANTED and the captioned plat of PARKSIDE PCB is hereby APPROVED."

3 RESOLUTION 17-109, CRI ENGAGEMENT LETTER FY 2017 AUDIT. "A Resolution approving and authorizing execution of an Agreement with Carr, Riggs & Ingram, LLC, for the annual audit and evaluation of the City's Financial Statements for Fiscal Year ending 9/30/17 in the amount of \$103,000."

4 RESOLUTION 17-111, "PANAMA CITY BEACH MARATHON" ROAD USAGE. "A Resolution of the City of Panama City Beach, Florida, related to the "Panama City Beach Marathon" authorizing extraordinary traffic control on portions of Front Beach Road, South Thomas Drive, Thomas Drive and Surf Drive on Saturday, December 2, 2017 for the Event."

5 RESOLUTION 17-114, SOVEREIGNTY SUBMERGED LANDS EASEMENT RENEWAL, GRAND LAGOON. "A Resolution of the City of Panama City Beach, Florida, approving a Sovereignty Submerged Lands Easement Renewal with Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, relating to the property on which the Joan Avenue Lift Station (LS #40) Discharge Force Main is located; and providing an effective date."

6* RESOLUTION 17-115, MAJESTIC BEACH RESORT COMMUNITY ASSOCIATION LICENSING AGREEMENT MAINTENANCE OF LANDSCAPING & IRRIGATION, FRONT BEACH ROAD CRA SEGMENT 2. "A Resolution of the City of Panama City Beach, Florida, approving Licensing Agreement with Majestic Beach Resort Community Association, Inc, related to the maintenance of landscaping and irrigation within the City's right-of-way on Front Beach Road CRA Segment 2, and providing an immediately effective date."

Councilman Chester asked if the City planned an RFQ for the 2018 audit. Mr. Gisbert spoke of their longterm working relationship with the City and that the auditing firm had given the City a 5% discount this year compared to last year's fees. **Councilman Reichard 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

1 RESOLUTION 17-112, BID AWARD- STREET RESURFACING PROJECT FY17 AND BUDGET AMENDMENT #49. Ms. Myers read Resolution 17-112 by title. Mr. Casto explained that this was the annual resurfacing project, approximately 2.3 miles of certain segments on various roads. Staff received six bids for the project and most of the streets required milling instead of merely resurfacing. He said the total contract price was \$624,458 but only \$500,000 was budgeted this year. In discussions with Mr. Gisbert and Ms. White, One Million Dollars was available in Roadwork Reserves.

Councilwoman Strange asked about Oleander and if the contractor that damaged the road was giving the City any funds for repair. Mr. Casto said the contractor had agreed to repair the damages done during construction and elaborated on the damages. He said resurfacing the roadway was not a good idea because there were already drainage problems so the bid specified milling Oleander and drainage work. He said the developer had already given the City a check for Sixty-Seven Thousand Dollars and Staff had thought it fair to deduct 1/3 of the total cost, approximately Thirty-Seven Thousand Dollars.

Mayor Thomas said that he remembered the contractor had agreed that the roadway would be resurfaced. Mr. Casto said resurfacing would be half of the cost and a mistake to merely resurface due to the age of the road and the drainage problems. Councilman Reichard questioned whether to wait and merely repair now due to future

heavy construction for this roadway. He also mentioned a high curb on the west end which channeled water and Mr. Casto mentioned that was one reason for the \$67,000 check from the developer. Mr. Casto recommended milling the road now to correct the drainage issues and direct the water flow to a nearby swale.

Mayor Thomas said he was not in favor of moving forward until there was an independent inspection because the last few resurfacing projects were not up to par. He elaborated, using Bay Parkway and Cobb as examples. He said the Bay Parkway should also be finished now with the additional level of paving. Discussion ensued concerning the amounts removed from the original roadway contract. Mr. Gisbert said the intent for not adding the final course on the east/west portion of the road was to avoid a splice in the road when the next leg of the road was built.

Councilman Solis asked if Staff planned to bring in an independent inspector to assist with inspections to ensure top quality roadwork. Mr. Casto said the City had an inspector on Staff that would test the road when built.

Councilman Reichard suggested that if the Resolution was adopted that it should be subject to Staff checking on the contractor's commitment to pave Oleander. Mr. Casto said Staff's recommendation was to deduct 1/3 cost of the roadway, approximately Thirty-Seven Thousand Dollars which would include the milling. He added that the City was also holding the Sixty-Seven Thousand Dollars. Councilman Solis said it should be with the condition that the City receive the appropriate amount of money, not necessarily Thirty-Seven Thousand Dollars, based on a relook for the fair cost of resurfacing. He said the City needed to move forward and not delay any more road projects. **Councilman Reichard made the motion to approve Resolution 17-112 with the recommended conditions concerning Oleander. 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

2 RESOLUTION 17-113, AMENDING SICK LEAVE POOL POLICY REGARDING EMPLOYEE CONTRIBUTION OF HOURS. Ms. Myers read Resolution 17-113 by title and explained that this was recommended by the Sick Leave Pool Committee to allow a member with excess sick leave to contribute those hours to the Pool upon separation. Staff recommended the Policy change. **Councilman Solis made the motion to approve the Resolution 17-113. 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

3 RESOLUTION 17-116, AMENDING BUILDING FEE PERMIT SCHEDULE CHANGE OF OCCUPANCY FEE. Ms. Myers read Resolution 17-116 by title. The Mayor asked if there were any questions and there were none. **Councilman Reichard made the motion to approve Resolution 17-116. 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

PUBLIC COMMENTS

Mayor Thomas opened the Public Comments portion of the meeting at 9:40 A.M.

1 BURNIE THOMPSON. Mr. Thompson questioned special treatment to Mr. Curry at the last meeting and the reasons for the mass of Public Records Requests. He mentioned the unfairness of Ms. Floyd's treatment in doing the people's business and being overworked. He entered into the record an email from Councilman Reichard concerning an escort.

2 MS. GENESE HATCHER. Ms. Hatcher mentioned the Council members and neighbors stating her rental homes on Oleander were dangerous, causing her to lose rental business. She mentioned pamphlets and requested return calls from Chief Daly. She mentioned a bid for \$55,000 to install sprinklers in her homes on Oleander and the impact that ruling would have on 330 homes on the island. She stated that Chief Daly had stated sprinklers were not necessary before the CO was issued.

3 MS. TIFFANY HEWITT. Ms. Hewitt mentioned a personal vendetta. Mayor Thomas stated that personal business would not be discussed during a business meeting. Ms. Hewitt said it was City business.

4 MS. MEGGHAN McDOUGALL. Ms. McDougall asked the City's plans for the staffing issues within City Hall due to Ms. Floyd's resignation and mentioned personal vendettas.

5 MS. SARA MOON. Ms. Moon asked if the Council was aware the FY16 audit was late, due June 30th to the State, and questioned why hire the firm for another audit when they were late. She verbally made a Public Records Request for the original reports from the Staff inspection of Ms. Hatcher's home on July 8th, Mr. Leonard, Mr. Scott and Captain Jordan as well as the final report of that inspection.

6 MR. FRANK SEWELL. Mr. Sewell suggested placing the audit out for bid next year. He questioned if other rental properties would have the same scrutiny as Ms. Hatcher and mentioned the impact to the rental market of requiring sprinklers.

With no further comments, the Public Comments section was closed at 9:55 A.M.

Ms. Myers said she had no report.

Mayor Thomas responded to various questions raised during the Public Comment period. He invited Mr. Rich Moreira of Carr, Riggs & Ingram to address the auditing comments.

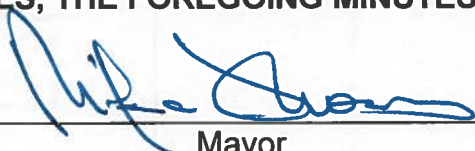
Mr. Moreira, audit partner of CRI, said the State had been notified that the year-end report was not completed and they had allowed an extension until September 30th. Councilman Solis said he knew the report was late and the reasons for its lateness and addressed some of the public comments.

Councilman Reichard said the email entered into the record was personal and humorous concerning a dinner. He said the email itself was distorted and he read in their entirety the emails between himself and Ms. Smith notifying him of the Chamber event. He said it was unfairly held against him for comments made to a friend.

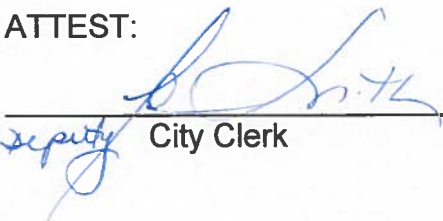
With nothing further, the meeting was adjourned at 10:10 A.M.

READ AND APPROVED this 24th of August, 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