

**GULF BREEZE CITY COUNCIL  
EXECUTIVE SESSION**

APRIL 28 , 2010  
WEDNESDAY 6:30 P.M.  
COUNCIL CHAMBERS

**REMINDER: THERE WILL BE A COMPREHENSIVE PLAN UPDATE  
WORKSHOP AT CITY HALL, 5:00 P.M.**

**ACTION AGENDA ITEMS:**

- A. Discussion and Action Regarding Annual Town Meeting , Monday, May 3, 2010, 6:00 pm
- B. Discussion and Action Regarding Resolution No. 13-10, Authorizing Issuance of 2010 Participant Loan Program
- C. Discussion and Action Regarding Second Addition to Driftwood Subdivision Located on North end of Live Oak Street
- D. Discussion and Action Regarding Ordinance No. 04-10, Amending Section 21-72 of the Municipal Code, Front Yard Fences
- E. Discussion and Action Regarding Resolution No. 12-10, Creating a Rebate Program for Boat Ramp Permits
- F. Discussion and Action Regarding Special Event Request for Capt'n Fun Run on Saturday, August 7, 2010, 7:30 a.m.
- G. Discussion and Action Regarding Recommended Award for Request for Qualification for Fishing Bridge Deconstruction Consulting
- H. Discussion and Action Regarding Acquisition of 2 Berry Drive; FEMA Alternative Project #16
- I. Discussion and Action Regarding Florida Department of Transportation - SB 1446 Landscaping Grant Architecture Consulting Services Contract
- J. Discussion and Action Regarding Request to Amend Capital Projects List, Purchase of E-911 Voice Recorder
- K. Discussion and Action Regarding Employee Participation in Disposal of Surplus Equipment
- L. Discussion and Action Regarding Forfeited Pension Funds
- M. Information Items

**Information Items**

**If any person decides to appeal any decisions made with respect to any matter considered at this meeting or public hearing, such person may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.**

**The public is invited to comment on matters before the City Council upon seeking and receiving recognition from the Chair.**

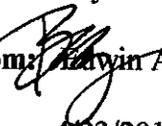


# *City of Gulf Breeze*

OFFICE OF THE CITY MANAGER

## Memorandum

To: Mayor and City Council

From:  Edwin A. Eddy, City Manager

Date: 4/23/2010

**Subject: Annual Town Meeting**

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The City Council traditionally opens the first council meeting in May with a "town meeting". We usually provide a review of the City's audit, an overview of the status of the current year budget and a list of the major projects we are working on. The town meeting can be a point of commencement for the next fiscal year budget preparation process. Ideas that arise and are endorsed by the Council can then be added to the budget prep process.

We will also have an up to date review of the cash position of each cost center from utilities to solid waste. We plan to hold the town meeting at City Hall at 6:00 p.m. on Monday, May 3, 2010.



# City of Gulf Breeze

OFFICE OF THE CITY MANAGER

April 23, 2010

TO: Mayor and City Council

FROM:  Edwin A. Eddy, City Manager

SUBJ: **RESOLUTION NO. 13-10, AUTHORIZING ISSUANCE OF 2010 PARTICIPANT LOAN PROGRAM**

The City Council recently approved the termination of the Gulf Breeze Loan Pool Program known as the 1997A Program. The reasons for early termination included the current positive position of the investments, the future uncertainty of the consumer price index upon which the interest rate for the bonds depends and the scheduled end of the program just seven (7) years away in 2017.

Two of the current participants in the program, Okaloosa Gas and the City of Pensacola may decide to utilize new bonds to replace their loans from the 1997A program. In order to make loans available, the City Council must approve the attached Resolution creating a Series 2010 Participant Loan Program. The amount was set at \$50,000,000 to provide flexibility as the final details are established. The outstanding loans to Okaloosa and Pensacola are far less than \$50,000,000.

**RECOMMENDATION:**

**THAT THE CITY COUNCIL ADOPT RESOLUTION 13-10 ESTABLISHING THE SERIES 2010 PARTICIPANT LOAN PROGRAM.**

**RESOLUTION \_\_-10**

**A RESOLUTION AUTHORIZING ISSUANCE OF AND AWARDING SALE OF NOT EXCEEDING \$50,000,000 REVENUE BONDS, SERIES 2010 (PARTICIPANT LOAN PROGRAM) OF THE CITY OF GULF BREEZE; AUTHORIZING EXECUTION AND DELIVERY OF TRUST INDENTURE FOR SUCH BONDS; RATIFYING USE OF A PRELIMINARY OFFERING DOCUMENT IN CONNECTION WITH THE MARKETING OF SUCH BONDS AND OTHER ACTION IN CONNECTION WITH THE DELIVERY OF SUCH BONDS; APPROVING THE FORM OF LOAN AGREEMENT; AND PROVIDING CERTAIN OTHER DETAILS IN CONNECTION WITH THE BONDS AND THE PROGRAM; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gulf Breeze (the "Issuer") is authorized pursuant to law, particularly Sections 163.01, et seq. and 166.01, et seq., Florida Statutes, and Chapter 61-2207, Laws of Florida, Special Acts of 1961, and Ordinance 5-97 of the City, each as amended and supplemented from time to time (collectively, the "Act") to cooperate with other public agencies of the State of Florida in the exercise of their common powers, including, among other things, their powers to borrow money and finance or refinance projects; and

**WHEREAS**, the Issuer has heretofore issued numerous series of Bonds to finance or refinance capital projects for such other public agencies; and

**WHEREAS**, the Issuer has been advised that there is substantial additional demand from public agencies for Loans, and that the available moneys under the prior programs are not structured to meet such demand for Loans; and

**WHEREAS**, the City has determined to issue additional bonds the (the "2010 Bonds") in principal amount not exceeding \$50 Million to enable specific public agencies to benefit from current interest rates, newly developed financing techniques and to increase the moneys available to finance certain types of Projects (the "2010 Program"); and

**WHEREAS**, the Issuer has further determined that all Loan Agreements with public agencies will be entered into simultaneously with the issuance and delivery of the Bonds; and

**WHEREAS**, the purposes for which the Bonds are to be issued are not primarily for the sole benefit of the Issuer but are primarily for the mutual benefit of the participating Public Agencies (the "Participants"); and

**WHEREAS**, the Issuer hereby finds that the timing, size and complexity of the financing and the present volatility of the municipal bond market require that the terms of the Bonds being hereby sold be negotiated at private sale rather than offered by competitive bid at public sale in order to assure the most favorable terms in the bond market and, therefore, has determined to sell such Bonds at private, negotiated sale; and

**WHEREAS**, the 2010 Bonds will be rated in one of the three highest categories by one or more national rating agencies; and

**WHEREAS**, the Bonds shall be issued as bonds bearing interest at fixed rates computed on the basis of the interest payable by the Participants; and

**WHEREAS**, the Issuer desires to ratify the use of the Preliminary Offering Document in connection with the marketing of the Bonds, to approve the preparation and delivery of the final Official Statement, to provide for the sale of the Bonds to Morgan Keegan & Company, Inc., on behalf of the Underwriters, and to authorize the execution of all necessary documents and the taking of all other necessary action in connection with the delivery of the Bonds; now therefore,

**BE IT RESOLVED BY THE CITY OF GULF BREEZE, SANTA ROSA COUNTY, FLORIDA:**

**Section 1. Authorization of Bonds.** Obligations of the Issuer to be redesignated and hereafter known as "Revenue Bonds, Series 2010 (Participant Loan Program)" are hereby authorized to be issued in the aggregate principal amount of not exceeding \$50,000,000 (the "Bonds"). The proceeds of the Bonds shall be used to fund the financing or refinancing of qualified projects by making Loans to Participants, all as defined in the hereinafter described Trust Indenture, in the manner described in such Trust Indenture and the Loan Agreements.

**Section 2. Award of Bonds; Bond Purchase Agreement.** The Issuer hereby finds, determines and declares that the timing and size of the issue and the novelty and complexity of the financing plan for the Bonds, and the need for coordination of the pricing of the Bonds and the setting of interest rates on the Loans, require that the Bonds be negotiated at private sale rather than offered by competitive bid at public sale in order to assure the necessary flexibility to obtain the most favorable terms in the bond market. The negotiated sale of the Bonds to Morgan Keegan & Company, Inc., on behalf of the Underwriters, is hereby authorized pursuant to Section 218.385, Florida Statutes.

The form of the Bond Purchase Agreement attached hereto as Exhibit "C" is hereby approved and shall be executed by the Mayor or Mayor Pro-tem with such provisions or modifications as are necessary to conform to the requirements of the 2010 Program, and to the final Offering Document hereinafter referred to and are not inconsistent with this resolution as

may be approved by the officers executing the same, such approval to be presumed by their execution thereof.

**Section 3. Description of Bonds.** The Bonds shall be issued in fully registered form, shall be dated and shall mature on the date set forth in the hereinafter described Trust Indenture and in the Official Statement, and shall bear interest initially at the fixed rates set forth in and payable on such dates all as set forth in the Trust Indenture.

**Section 4. Redemption Provisions.** The Bonds shall be not be subject to redemption prior to maturity.

**Section 5. Approval of Documents.** The form of Trust Indenture attached hereto as Exhibit "A" and made a part hereof, the other documents referred to therein, and the form of Loan Agreement attached to the Trust Indenture, which shall be entered into with the appropriate governing bodies within the Participants described in the Indenture, the Tax Exemption Certificate and Agreement, in substantially the form attached hereto as Exhibit "B," the Administration Agreement, in substantially the form attached hereto as Exhibit "D," the Rebate Analyst Agreement, in substantially the form attached hereto as Exhibit "E," and other documents necessary or desirable to implement the 2010 Program (the "Bond Documents"), are hereby approved and shall be executed by the Mayor or Mayor Pro-tem and City Clerk of the Issuer, with such provisions or modifications as are necessary to conform to the requirements of the 2010 Program and the Bond Insurer, if any, and to the final Offering Document hereinafter referred to and are not inconsistent with this resolution as may be approved by the officers executing the same, such approval to be presumed by their execution thereof.

**Section 6. Approval of Preliminary Offering Document.** Use of a Preliminary Offering Document in marketing the Bonds is hereby ratified and approved, and the preparation of a final Official Statement, with such provisions as are consistent with the terms of the Program and the Bond Purchase Agreement, and as shall hereafter be approved by the Mayor or Mayor Pro-tem of the Issuer, such approval to be evidenced by his execution thereof, is hereby authorized and approved in connection with delivery of the Bonds, and the Mayor or Mayor Pro-tem of the Issuer are each hereby authorized to execute and deliver the final Official Statement on behalf of the Issuer, such execution to conclusively establish their approval of the terms and provisions thereof.

**Section 7. Authorization of all Other Necessary Action.** The Mayor, Mayor Pro-tem, City Clerk, City Manager, City Attorney and Bond Counsel, for the Issuer are each designated agents of the Issuer in connection with the issuance and delivery of the Bonds, and are authorized and empowered, collectively or individually, to take all action and steps to execute and deliver any and all instruments, documents, investments or contracts on behalf of the Issuer which are necessary or desirable in connection with the execution and delivery of the Bonds and which are not inconsistent with the terms and provisions of this resolution and other actions relating to the Bonds heretofore taken by the Issuer.

**Section 8. Designation of Trustee, Paying Agent and Registrar.** U.S. Bank, National Association, is hereby designated and approved as Trustee, Paying Agent and Registrar for the Bonds.

**Section 9. Designation of Participants.** The Participant borrowers shall only include the City of Pensacola and, at its option, the Okaloosa County Gas System. All proceeds of the Bonds shall be loaned at the time the Bonds are closed, and only sufficient Bonds to provide funding for such Participants' Loans shall be issued. The Issuer shall pay the costs of issuance of the Bonds from the moneys available from the City's 1997A Loan Program. In the event that Okaloosa Gas System does not prepay its 1997A Loan, the surplus moneys from the 1997A program may be used to fund such Loan, or 1997A Bonds shall be left outstanding for such funding, all as determined by the Administrator.

The Issuer hereby designates Gulf Breeze Financial Services, Inc. as the Administrator and The Law Offices of C. Willis Ritter, PLLC as the Rebate Analyst of the Program. The form of Administration Agreement attached hereto as Exhibit "D", and the forms of Rebate Analyst Agreement attached hereto as Exhibit "E" are hereby approved and shall be executed by the Mayor or Mayor Pro-tem with such provisions or modifications as are necessary to conform to the requirements of the 2010 Program and the Bond Insurer, if any, and to the Trust Indenture and the final Offering Document herein referred to and are not inconsistent with this resolution as may be approved by the officers executing the same, such approval to be presumed by their execution thereof

**Section 10. Effective Date.** This resolution shall take effect immediately upon its adoption.

ADOPTED: This \_\_\_ day of \_\_\_\_\_, 2010.

**CITY OF GULF BREEZE, FLORIDA**

[SEAL]

By: \_\_\_\_\_  
Mayor

Attested this \_\_ day of \_\_\_\_\_, 2010.

By: \_\_\_\_\_  
City Clerk

**CERTIFICATE OF CITY CLERK**

I, Marita Rhodes, City Clerk to the City of Gulf Breeze, Santa Rosa County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution and supporting exhibits as the same were duly adopted and passed at a public meeting of the City Council of the City of Gulf Breeze on the \_\_\_ day of \_\_\_\_\_, 2010, and as the same appears on record in my office.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal this \_\_\_ day of \_\_\_\_\_, 2010.

(SEAL)

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

**EXHIBIT "A"**  
**Trust Indenture**

**EXHIBIT "B"**  
**Tax Exemption Certificate and Agreement**

**EXHIBIT "C"**  
**Bond Purchase Agreement**

**EXHIBIT "D"**  
**Administration Agreement**

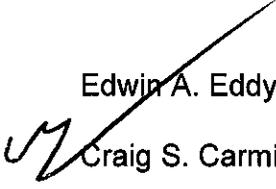
**EXHIBIT "E"**  
**Rebate Analyst Agreement**



# *City of Gulf Breeze*

## **MEMORANDUM**

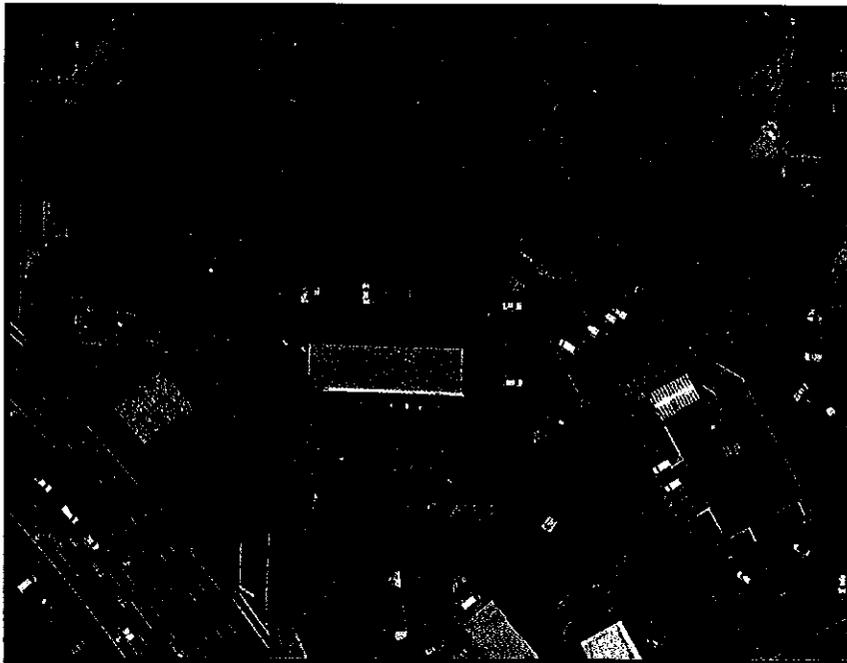
TO: Edwin A. Eddy, City Manager

FROM:  Craig S. Carmichael, Director of Community Services

DATE: April 22, 2010

**SUBJECT: Second Addition to Driftwood Subdivision**

Attached, please find request by Britton Stamps for a proposed subdivision that is adjacent to the Driftwood Subdivision located on the north end of Live Oak Street.



The proposed subdivision will consist of four single family lots measuring approximately 4,000 to 5,000 square feet each in area. Each lot would have access to the private drive which is currently under construction and part of the existing Driftwood Subdivision.

Mr. Stamps' project will require several variances. Three variances relate to setbacks, one relates to the minimum size of the lots (density) one relates to stormwater requirements. The last one deals with the width of the street, which is already in place and approved from the original Driftwood Subdivision. The first variance is for a 20 foot front and rear setback instead of a 30 foot as required by the Land Development Code ("LDC"). Mr. Stamps' request is based on the fact that the property is zoned RC and a multi-family fourplex could be built with 20 foot front and rear setbacks; however, due to a building of that size and mass, it would not be the best use of the property.

**Sec. 21-248. Cumulative residential provisions.**

- (a) *Single-family uses as allowed in R-1-AA and R-1-A districts are permitted in TH and R-C districts. Such single-family uses will be considered as having been developed in an R-1-A district and, except as set forth in subsection (b), must meet the requirements for single-family uses as set forth in district R-1-A in division 4 of article II of this chapter.*
- (b) *Single-family detached structures in a TH or R-C district as allowed by subsection (a) must have lot widths of at least 40 feet at the front setback line and beyond and side yard setback of 5 1/2 feet from the side lot line. All other requirements and provisions for single-family detached structures set forth in division 4 of article II of this chapter, district R-1-A, with exception for lot widths and side yard setbacks, but including overall building lot square footage requirements, are applicable to such single-family detached structures in the TH or R-C districts.*

**Sec. 21-84. Setbacks, yard requirements.**

~~The minimum setback from the front lot line shall be 30 feet; minimum side yard setback shall be eight feet from the side lot line; minimum rear yard depth is to be 30 feet~~ from any portion of the main house or porches, attached garages or carports to the rear lot line except in the case of a corner lot for which the rear yard restrictions shall be 15 feet. On corner lots, the side of the lot having the least street frontage shall be considered the front lot line for setback purposes, regardless of how the house actually faces; if the house actually faces the side street, the minimum setback from the side street shall be 20 feet, otherwise the minimum setback from the side street shall be 15 feet.

The second variance is for a 5.5 foot side street setback on the lot immediately adjacent to Live Oak Street. The LDC requires a 15 side street setback of 15 feet. This distance is specified to help alleviate any sight distance issues that might arise from a corner lot. However, given that the subdivision drive intersects Live Oak Street at 90 degrees and the fact that there will be limited traffic, a sight distance problem should not be an issue.

**Sec. 21-248. Cumulative residential provisions.**

- (a) *Single-family uses as allowed in R-1-AA and R-1-A districts are permitted in TH and R-C districts. Such single-family uses will be considered as having been developed in an R-1-A district and, except as set forth in subsection (b), must meet the requirements for single-family uses as set forth in district R-1-A in division 4 of article II of this chapter.*

- (b) Single-family detached structures in a TH or R-C district as allowed by subsection (a) must have lot widths of at least 40 feet at the front setback line and beyond and side yard setback of 5 1/2 feet from the side lot line. All other requirements and provisions for single-family detached structures set forth in division 4 of article II of this chapter, district R-1-A, with exception for lot widths and side yard setbacks, but including overall building lot square footage requirements, are applicable to such single-family detached structures in the TH or R-C districts.

**Sec. 21-84. Setbacks, yard requirements.**

The minimum setback from the front lot line shall be 30 feet; minimum side yard setback shall be eight feet from the side lot line; minimum rear yard depth is to be 30 feet from any portion of the main house or porches, attached garages or carports to the rear lot line except in the case of a corner lot for which the rear yard restrictions shall be 15 feet. ~~On corner lots, the side of the lot having the least street frontage shall be considered the front lot line for setback purposes, regardless of how the house actually faces. If the house actually faces the side street, the minimum setback from the side street shall be 20 feet, otherwise the minimum setback from the side street shall be 15 feet.~~

The third variance deals with the setback of accessory structures. More specifically generators and HVAC equipment. The LDC requires that they be located a minimum of five feet from the side and rear property lines. Because the LDC allows for a 5.5 foot setback for single family structures located in a RC zoning district, it is impossible to locate generators or HVAC equipment on the side of the house within a .5 foot envelope.

**Sec. 21-85. Detached structures.**

~~Detached structures are to be located 30 feet or more from the front lot line, and in no event shall a detached structure be nearer than five feet to any side lot line or rear lot line and no nearer to any side street property line than the side street setback line for that particular lot, except that a fence may be located on the side lot line and rear lot line. However, even a fence may be no nearer to any side street property line than the side street setback line for that particular lot.~~

The fourth variance is for minimum lot sizes ranging from 4,441 square feet to 5,224 square feet. The LDC requires a minimum lot size of 9,000 square feet. Again, a fourplex building could be developed on the overall site that would comply with the LDC; however, it may not be best use of the property considering it is located adjacent to single family water front lots.

**Sec. 21-83. Lot requirements.**

~~In the R-1-A district no residential structure shall be erected or placed on any building lot which has a square foot area of less than 9,000 square feet.~~ In addition, a minimal lot width of 80 feet is required at the front setback line. The minimum lot width at the street right-of-way line shall be 50 feet, as measured along the curve.

The fifth variance deals with stormwater requirements. The LDC requires that the run-off leaving a site after being developed be maintained at the rates that existed prior to development. This requirement insures that downstream properties are not flooded by increased runoff when a property is developed. As the Driftwood project will directly discharge surface water runoff to Pensacola Bay, the threat of downstream flooding is nonexistent. Therefore, the facility can be granted a variance removing the requirement to meet this condition. Similar variances were granted to other projects adjacent to this project.

**Sec. 24-99. Performance standards.**

- (2) ~~The hydrograph for the developed or redeveloped site shall not exceed the rate of flow, volume, and timing of runoff produced by conditions existing before development or redevelopment for the 25-year storm.~~ In addition, the cumulative impact of the outflow hydrograph on downstream flow shall be considered. Runoff rates and volumes resulting from the project, in excess of existing volumes, shall be accommodated on-site for a 25-year storm of a duration equivalent to the time of concentration of the specific site.

The sixth and final variance is for the minimum width of the roadway. The LDC requires that all roads servicing developments in the RC district have a minimum pavement width of 24 feet. The developer is proposing a service road width of 22 feet. This request is being listed out of an abundance for caution as the width of the road was approved with the original Driftwood Subdivision plat.

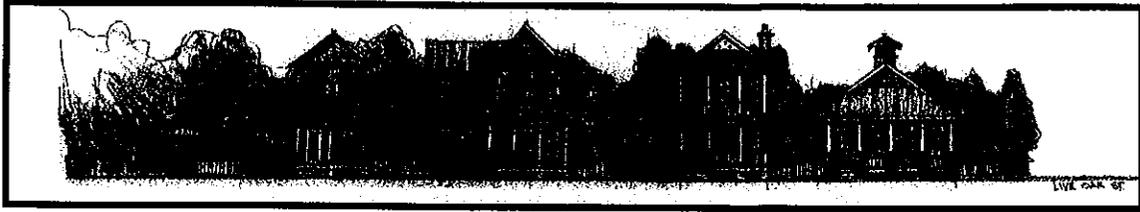
**Sec. 21-140. Service roads.**

~~All roads serving condominium developments in the R-C district shall have a minimum pavement width of 24 feet~~ and a minimum right-of-way of 40 feet, and shall never be accepted by the city unless the streets and buildings meet the subdivision, zoning, and all applicable land development code requirements, and are constructed to standards approved by the city for public roads.

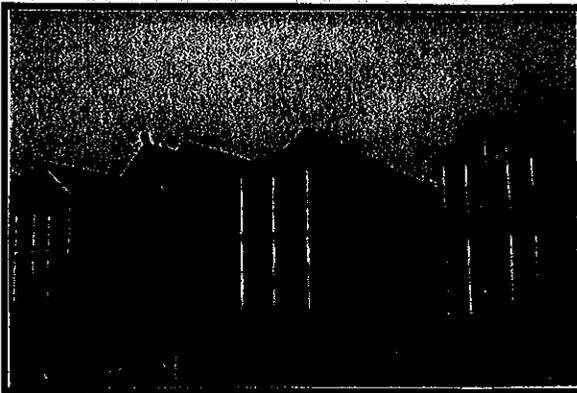
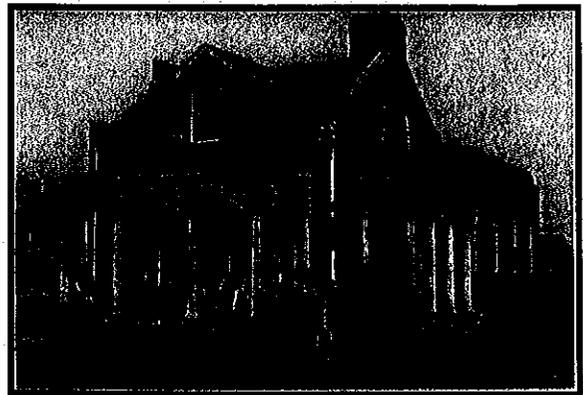
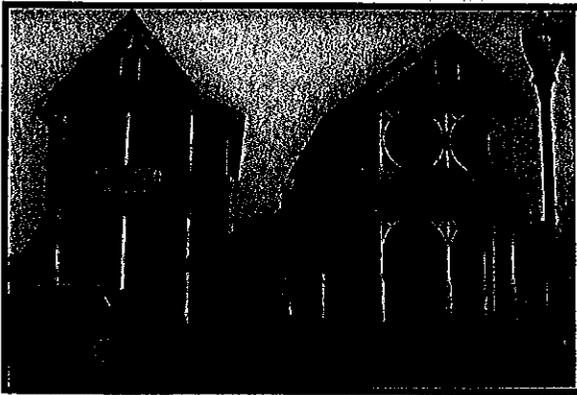
A Public Hearing has been advertised for Wednesday, April 28, 2010. Notice was provided to the property owners within 150 feet of the project and was also distributed as an insert in last month's utility bills.

**RECOMMENDATION: THAT A PUBLIC HEARING BE HELD ON THE SIX VARIANCES ON APRIL 28<sup>TH</sup>. STAFF HAS REVIEWED EACH DEVIATION AND FOUND THAT THEY WILL HAVE MINIMAL IMPACTS AND RECOMMENDS THAT THE CITY COUNCIL APPROVE THE PROPOSED SUBDIVISION WITH THE AFOREMENTIONED VARIANCES.**

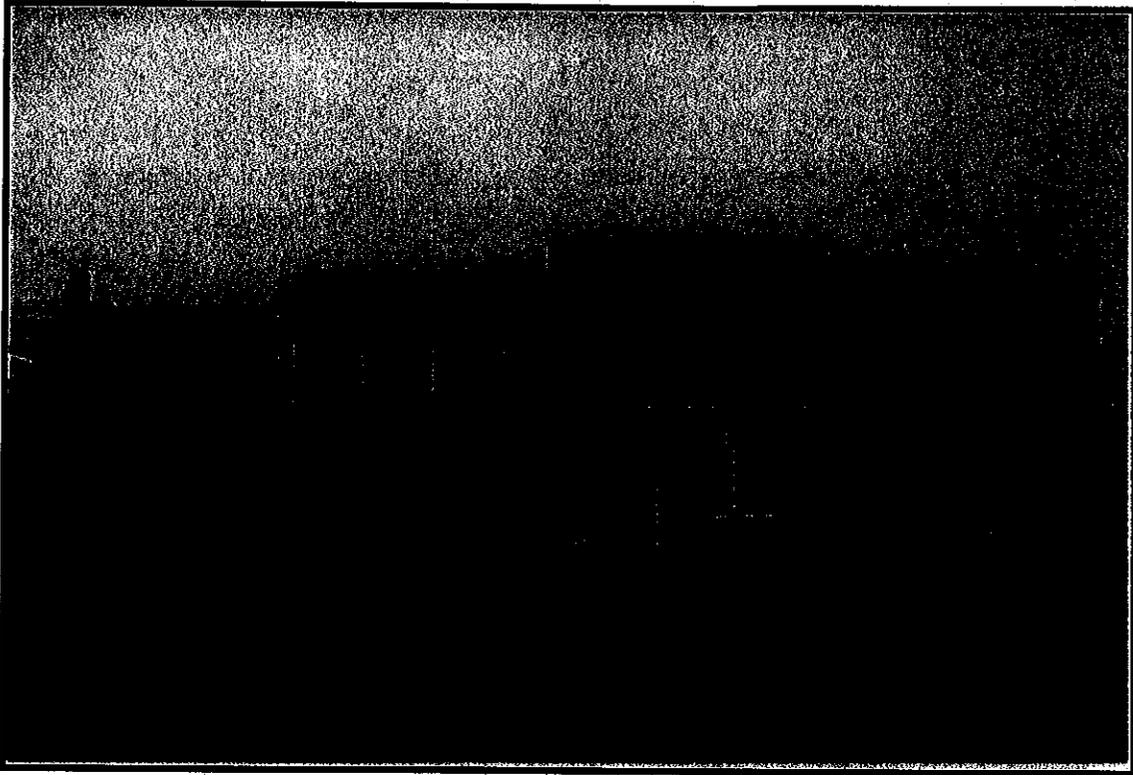
### PROPOSED SUBDIVISION RENDERING



### SAMPLE STRUCTURES



**SAMPLE MULTIFAMILY DWELLING**







# City of Gulf Breeze

OFFICE OF THE CITY MANAGER

April 21, 2010

TO: Mayor and City Council

FROM:  Devin A. Eddy, City Manager

SUBJ: ORDINANCE NO. 04-10, AMENDING SECTION 21-72 OF THE MUNICIPAL CODE, FRONT YARD FENCES

This ordinance was approved on First Reading on April 19. A Public Hearing and Second Reading has been scheduled for May 3.

The purpose of the Ordinance is to implement Council direction that staff make the initial review and determination if a proposed front yard fence meets the criteria included within the Ordinance. After discussion with the City Attorney, we changed the venue for appeal of the staff determination from the Board of Adjustment to the Development Review Board. Assigning such an appeal to the DRB is consistent with the review/ appeal process of staff decisions already in the Code.

**RECOMMENDATION:**

**THAT A PUBLIC HEARING BE HELD ON MAY 3 AND ORDINANCE NO. 04-10 BE APPROVED ON SECOND READING.**

**ORDINANCE NO. 04-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING SECTION 21-72 OF THE CODE OF ORDINANCES RELATIVE TO FENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council enacted certain rules and regulations regarding the design and placement of fences on residential lots; and,

**WHEREAS**, these rules and regulations currently preclude the placement of a fence forward of the front of a primary structure on a residential lot; and,

**WHEREAS**, the City Council desires to amend these rules and regulations to allow the placement of fence forward of the front of a primary structure in certain instances and when certain design criteria are met.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Gulf Breeze, as follows:

**SECTION 1: Section 21-72, Fence Requirements is hereby amended to read as follows:**

**Sec. 21-72. Fence requirements.**

- (a) No fence of any description shall be erected nearer to the front lot line than the front of the house on the lot or, in the case of a vacant lot, nearer to the front lot line than that point on the lot where a house could be located when and if built, except as follows: in the case where a house is built closer to the setback limit than a house immediately abutting, then the house further away from the front street may extend the side yard fence to a point equal to the extent of the abutting front yard fence which extends further toward the street. In no case can a side yard fence extend closer to the right-of-way than the setback limit. In the case of a corner lot no fence shall be erected nearer to the side street line than the side street setback line for that particular lot. In those instances on a corner lot in which the front of the house faces the side street lot line, then the section of fence that faces the front lot line shall not be located any closer to the front lot line than 15 feet. The maximum height of such fence shall be eight feet, except that on a corner lot, the height of such fence that protrudes beyond the side of the house facing the side street where the fence joins the house, and that portion of the fence that runs parallel with the side street side of the lot, shall not exceed 6 feet in height. All other sections of a fence located on the lot shall not exceed the maximum height of eight feet.
- (b) Special exceptions.

Fences meeting the following criteria may be located forward of the front of the house but not forward of the front lot line. The ~~Board of Adjustment~~ Development Review

Board will determine if the criteria listed below have been met in accordance with Section 20-108 of the Code of Ordinances.

1. The fence shall be decorative or ornamental in design and match the overall architectural style of the principal structure. No chain link, wire, wooden panel or picket fence shall qualify for a special exception. The design of the fence must be brick, stone or stucco columns joined by metal panels. The metal panels must be less than thirty-three percent (33%) opaque.
2. Landscaping must be installed on the street side of the fence in such a manner as to shield the metal panels from view within three (3) years from the date of construction. Plant material must consist of ornamental shrubs which grow to a height of five (5) to six (6) feet under normal conditions (Recommended species are included in Table 1. Other species with similar attributes may be utilized).
3. The maximum height of the fence panels shall not exceed six (6) feet in height; however, columns may be up to ten (10) feet high. The height measurement will be taken from grade.
4. The minimum distance between columns shall be eight (8) feet. The maximum distance between columns shall be fifteen (15) feet.
5. The property owner must demonstrate the existence of a public safety concern, such as trespassing that frequently occurs about his property which would be significantly mitigated by construction or erection of a fence contemplated in this subsection (b).
6. Any fence that utilizes a gate or similar device to restrict access to the driveway shall be equipped with a rapid entry system as specified in Section 21-265.
7. The decision by the City Manager or designee that the aforementioned criteria have or have not been met may be appealed to the ~~Board of Adjustment~~ Development Review Board. The procedures for appeal shall follow the ~~procedures specified in Chapter 20, Article II, Division 7. Appeals.~~ that of level one development.

## **SECTION 2: SEVERABILITY**

It is not the intent of this Ordinance to supersede or conflict with any law, rule, or regulation that has been reserved to or is preempted by laws, rules, and regulations of the State of Florida. If any section, sentence, clause, phrase, or word of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance. Further, in the event that any section,

sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then it is hereby declared to be the intent of the Gulf Breeze4 City Council that this Ordinance be construed to the fullest extent possible in a manner that is valid and constitutional and excepting only such portions of this Ordinance that are necessary in order for the remaining portions hereof to be valid and lawful.

**SECTION 3: CONFLICT**

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance or portion thereof in conflict with the terms herein.

**SECTION 4: EFFECTIVE DATE**

This ordinance shall become effective upon its adoption by the City Council of the City of Gulf Breeze.

PASSED ON FIRST READING ON THE 19<sup>TH</sup> DAY OF APRIL, 2010.

PUBLISHED ON THE 22<sup>ND</sup> DAY OF APRIL, 2010.

PASSED AND ADOPTED ON THE SECOND READING ON THE 3<sup>RD</sup> DAY OF MAY, 2010.

CITY OF GULF BREEZE, FLORIDA

\_\_\_\_\_  
BEVERLY H. ZIMMERN, MAYOR

ATTEST:

\_\_\_\_\_  
MARITA RHODES, CITY CLERK



# *City of Gulf Breeze*

OFFICE OF THE CITY MANAGER

April 21, 2010

TO: Mayor and City Council

FROM:  Edwin A. Eddy, City Manager

SUBJ: RESOLUTION NO. 12-10, CREATING A REBATE PROGRAM  
FOR BOAT RAMP PERMITS

On April 19, 2010, the City Council approved a rebate to be provided to City residents that purchase annual boat ramp permits. In order to memorialize this action for City records, it is necessary that the City Council adopt the attached Resolution.

**RECOMMENDATION:**

**That the City Council adopt Resolution 12-10, implementing a rebate program for City residents that purchase annual boat ramp permits.**

**RESOLUTION NO. 12-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE APPROVING A REBATE PROGRAM FOR CITY RESIDENTS THAT PURCHASE ANNUAL BOAT RAMP PERMITS**

**WHEREAS**, the City of Gulf Breeze operates, maintains and improves from time to time two (2) boat ramp and launching facilities; and

**WHEREAS**, the City requires payment of a daily launch fee or purchase of an annual boat ramp permit to help offset the cost of operating, maintaining and improving the boat ramp facilities; and,

**WHEREAS**, City residents support the operation, maintenance, and improvement of the boat ramp facilities through payment of ad valorem taxes, utility service taxes and other local taxes;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Gulf Breeze as follows:

1. City residents are required to pay the same fee for an annual boat launch permit as are other residents.
2. City staff that handle the sale of the annual permit shall request the home address of the individual purchasing the permit.
3. If the person that purchased the permit resides at a local address, a \$10 rebate from the water bill will be processed as soon as is practical by City staff.
4. At time intervals as deemed appropriate by staff, funds equal to the amount rebated will be transferred from the General Fund to the City's 401 Water and Sewer Account equal to the amount rebated.

**EFFECTIVE DATE:** This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, SANTA ROSA COUNTY, FLORIDA** this \_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
Beverly H. Zimmern, Mayor

\_\_\_\_\_  
Marita Rhodes, City Clerk



# City of Gulf Breeze

## POLICE DEPARTMENT

PETER R. PAULDING  
*Chief of Police*

ROBERT C. RANDLE  
*Deputy Chief of Police*

To: Edwin Eddy, City Manager  
From:  Robert Randle, Dep. Chief  
Date: April 19, 2010  
Re: Special Event Application

The Capt'n Fun Runners have submitted application for their annual 5K run from the Rec Center to the Beach. The run will be on Saturday, August 7, 2010 and will begin at 7:30am. They expect approximately 1400 participants. This run does not require much manpower. On duty, auxiliary and part time officers will be utilized.

**RECOMMENDATION:** That the City Council approve the application.





# City of Gulf Breeze

POLICE DEPARTMENT

PETER R. PAULDING  
*Chief of Police*

ROBERT C. RANDLE  
*Deputy Chief of Police*

## CITY OF GULF BREEZE SPECIAL EVENT

### PACKET INCLUDES

- 1) COPY OF REQUIREMENTS TO CONDUCT SPECIAL EVENTS
- 2) APPLICATION TO CONDUCT SPECIAL EVENT

**ABOVE DOCUMENTS MUST BE SIGNED, DATED AND RETURNED TO**

**THE GULF BREEZE POLICE DEPARTMENT**

**AT LEAST (30) DAYS PRIOR TO THE SPECIAL EVENT**

  
\_\_\_\_\_  
Applicant's Signature

4/8/10  
\_\_\_\_\_  
Date





# *City of Gulf Breeze*

## POLICE DEPARTMENT

PETER R. PAULDING  
*Chief of Police*

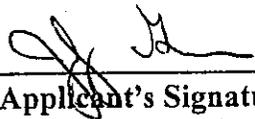
### CITY OF GULF BREEZE

#### REQUIREMENTS TO CONDUCT SPECIAL EVENT ON CITY PROPERTY OR IN THE CITY OF GULF BREEZE

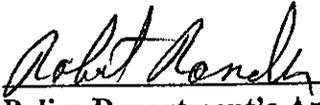
**Applicant must provide at least (30) days prior to the Special Event:**

- (a) The name, address, and telephone number of the person requesting the permit.
- (b) The name and address of the organization or group he or she is representing.
- (c) The name, address and telephone number of the person or persons who will act as chairman of the special event and be responsible for the conduct thereof.
- (d) The purpose of the event, a general description of the activities to take place, the estimated number of persons to participate or otherwise attend, and the number and types of vehicles (if any) to participate.
- (e) The date the event is to be conducted and the hours it will commence and terminate.
- (f) The specific location(s) where the event is to take place.
- (g) Sponsors of special events will be responsible for all costs incurred by the city in providing required public safety personnel. Cost for public safety personnel will include FICA, retirement, and overtime. We will attempt to use auxiliary and part-time officers to keep the expense down, but should we have to utilize full time personnel the cost will increase considerably.
- (h) Assurance that the applicant will conform to necessary fire prevention rules, regulations and guidelines.

- (i) Assurance of indemnification and insurance coverage. The applicant shall agree to indemnify and hold harmless the City, its servants agents and employees for any and all claims caused by or arising out of the activities permitted. The applicant shall provide certification of an appropriate policy of insurance to protect the City from liability which might arise from the special event. The policy occurrence limits shall not be less than \$1,000,000. A Copy of the policy shall be submitted at the time of application.
- (j) Sponsors shall be required to submit a detailed map illustrating the location of the event and the streets which may be affected by the event. Per City Council action, no event will be allowed on U.S. Highway 98.
- (k) Such other information as the Chief of Police and/or the City Manager may deem necessary in order to provide for traffic control, street and property maintenance and the protection of the public health, safety and welfare.
- (l) Event sponsors will be responsible for cleanup of the event site and/or route. Failure by the sponsor to cleanup the site will result in the city doing the cleanup and billing the sponsor for the actual cost.

  
Applicant's Signature

4/8/10  
Date

  
Police Department's Approval

4/19/10  
Date

**APPLICATION TO CONDUCT SPECIAL EVENT ON  
CITY PROPERTY OR RIGHT-OF-WAY**

4/8/10  
\_\_\_\_\_  
Date Submitted

**1. ORGANIZATION BEING REPRESENTED:**

Name Capt'n Fun Runners  
Address 1014 Via De Luna, Pensacola Beach

**2. PERSON REQUESTING PERMIT:**

Name Johnny Graves  
Address 1425 Bahia Drive, Navarre, FL  
Phone 850-982-1071

**3. PERSON ACTING AS CHAIRMAN AND RESPONSIBLE FOR CONDUCT THEREOF:**

Name same  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

**4. DATE, HOURS AND LOCATION OF EVENT:**

August 7, 2010 7:00-8:00  
Race starts @ Shoreline Park

**5. GENERAL DESCRIPTION OF ACTIVITIES, ESTIMATED ATTENDANCE, NUMBER AND TYPE OF VEHICLES, IF ANY. IF A FUND RAISING EVENT, INDICATE PROPOSED USE OF FUNDS:**

5K Run from Gulf Breeze to Pensacola Beach, we expect between 1200-1400 runners. They race benefits Big Brothers /

[Signature] 4/8/10  
Applicant's Signature/Date

[Signature] 4/18/10  
Police Department's Approval/Date

\_\_\_\_\_  
City Manager's Approval/Date

# Memorandum

**To:** SRIA & City of Gulf Breeze  
**CC:** Glenn Windham  
**From:** Johnny Graves  
**Date:** 4/8/20010  
**Re:** 5K Run- August 7, 2010

---

The run starts at the South Santa Rosa Recreation Center on Shoreline Drive in Gulf Breeze. The race will proceed east on Shoreline to Tall Pine Trail and loop through the neighborhood to Pensacola Beach Boulevard. The race continues across the Bob Sikes Bridge and finishes across from the Boardwalk at the Visitor's Information Center.

Only the far right lane will be used once the runners get to Pensacola Beach Boulevard and continue across the bridge. The entire length of the course from that point to the finish will be coned off to separate runners from the traffic flow. The Capt'n Fun Runners will coordinate this flow with the Gulf Breeze Police Department (Deputy Chief Randle) and the Escambia County Sheriff's Department (Matt Baxter). The Capt'n Runners will also coordinate the medical and aid support with Pensacola Beach Fire Department (Chief Grace).

We will **NOT** go through the intersection of Pensacola Beach Boulevard and Fort Pickens Road. We will turn into the Visitor's Center parking lot just before the marquee sign.

The race will be coordinated by the Capt'n Fun Runners and will benefit the Big Brothers/Big Sisters of Northwest Florida Organization.

If you need any additional information, please contact me.

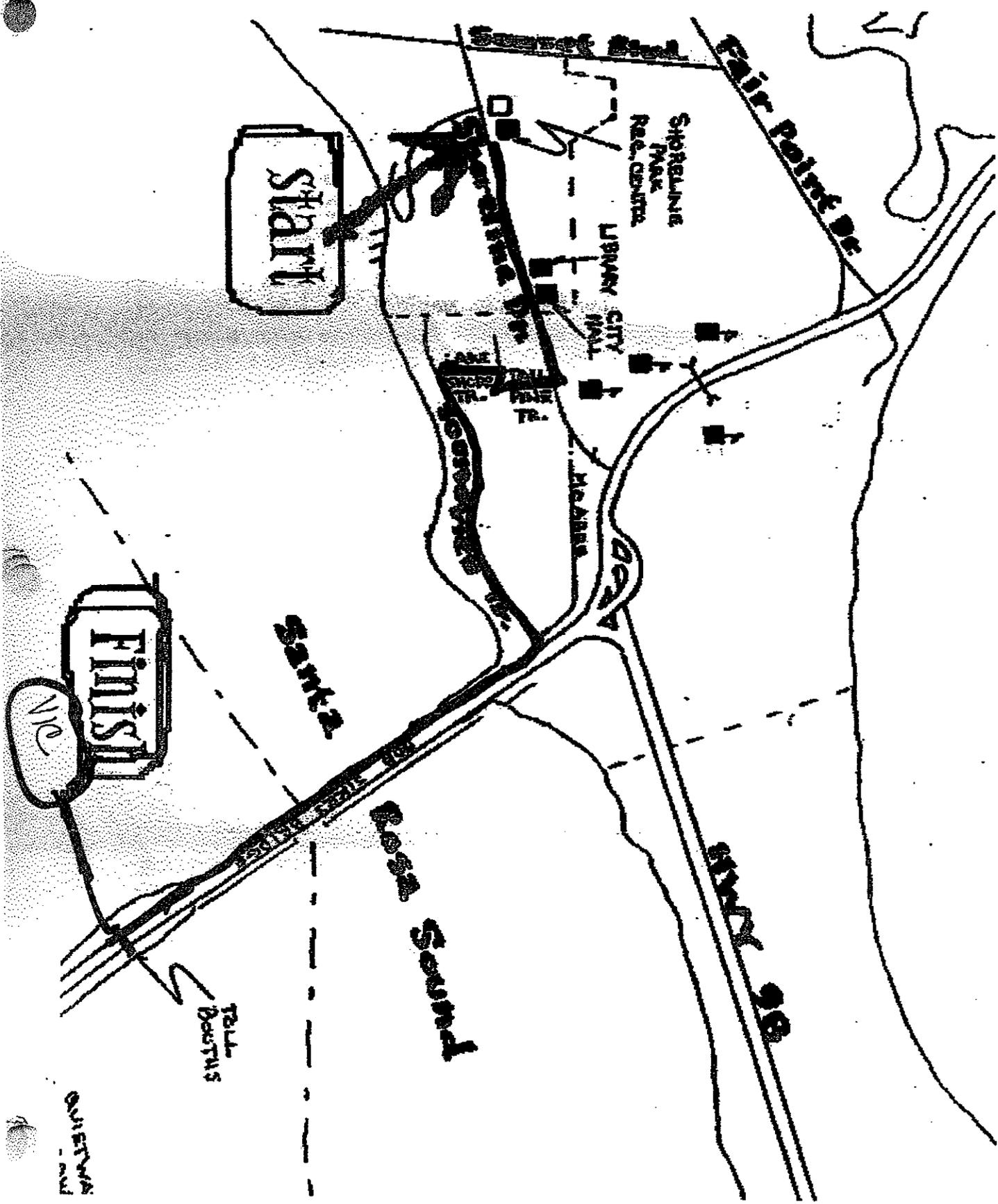
Thank you,



Johnny Graves

Home 939-8073

Cell 982-1071



QUESTIONS

# Memo

**To:** Edwin Eddy, City Council  
**From:** Steve Milford   
**Date:** April 23, 2010  
**Re:** Recommended Award for RFQ for Fishing Bridge Deconstruction Consulting

---

Deconstruction of the fishing pier to make it "safe and secure" is a requirement for our continued eligibility for the Alternative Project funding. This will become a standalone project worksheet (PW) designated as PW 2319. We have been instructed by the heads of FEMA and Florida recovery to prepare for imminent separation and obligation of this project with a preliminary obligation of \$3 million. As a standalone PW the costs will be 1) subject to actual bid costs and associated compliance costs (including engineering, permit compliance and disposal costs) rather than a fixed dollar amount; 2) reimbursed 90% by FEMA and 7.5% by the State of Florida; and, 3) may be eligible for "advance funding" or an up front payment of up to 90 days worth of costs.

Deconstruction is subject to both a narrow operating window for environmental reasons (May to September), as well as compliance with a wide range of safety, permit and material disposal specifications. The City staff does not have adequate experience, training or depth of personnel to adequately develop the bidding scope and materials or oversee the project and associated administration. As a result, an advertisement seeking such capabilities was placed in the Gulf Breeze News, Pensacola News Journal and on the City's website.

As a result of the advertised solicitation for consultants to assist the City with the deconstruction of the Gulf Breeze fishing bridge, the City Clerk received five responses before deadline:

- Hatch Mott McDonald Florida, LLC
- MACTEC Engineering and Consulting, Inc.
- Schmidt Consulting Group, Inc.
- Tetra Tech, Inc.
- Von Bergen, Ltd.

A review committee consisting of Vernon Prather, Thomas Lambert and myself reviewed the submissions. After evaluating the various submissions the committee prepared the following recommendation.

**RECOMMENDATION:**

**That the City Council instruct staff to pursue negotiations with Tetra Tech, Inc to engage them as consulting engineers for the deconstruction of the fishing bridge.**

# Memo

**To:** Edwin Eddy  
**From:** Steve Milford   
**Date:** April 22, 2010  
**Re:** Acquisition of 2 Berry Drive; FEMA Alternative Project #16

---

This property was identified as part of the Alternative Projects in contemplation of using its low topology to assist in stormwater management in that area, and to otherwise set aside the land as a local park. The project was endorsed by the City Council prior to its submission to FEMA.

Both the State of Florida and FEMA have raised no objections to acquisition of this parcel, and the project was initially valued at \$260,000 which has been the MLS asking price.

I am pleased to inform you that we have reached agreement with the owners to acquire the property for a cash payment of \$178,000. All realtor fees will be paid by the sellers at closing; we are responsible for title insurance and deed doc stamps. The owners are prepared to close within 30 days. I am informed that the owners will be closing by mail, so scheduling will be largely at out convenience.

This agreement is slightly below the appraised value of \$180,000, but importantly allows close to \$80,000 (net of our closing and appraisal costs) of the \$260,000 of Alternative Project funds designated to be redirected toward other projects or equipment. Attached is the property appraisal provided by Del Mar appraisers for 2 Berry Drive in Gulf Breeze.

As you know, I recommended that we attempt to tie up this property prior to any major announcement about the FEMA Alternative Project grant, and before the City's focus on this parcel became widely known, as it would put the City in a disadvantageous negotiating position for the owners or the owners' broker to be aware of the City's interest and the level of FEMA funding.

**Recommendation:**

**That the City Council authorize the acquisition of 2 Berry Drive by the City of Gulf Breeze and authorize Mayor Zimmern and/or City Manager Eddy to sign necessary closing documents; and that accomplish that acquisition, the City Council authorize the expenditure of \$178,000 to purchase the lot and authorize not more than \$5,000 in additional costs for appraisal, legal review, closing and recording costs, and survey cost. Upon closing and completion of the acquisition, that Council authorize staff to submit such expenditures for reimbursement under PW 3817 – V2, the alternative projects.**



STATE OF FLORIDA  
**DIVISION OF EMERGENCY MANAGEMENT**

**CHARLIE CRIST**  
Governor

**David Halatead,**  
Interim Director

March 8, 2010

**MEMORANDUM**

**To:** Sid Melton  
FEMA Infrastructure Branch Director

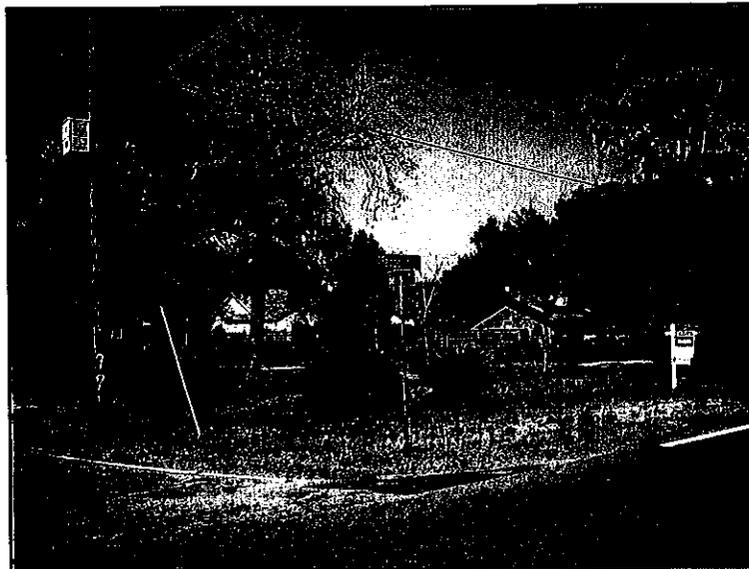
**From:** Robert Seibert  
Lead Deputy Public Assistance Officer

**Re:** **Alternate Projects**  
City of Gulf Breeze  
FEMA-FL-DR-1551  
Municipal Fishing Pier  
FIPS #: 113-28000-00  
Multiple New Alternate Projects – PW- 3817 V-2

The Sub-grantee is requesting numerous Alternate Projects in lieu of reconstructing the destroyed Municipal Fishing Pier. They are requesting the following new Projects in its place:

1. Recreation Center Expansion	\$4,689,906	Construction
2. Concession Stand & Restrooms	964,700	Construction
3. Baseball Field Improvements	1,135,581	Construction
4. WWTP Phase 1	3,300,000	Construction
5. Natural Gas Pipeline to Beach	2,083,000	Construction
6. Fire Truck	449,558	Equip.
7. Architects & Engineer Costs	713,309	Services
8. Vacuum Truck	185,000	Equip.
9. Fire/Rescue Boat w/Pumper	145,000	Equip.
10. Playground Equipment (4)	300,000	Equip.
11. Fleet Vehicles es	233,000	Equip.
12. Brush Chipper	25,000	Equip.
13. CNG Compression Station	220,000	Equip.
14. Storm water Vaults	240,000	Equip.
15. Ground Penetrating Radar Units (2)	60,000	Equip.
16. Purchase of Lot for Park	260,000	Land Purchase
<b>Total</b>	<b>\$15,004,054</b>	

**75% Funding Cap of PW      15,004,054**  
**Difference      -----\$0-----**



**APPRAISAL OF REAL PROPERTY**

**LOCATED AT:**

2 Berry Ave  
(L/E INT) CASABLANCA PARCEL #5 LOTS 2 & 3 BLK 68  
Gulf Breeze, FL 32561-4002

**FOR:**

City of Gulf Breeze  
1070 Shoreline Dr  
Gulf Breeze, FL 32561

**AS OF:**

04/16/2010

**BY:**

David L. Cederquist  
Del Mar Appraisal Group  
362 Gulf Breeze Pkwy., #177  
Gulf Breeze, Florida 32561  
850-375-6427

Borrower	NA	File No.
Property Address	2 Berry Ave	
City	Gulf Breeze	County Santa Rosa State FL Zip Code 32561-4002
Appraiser	David L Cederquist	

**APPRAISAL AND REPORT IDENTIFICATION**

This appraisal conforms to one of the following definitions:

- Complete Appraisal (The act or process of estimating value, or an opinion of value, performed without invoking the Departure Rule.)
- Limited Appraisal (The act or process of estimating value, or an opinion of value, performed under and resulting from invoking the Departure Rule.)

This report is one of the following types:

- Self Contained (A written report prepared under Standards Rule 2-2(a) of a Complete or Limited Appraisal performed under STANDARD 1.)
- Summary (A written report prepared under Standards Rule 2-2(b) of a Complete or Limited Appraisal performed under STANDARD 1.)
- Restricted (A written report prepared under Standards Rule 2-2(c) of a Complete or Limited Appraisal performed under STANDARD 1, restricted to the stated intended use by the specified client or intended user.)

**Comments on Standards Rule 2-3**

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no (or the specified) personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions and conclusions were developed and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification. (If there are exceptions, the name of each individual providing significant real property appraisal assistance must be stated.)

**Comments on Appraisal and Report Identification**

Note any departures from Standards Rules 1-3 and 1-4, plus any USPAP-related issues requiring disclosure:

**SCOPE OF THE APPRAISAL:**

The appraiser understands the intended use of the appraisal is for loan origination. The social, economic, governmental, and environmental factors affecting and influencing the value of the subject were researched and analyzed. Sales personnel and market participants were interviewed. MLS and other sales data was confirmed and verified in the public records.

**INTENDED USE:**

The Intended User of this appraisal report is the Lender/Client. The Intended Use is to evaluate the property that is the subject of this appraisal to determine a current market estimate of value, subject to the stated Scope of Work, purpose of the appraisal, reporting requirements of this appraisal report form, and Definition of Market Value. No additional Intended Users are identified by the appraiser.

**CONDITIONS OF APPRAISAL:**

Neither all nor any part of the contents of this report shall be conveyed to any person or entity, other than the appraiser's or firm's client, through advertising, solicitation materials, public relations, news, sales, or other media without the written consent and approval of the authors, particularly as to valuation conclusions, the identity of the appraiser or firm with which the appraiser is connected, or any reference to affiliation with any professional appraisal organization. Further, the appraiser or firm assumes no obligation, liability, or accountability to any third party.

**SALES HISTORY**

I have researched/analyzed the subject property for all sales/listings within 3 years prior to the effective date of the appraisal and for all comparable sales for 1 year prior to the date of sale. All known prior sales are noted in the report.

**APPRAISER:**

Signature:   
 Name: David L Cederquist  
 Date Signed: April 19, 2010  
 State Certification #: RD7232 St.Cert.Res.REA  
 or State License #: \_\_\_\_\_  
 State: FL  
 Expiration Date of Certification or License: 11/30/2010

**SUPERVISORY APPRAISER (only if required):**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_

- Did  Did Not Inspect Property

**LAND APPRAISAL REPORT**

File No.

Borrower NA Census Tract 0109.00 Map Reference 37860  
 Property Address 2 Berry Ave  
 City Gulf Breeze County Santa Rosa State FL Zip Code 32561-4002  
 Legal Description (/E INT) CASABLANCA PARCEL #5 LOTS 2 & 3 BLK 68 AS DES IN OR 2284 PG 1545  
 Sale Price \$ N/A Date of Sale N/A Loan Term N/A yrs. Property Rights Appraised  Fee  Leasehold  De Minimis PUD  
 Actual Real Estate Taxes \$ 1,483.46 (yr) Loan charges to be paid by seller \$ N/A Other sales concessions N/A  
 Lender/Client City of Gulf Breeze Address 1070 Shoreline Dr, Gulf Breeze, FL 32561  
 Occupant Vacant Appraiser David L Cederquist Instructions to Appraiser Determine market value for vacant land.

Location  Urban  Suburban  Rural  
 Built Up  Over 75%  25% to 75%  Under 25%  
 Growth Rate  Fully Dev.  Rapid  Steady  Slow  
 Property Values  Increasing  Stable  Declining  
 Demand/Supply  Shortage  In Balance  Oversupply  
 Marketing Time  Under 3 Mos.  4-6 Mos.  Over 6 Mos.  
 Present Land Use 75% 1 Family 2% 2-4 Family 3% Apts. 5% Condo 10% Commercial  
0% Industrial 5% Vacant %  
 Change in Present Land Use  Not Likely  Likely (\*)  Taking Place (\*)  
 (\*) From \_\_\_\_\_ To \_\_\_\_\_  
 Predominant Occupancy  Owner  Tenant 5 % Vacant  
 Single Family Price Range \$ 100,000 to \$ 1M+ Predominant Value \$ R160/L100K  
 Single Family Age New yrs. to 50+ yrs. Predominant Age 40 yrs.

Employment Stability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Employment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Shopping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy of Public Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreational Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy of Utilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Compatibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protection from Detrimental Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police and Fire Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Appearance of Properties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appeal to Market	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): The subject is located within Gulf Breeze city limits and has access to all necessary supporting facilities including schools, shopping, beaches, recreation and entertainment. The neighborhood enjoys stable employment due to large numbers of retirees and active military personnel, Baptist Hospital, the Pensacola Naval Air Station, numerous viable industries, and the areas popularity as a resort and tourist area.

Dimensions 160 x 175 = .64 Sq. Ft. or Acres  Corner Lot  
 Zoning classification R1A Present Improvements  do  do not conform to zoning regulations  
 Highest and best use  Present use  Other (specify) Single Family Residence  
 Etc.  Public  Other (Describe) \_\_\_\_\_  
 Gas  \_\_\_\_\_  
 Water  \_\_\_\_\_  
 San. Sewer  \_\_\_\_\_  
 Underground Elect. & Tel. \_\_\_\_\_

OFF SITE IMPROVEMENTS  
 Street Access  Public  Private  
 Surface Asphalt  
 Maintenance  Public  Private  
 Storm Sewer  Curb/Gutter  
 Sidewalk  Street Lights

Topo Generally level (Sloping from Street)  
 Size Typical for the area  
 Shape Rectangular  
 View Residential  
 Drainage Sloping from street towards subject  
 Is the property located in a HUD Identified Special Flood Hazard Area?  No  Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): There appear to be no adverse easements, encroachments, or other adverse conditions. According to the flood data, the subject property does not lie within a flood zone.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	<u>2 Berry Ave Gulf Breeze, FL 32561</u>	<u>Jordan's Est. L-2 Shoreline Dr. Gulf Breeze, FL 32561</u>	<u>330 Deer Point Drive Gulf Breeze, FL 32561</u>	<u>303 Fairpoint Drive Gulf Breeze, FL 32561</u>
Proximity to Subject		<u>0.48 miles SW</u>	<u>0.78 miles S</u>	<u>0.47 miles E</u>
Sales Price	\$ <u>N/A</u>	\$ <u>204,000</u>	\$ <u>125,000</u>	\$ <u>200,000</u>
Price	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Data Source	<u>Insp / Public Records</u>	<u>MLS#342073/OR B.2924P.1182</u>	<u>MLS#357475/OR B.2885P.416</u>	<u>MLS#334071/OR B.2813P.1884</u>
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION +(-)\$ Adjust.	DESCRIPTION +(-)\$ Adjust.	DESCRIPTION +(-)\$ Adjust.
	<u>N/A</u>	<u>08/11/2009</u>	<u>03/03/2009</u>	<u>03/12/2008</u>
Location	<u>Gulf Breeze</u>	<u>Gulf Breeze</u>	<u>Gulf Breeze</u>	<u>Gulf Breeze</u>
Site/View	<u>.64 +/- acres/Res.</u>	<u>0.47 +/- ac/waterview</u>	<u>0.34 +/- ac/waterview</u>	<u>0.47 +/- acres/Res.</u>
Waterfront Feet	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
Improvements	<u>Sewer, gas, elec.</u>	<u>Sewer, gas, elec.</u>	<u>Sewer, gas, elec.</u>	<u>Septic, gas, elec.</u>
Topo/Lot Features	<u>Level / Corner lot</u>	<u>High / corner lot</u>	<u>Low / Interior lot</u>	<u>Level / Interior lot</u>
		<u>-5,000</u>	<u>+50,000</u>	<u>+5,000</u>
Amenities	<u>None</u>	<u>None</u>	<u>Dock / Gated</u>	<u>"As is" House</u>
			<u>-10,000</u>	<u>-15,000</u>
Sales or Financing Concessions	<u>N/A</u>	<u>Conventional DOM 543</u>	<u>Conventional DOM 136</u>	<u>Cash DOM 223</u>
Net Adj. (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ <u>-15,200</u>	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ <u>33,700</u>	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ <u>-12,000</u>
Indicated Value of Subject		<u>Net 7.5 % \$ 188,800</u>	<u>Net 27.0 % \$ 158,700</u>	<u>Net 6.0 % \$ 188,000</u>

Comments on Market Data: See attached addenda.

Comments and Conditions of Appraisal: See Comments on Appraisal and Report Identification.

Final Reconciliation: The sales comparison analysis reflects the current actions of buyers and sellers in the market area and it is the only viable approach to value for this appraisal. All sales were considered in the final determination of value.

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF 04/14/2010 to be \$ 180,000

*David Cederquist*  
 David L Cederquist  Did  Did Not Physically Inspect Property  
 Appraiser(s) Review Appraiser (if applicable)



## Supplemental Addendum

File No.

Borrower	NA				
Property Address	2 Berry Ave				
City	Gulf Breeze	County	Santa Rosa	State	FL Zip Code 32561-4002
Appraiser	David L Cederquist				

**Flood Zone Comments:**

It appears that the subject is not located in a Flood Zone. However the appraiser is not an expert and recommends a flood insurance specialist be consulted. ( See flood Map).

**Subject Comment:**

The subject lots are in an established subdivision and are currently listed MLS#360420 and 360419 for \$129,000 each, active since 11/04/2008 with over approximately 500 days on market. There was also no prior sales history in the past 3 years for our subjects and no prior sales within 1 year for the comps. (Source: MLS and Santa Rosa County Public records.) Currently, list prices for lots within Gulf Breeze have declined due to market conditions including the surrounding neighborhoods which are similar.

**Site Comments:**

Please note that the site dimensions utilized in this report are approximate. No survey has been provided and the Santa Rosa County Property Appraiser web site does not guarantee accurate dimensions. Should a survey be performed and the subject's square footage found to be significantly different from that which is noted in this report, or should an environmental study be performed on the subject property which would indicate wetlands or any adverse environmental conditions the estimated value could be subject to change.

**Market Data Comments:**

The comparable sales utilized were the most current sales with similar size, style and features available from the public records. The sales comparison analysis had adjustments applied to the comparable sales which reflected the markets reaction to the differences in the properties, not the cost of the differences.

Due to the lack of truly similar sales within the subject neighborhood, it was necessary to exceed 10% line item, 15% net and 25% guideline for comparable sale #2. It is not uncommon to exceed guidelines when there are only a few comps to choose from. However, this sale is considered to be a reliable indicator of value for the subject as it shares many similar characteristics with the subject and is located within the subjects area.

Comp #3 was adjusted for market conditions greater than 18 months from sold date to effective date of the report.

Comps #1 and #2 were adjusted for their superior site/view locations in comparison to the subject. All comps were adjusted for topography and/or lot features compared to the subject. Comps #2 and #3 required adjustments for amenities and an "as is" home located on comp#3.

All sales were considered in the final estimate of value with Comp #3 given the most weight having the least amount of net adjustments and being most similar to our subject.

**Comment on required cost estimates for home to be built on subject's lot:**

After reviewing some cost estimates, it appears in order to build a home on the subject lot it would require approx. \$20,000 ; consisting of sewer connections, boring under Falrpoint Dr. from sewer line to the lot, a grinder pump lift station for the property and most likely on pier construction or a raised foundation for the home.

**• URAR : Neighborhood - Market Conditions**

The last quarter of 2007 and through 2009 showed modest to no gains with many speculators listing properties and lots at reduced prices causing an increased number of homes and lots on the market. In most areas foreclosures have influenced market values to decline. The subject's market for homes and lots in 2010 appears to be still declining at this time.

**Report Comment:**

Sharon Marcus, Registered Trainee Real Estate Appraiser #RI16478, provided professional assistance in the development of this appraisal.

**Supplemental Addendum**

File No.

Borrower	NA			
Property Address	2 Berry Ave			
City	Gulf Breeze	County	Santa Rosa	State FL Zip Code 32561-4002
Appraiser	David L Cederquist			



# City of Gulf Breeze

## MEMORANDUM

**TO:** Edwin A. Eddy, City Manager

**FROM:**  David J. Szymanski, Assistant City Manager

**DATE:** April 23 , 2010

**SUBJECT:** Florida Department of Transportation - SB 1446 Landscaping Grant  
Architecture Consulting Services Contract

In 2008, the City applied for a Florida Department Highway Beautification Grant in the amount of \$730,729. In early 2009, we were informed that we had not been selected for the grant. This past fall, we were notified that there was some money left over and the City had been awarded \$350,000 from the Florida Department of Transportation SB 1446 Landscape Grant program. There will be no match required for this grant. The only requirement is that we maintain the landscaping and irrigation facilities purchased with grant funds. Procurement and contracting for this project will follow Florida Department of Transportation SB 1446 Landscape Grant regulations and FS. 287.055, Florida Consultants Competitive Negotiations Act.

Council directed staff to issue a Request for Qualification for landscaping architecture services . The RFQ request had a deadline for submission of February 4, 2010. We received six (6) proposals. At the City Council meeting of February 16, 2010, City Council accepted staff recommendation that Land Design Innovations do the landscape design work for the Florida Department of Transportation - SB 1446 Landscaping Grant. LDI has provided the City with a contract(workorder) for services of \$29,900. Costs for this service will be paid for by the grant. Attached find copy of contract for Architecture Consulting Services - Workorder No. 05059.07G.

**RECOMMENDATION:** That the City Council accept the LDI contract(workorder) for services in the amount of \$29,900 and direct the City Manager to sign the contract for the City.



WORK ORDER NO. 05059.07G

**PROJECT:** Construction Drawings for US 98 Landscape Project per FDOT SB 1446 Grant Compliance

**CLIENT:** City of Gulf Breeze

**PROFESSIONAL:** Land Design Innovations, Inc.

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Execution of Work Order Number 05059.07G, by the City of Gulf Breeze, shall serve as authorization for Land Design Innovations, Inc. (LDI) to provide professional services to prepare construction drawings for landscape improvements consistent with the Florida Department of Transportation (FDOT) SB 1446 grant for the Phase I project area. This includes the U.S. 98 corridor from the entrance to Gulf Breeze Elementary School to Andrew Jackson Trail ( $\pm$  1,500 linear feet). LDI understands that the Grant in the amount of \$350,000 may only be spent on landscape and irrigation materials. However, constructing all of the streetscape improvements represented on LDI's plans (enhanced crosswalks, street furnishings, decorative fencing, etc.) may result in a cost greater than \$350,000.

#### **RESPONSIBILITY OF LDI:**

Consultant shall provide said professional services pursuant to this Work Order, which will include:

##### **Task A – Site Investigation, Coordination Meeting and Project Schedule**

LDI will collect and review information and data pertinent to the site/project. Data may include existing tree, irrigation, water and sewer utility information. LDI will meet collectively (one meeting) in Gulf Breeze with City staff and School Board representatives to discuss the streetscape concepts and the proposed improvements along U.S. 98. LDI's Project Landscape Architect will attend the meeting.

Based on input from City staff and FDOT, LDI will develop a project schedule. LDI understands the strict construction deadline as per the FDOT grant.

##### **Task B – Conceptual Drawings / Public Workshop**

Based on the site investigation and data analysis, LDI will refine the conceptual drawings previously submitted for the FDOT landscape grant. LDI will present the conceptual design at one (1) public workshop organized by the City. LDI's Project Landscape Architect will attend the workshop along with a Senior Planner from LDI's Fort Walton Beach office. LDI will render Landscape Sheets LS-110, LS-120 and LS-130 and incorporate the color graphics into a PowerPoint presentation. The renderings will also be mounted on three display boards for the City's use.

### **Task C – Preparation of Construction Documents**

Based on the streetscape concepts and input from the public workshop, LDI will prepare the construction documents for the landscape, irrigation and hardscape improvements for Phase 1 of the U.S. 98 Landscape Project. The sub-task items to be completed include the following:

- **Base Sheet:** Available AutoCAD drawing files furnished by FDOT or others, depicting the existing roadway and right-of-way conditions, will be used as the base drawings for development of the plans. Should the available CAD drawing files be incomplete or not accurately depict the existing site conditions (including existing trees, above and below ground utilities), additional land surveying will be required to generate accurate base drawings. These additional survey services are not included as part of this Work Order and would be performed under an additional authorization.
- **Landscape Plans:** LDI will prepare final Landscape Plans which depict the location, type and size of proposed trees, shrubs, ground cover and lawn areas. The plans shall also contain plant installation details as required and shall be consistent with City and the FDOT regulations. The plans will be prepared in AutoCAD drawing format.
- **Irrigation Plans:** A water efficient irrigation system will be designed that identifies the location, size, and materials of the irrigation system. LDI will design an irrigation system that maximizes the use of the irrigation piping, sprinklers and control valves. However, the current City well is outdated and there is no capacity to add zones to the existing irrigation controller. LDI will specify the required flow rate for a new pump in the existing well and a new irrigation controller. The Contractor is to provide a new pump capable of meeting the required flow rate. This new system would include piping under both sides of U.S. 98 in order to irrigate all of the right-of-way from a single source. Connections to the school wells would be capped and connections to the new system made. To maximize the use of the existing irrigation system, the City is to provide an as-built plan that identifies the existing pipe size, general location of zones and general location and type of heads. The City is also to provide information pertaining to the existing well stating the maximum well capacity (GPM) and water quality. Design of a new well or a water source other than the existing well is not included as part of this Work Order.
- **Hardscape:** LDI will prepare final Hardscape Plans which depict the location, materials, and construction details of proposed hardscape elements such as, brick Imprint® specialty asphalt paving for pedestrian crosswalks. No modifications to the existing sidewalks are proposed at this time.
- **Site Furniture and Fixtures:** LDI will provide a site-furnishing plan depicting the color, material, type, locations, etc. for site elements that includes trash receptacles and benches.
- **Streetlights:** Preparation of Streetscape Lighting in support of the approved landscape design. These plans shall identify the location, size, and materials of the lighting system. No photometric or electrical plans are included as part of this Work Order.
- **Maintenance Manual:** LDI will provide a manual detailing the maintenance requirements of the plant materials specified for the streetscape. Information will be included on watering, fertilizing and pruning requirements.
- **Cost Estimates:** LDI will develop a construction cost estimate for the project based on 2010 market rates. The budget is \$350,000.00 for landscape and irrigation materials only as per the

FDOT grant. Approximate costs associated with the other streetscape components (crosswalks, site furnishings, etc.) will be included in the cost estimate as well. The cost estimate will consist of two main sections, one section for the landscape and irrigation improvements, a second section for the site furnishings and hardscape. Other costs associated with streetscapes (burying utilities, streetlamps, etc.) will not be included in the cost estimates as part of this contract. If requested by the Client, these cost estimates can be provided by LDI following the appropriate phase of design under a separate work order.

#### **Task D – Project Coordination and Review**

LDI will coordinate with the City of Gulf Breeze and the FDOT by phone, fax and e-mail. LDI will attend two (2) meetings with City staff to review the construction drawings and the cost estimate. LDI's Project Landscape Architect to attend via conference call (Skype). In addition, LDI will submit the construction plans to the FDOT for their review and approval.

LDI will attend one (1) preconstruction meeting in Gulf Breeze as required by the FDOT. LDI's Project Landscape Architect to attend via conference call (Skype), LDI's Senior Planner from LDI's Fort Walton Beach office to attend in person.

#### **Services Not Included at This Time**

The following services are not included in this contract but may be provided by the LDI team in a subsequent scope of work at the request of the City:

- **Construction Permitting Services:** Preparation, certifications, and processing of permit applications through the City of Gulf Breeze and the FDOT (use agreement, ROW encroachment permit, etc.) and coordination of the review of such permit applications by the agencies.
- **Bid Solicitation Assistance:** Services to assist the City with advertising the construction project and receiving construction bids has not been included with this scope of work. It is assumed that the City's Purchasing Department staff will assemble the construction plans with the City's standard bidding documents, advertise the project, distribute the bidding documents to bidders, coordinate the submittal of the bids from bidders, and receive and evaluate the bids.
- **Construction Administration:** If requested by the Client, construction administration meetings or services will be billed on a time and materials basis consistent with LDI's current hourly rates for the year of service.

#### **TIME FOR COMPLETION:**

The professional services authorized by this Work Order shall be completed within the timeframe agreed upon by the City and Consultant, and any amendments thereto.

## COMPENSATION:

Compensation to LDI for completion of the professional services outlined herein will be in accordance with the following fee schedule:

Phase Description	Design Service Fees
A. Site Investigation, Meeting, Project Schedule	\$3,000
B. Conceptual Drawings/Public Workshop	\$2,300
B. Construction Documents	\$19,000
C. Project Coordination w/ City & FDOT	\$5,600
<b>Total Lump Sum Fee:</b>	<b>\$29,900</b>

**Out-of-Pocket Reimbursable Expenses:** All direct out-of-pocket reimbursable expenses such as travel (airfare, hotel, mileage, meals), printing, CAD plotting, courier deliveries, FedEx deliveries, etc., will be invoiced as direct pass through costs **in addition to the lump sum fees above**. The typical amount of out-of-pocket reimbursable expenses is 5% of the Total Lump Sum Fee. For meeting attendance in Gulf Breeze, LDI anticipates travel expenses for two (2) trips for the Project Landscape Architect (Maitland office) and four (4) meetings with a Senior Planner (Fort Walton Beach office). LDI will make every effort to split travel expenses between neighboring clients by coordinating meeting and site visits whenever possible.

## PROPOSAL CONDITIONS:

The following general conditions and exclusions are applicable:

- Work not specified in the above proposal items will not be performed without the Client's prior knowledge and written approval. Upon request, additional services will be performed on a lump sum basis under a separate work order.
- If public hearings or meetings other than those outlined herein are requested the meetings will be completed on an hourly basis under a separate work order.
- Proposed design services are limited to on-site ground level landscape architectural and hardscape design services. A Structural Engineer shall be retained by the Client for Professional Services in design of retaining walls and other hardscape structural elements, etc. as required. The Consultant could provide structural engineering services as additional services, if requested by the Client.
- Client shall provide material testing services as required for project construction and certification.
- The Client understands that LDI has no responsibility or control over the final approvals and/or issuance of permits.
- The above stated fees do not include the payment of any governmental agency submittal or processing fees. The cost of these fees shall be the responsibility of the Client and the Client will need to provide all permit fees separately in the form of a check payable to the appropriate permitting agency.
- All advertising and requests for bids from contractors will be completed by the Client.

- These terms and conditions stated herein shall remain in effect for three (3) months from the date of this proposal. Once services are authorized, terms remain in effect for duration of project, unless modified as mutually agreed upon by Client and LDI.

IN WITNESS WHEREOF, the parties hereto have made and executed this Work Order on this day of \_\_\_\_\_, 2010, for the purposes stated herein.

**Land Design Innovations, Inc.**

Witness: \_\_\_\_\_

By: \_\_\_\_\_  
Tracy L. Crowe, President

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

**City of Gulf Breeze**

Witness: \_\_\_\_\_

By: \_\_\_\_\_  
Mr. Edwin A. Eddy, City Manager

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



# City of Gulf Breeze

OFFICE OF THE CITY MANAGER

April 23, 2010

TO: Mayor and City Council

FROM:  Kevin A. Eddy, City Manager

SUBJ: REQUEST TO AMEND CAPITAL PROJECTS LIST.  
PURCHASE OF E-911 VOICE RECORDER

Attached is the City's list of capital projects for 2009 and 2010. We are in the process of implementing the 2009 projects based on funds that were available at the end of fiscal year 2009. We included \$100,000 on the list for restrooms in the vicinity of Sunset Kids Park west of the Rec Center. This project is also on the alternate projects list.

Also attached is a memo from the Chief of Police relative to our E-911 voice recorder that has experienced a partial failure. The recording and saving of calls to our 911 center is more cumbersome and time consuming without the ability to record automatically to the optical drive.

The current E-911 recorder is a unit that was a rebuilt model when we bought it in 2002. We now believe the best option is to buy a new unit at an estimated cost of \$15,900. We propose to fund this purchase from capital funds set aside after FY2009 currently allocated to the restroom project.

**RECOMMENDATION:**

**THAT THE CITY COUNCIL APPROVE A CHANGE TO THE CAPITAL BUDGET AS FOLLOWS:**

<b>Sunset Kids Park Restrooms</b>	<b>\$100,000</b>
	<b>- <u>15,900</u></b>
	<b>\$ 84,100</b>
<b>New Entry-Replace E-911 Voice Recorder</b>	<b>\$ 15,900</b>

(Upon authorization, we would place purchase of the E-911 recorder out for bid in order to secure the best equipment at the best price.)

## Capital Item requested 2009, 2010

NOTE: While capital construction and repair projects approved toward year end may be intended to be funded with residual budget "surplus" from the current fiscal year, these projects may end up being classified as capital expenditures in the following fiscal year for financial statement purposes.

Total FY 2009 Projects = \$383,125 (subject to funding availability)

Total FY 2010 Projects = \$376,080 -- 449,833

### Equipment Replacement

- FY 2009 - Parks & Rec - \$40,000  
Replacement of a tractor and a field mower
- FY 2009 - Fire Department - \$2,500  
Tire replacements on trucks - every year.
- FY 2010 - Parks & Rec - \$11,000  
Replacement of 200 chairs and 10 tables
- FY 2010 - Parks & Rec - \$50,000  
Replacement of additional mowers, field maint. equipment, replacement truck
- FY 2010 - Fire Dept - \$12,000  
Replace old hose and nozzles.
- FY 2010 - Fire Department - \$2,500  
Tire replacements on trucks - every year.
- Fire Dept - \$45,000  
Difference between insurance proceeds and cost of replacement fire & rescue boat (total cost \$127,000 - currently included in FEMA alt proj list)

### Repairs

- FY 2009 - Streets: Re-striping - \$30,000  
Repairing worn stop bars at intersection throughout the city
- FY 2009 - Streets: Sidewalk Grinding - \$25,000  
Continuing program of grinding down lifted sidewalk pavement
- FY 2009 - Rec Center - \$22,000  
Roof repairs and some interior repairs
- FY 2009 - Streets - Rec Center - \$65,000  
Improve shoulder, add irrigation to sustain grass on parking shoulder in front of Parks areas

### Other

- FY 2010 - Rec Center - \$10,000  
Gym floor refinishing
- FY 2010 - Rec Center - \$40,000  
Tennis court resurfacing (10 courts)
- FY 2009 - General - \$36,000  
"Canopy Network" set of wireless antennas and controllers to link remote offices to central network and phone system - will replace existing cable internet connections and separate phone accounts. Estimated 3 year payback
- FY 2009 - Hodges Park @ York and Norwich - \$20,000  
New mini neighborhood playground on York. Has private matching funds.
- FY 2009 - Parks - \$100,000  
Sunset kids park restrooms. (Included in FEMA alt proj list).
- FY 2010 - General - \$25,000  
"Vandal Cams" set of infrared capable motion sensitive video cameras (wired and/or wireless) as well as digital storage servers and monitors to help monitor and catch vandalism. Cameras require existing wireless network (ie canopy system).
- FY 2010 - Fire Dept - \$5,000  
Night vision goggles.

### Paving Projects

- FY 2009 - Misc Paving/Resurfacing as budget allows - up to \$42,625
- FY 2010 - Sunset (South) - Est. : \$200,000  
Includes paving, shoulder improvement, some widening and a bicycle lane.
- FY 2010 Misc Paving/Resurfacing as 2010 budget allows - (Bear?) - \$20,580 - \$94,333  
May require some stormwater or sewer pipe repair.



## *City of Gulf Breeze Police Department*

*311 Fairpoint Drive  
Gulf Breeze, FL 32561  
850-934-5121  
850-934-5127 fax  
www.gulfbreezepolice.com*

April 23, 2010

To: Edwin Eddy, City Manager  
From: Peter Paulding, Chief of Police  
Re: E-911 Voice Recorder replacement

In the past week we have experienced a partial failure of our E-911 Voice Recorder. The recorder fails to back up recordings on the optical drive. We are still saving recordings as required by operating standards for E-911 PSAP centers; however the voice recording back-up capability is vital to both our police and our fire functions.

The equipment in use was purchased refurbished in 2002. It is not longer supported by the manufacturer and can not be repaired. It is important that we purchase a replacement unit as soon as possible so that we retain our redundant voice back-up capabilities.

Preliminary inquiries have determined that the cost for a replacement 16 channel recorder, operating licenses and hard drives is about \$15,900. The replacement unit will be acquired following proper capital equipment procedures.

**Recommendation:** City Council approve the expenditure of funds not to exceed \$15,900 for the purchase of a voice recorder, operating licenses, hardware and required software for the E-911 PSAP dispatch center to replace the failed equipment.



# City of Gulf Breeze

OFFICE OF THE CITY MANAGER

April 21, 2010

TO: Mayor and City Council

FROM:  Edwin A. Eddy, City Manager

SUBJ: EMPLOYEE PARTICIPATION IN DISPOSAL OF SURPLUS EQUIPMENT

From time to time, we advise the Council that certain items should be declared surplus and sold. We then advertise the items and receive sealed bids. City employees have participated in this process in the same way as other citizens.

Some governmental entities (Escambia County) have established policies that do not allow staff to participate in the bidding for surplus equipment due to the understandable perception that there is insider information that may benefit an employee.

One way to address this matter for the long term is to amend the City's Personnel Manual to include a provision that City employees (and their immediate families) may not purchase surplus equipment from the City via whatever appropriate process is selected.

## RECOMMENDATION:

**That the City Council direct staff to prepare a Resolution amending the City Personnel Manual prohibiting staff and their immediate families from purchasing surplus equipment.**



# City of Gulf Breeze

OFFICE OF THE CITY MANAGER

April 22, 2010

TO: Mayor and City Council  
FROM:  Edwin A. Eddy, City Manager  
SUBJ: **FORFEITED PENSION FUNDS**

The City makes regular contributions to a trustee account to support a defined contribution pension plan for regular, non-sworn city employees. The amount of the payout to the trustee is based on the value of payroll for a given period.

The total pension benefit to employees is based on the specific contribution made by the city. Some pension plans that have experienced funding challenges recently are more open ended defined benefit plans. An entity contributes funds estimated to be necessary to payout a certain benefit amount when a given employee reaches retirement age for the remainder of the employees life which is also estimated. Problems can arise when investment or actuarial assumptions are off.

In the case of a defined contribution pension fund like ours, monies paid in but not used due to early termination prior to vesting are termed forfeited funds. These funds are segregated by the trustee. There is no direction to the trustee to use forfeited funds for any other purpose.

Staff has analyzed this matter and provided the attached report. Given the state of the current economy with further devaluation of property likely, it may make sense to use these forfeited funds in lieu of new, periodic contributions to the pension fund for the remainder of this fiscal year and for next fiscal year.

As budgeted funds that were to be used to fund the pension plan accumulate, the Council can decide how best to utilize the funds.

## **RECOMMENDATION:**

**That the City Council direct staff to advise the City's pension fund trustee to convert forfeited funds in the pension fund to regular pension fund contributions until the forfeited funds amount is zero.**



# *City of Gulf Breeze*

## MEMORANDUM

**TO:** Edwin A. Eddy, City Manager

**FROM:** David J. Szymanski, Assistant City Manager, and Ann Marie DeMatteo

**DATE:** April 21, 2010

**SUBJECT:** Forfeited Retirement Funds

In the course of reviewing for variances in cash disbursements, Ann Marie was alerted to a prior year incident in which the City was able to utilize unallocated retirement fund contributions (that is, funds paid by the City on behalf of employees who left the payroll without fully vesting in those retirement funds) in lieu of making monthly retirement plan contributions. These unvested funds are considered forfeit back to the City when employment ceases. Since the relevant fund is a defined contribution plan, these funds are truly excess to the plan needs for existing employees.

Upon further investigation, the Florida League of Cities trustee has reported to us that the City has accumulated \$154,498.46 in forfeited funds. This represents roughly a year's contribution to the defined contribution retirement fund of all departments except the police. The police department funds are separate from the rest of the employees.

In light of the current economic situation, it may be preferable to use the funds to offset scheduled contributions for the remainder of the current fiscal year and into the next fiscal year. This provides the advantage of assisting departments with the heaviest payroll burden to succeed in staying within budget; reclaims the funds for the City's benefit both as they were originally intended and in an orderly manner; and, does not create a precedent that is expected to be repeated in future budgets. Although there is no clear statute restricting the City's ability to demand full refund of the forfeiture, it may provide an appearance that the City is liquidating the pension fund.

**RECOMMENDATION:** That the City Council direct staff to instruct the Florida League of Cities trustee to apply accumulated forfeited funds of \$154,498 toward the current retirement fund contribution balance for FY2010 and apply the remainder to FY2011.



# City of Gulf Breeze

April 19, 2010

Robert and Thiea Welborn  
Firehouse Subs  
318 Gulf Breeze Parkway  
Gulf Breeze, Florida 32561

Dear Mr. and Mrs. Welborn:

On behalf of the citizens of Gulf Breeze, the City of Gulf Breeze and the Gulf Breeze Fire Department, I would like to thank you for your generous donation of the Zoll "AutoPulse." It is widely published that effective Cardio Pulmonary Resuscitation can effectively double the chances of survival for patients who suffer Sudden Cardiac Arrest and this device will aid our department in providing treatment and care to these patients.

The Gulf Breeze Fire Department was one of the first fire departments in the State of Florida to employ the use of an automated external defibrillator in the early to mid 1980's. The addition of this device will once again put us on the forefront of using cutting edge technology in providing patient care. This addition of the "AutoPulse" would not have been possible without the donations from your restaurant.

Please extend our thanks to your employees and patrons.

Sincerely,

Craig S. Carmichael  
Fire Chief

cc: Mayor and Council



# City of Gulf Breeze

April 19, 2010

Robin Sorensen  
President  
Firehouse Subs Public Safety Foundation  
3400 Kori Road  
Jacksonville, Florida 32257

Dear Ms. Sorensen:

On behalf of the citizens of Gulf Breeze, the City of Gulf Breeze and the Gulf Breeze Fire Department, I would to thank you for your generous donation of the Zoll "AutoPulse." It is widely published that effective Cardio Pulmonary Resuscitation can effectively double the chances of survival for patients who suffer Sudden Cardiac Arrest and this device will aid our department in providing treatment and care to these patients.

The Gulf Breeze Fire Department was one of the first fire departments in the State of Florida to employ the use of an automated external defibrillator in the early to mid 1980's. The addition of this device will once again put us on the forefront of using cutting edge technology in providing patient care. This addition of the "AutoPulse" would not have been possible without the donation from the Firehouse Subs Public Safety Foundation.

Please extend our thanks to the members of the Foundation and the owners, employees and patrons of Firehouse Subs.

Sincerely,

Craig S. Carmichael  
Fire Chief

cc: Mayor and Council



FOR MORE MEDIA INFORMATION:  
JAMEY IVEY/BLAIRE BACHMAN  
THE ZIMMERMAN AGENCY • 850.668.2222  
BBACHMAN@ZIMMERMAN.COM

MEGHAN BENDER  
FIREHOUSE SUBS  
COMMUNITY PROGRAMS MANAGER  
904.866.8300 EXT 264

## **FIREHOUSE SUBS® HEATS UP GULF BREEZE FIRE DEPARTMENT LOCAL RESTAURANT OWNER DONATES \$13,000 WORTH OF LIFE-SAVING EQUIPMENT TO GULF BREEZE FIRE DEPARTMENT**

GULF BREEZE, Fla. – Renowned for hearty, oversized portions and piping hot subs, Firehouse Subs® and the Firehouse Subs Public Safety Foundation are donating much needed equipment to the Gulf Breeze Fire Department at 3:30 a.m. on Mon., April 19, 2010. The founders' 200-year firefighting heritage inspired the formation of the Public Safety Foundation, and the Gulf Breeze Fire Department benefits with a \$13,000 Zoll AutoPulse, providing cardiac life support. The equipment has saved lives by providing victims with consistent, high quality compressions that delivers improved blood flow.

“One of the reasons I was so drawn to the Firehouse Subs concept was the idea that they give back to the local community so generously,” said Theia Welborn, franchisee of the Gulf Breeze Firehouse Subs location. “We have been working all year collecting donations at the register and selling pickle buckets to raise the money and are fired up to help the Gulf Breeze Fire Department.”

The Foundation's funds for equipment are raised through individual donations, pickle bucket sales and canisters placed by registers. Each restaurant recycles leftover five-gallon pickle buckets and allows customers to purchase for \$2. Donation canisters on register counters explain the non-profit's mission and collect change and cash for the Foundation.

The donation ceremony will take place at Firehouse Subs located at 318 Gulf Breeze Pkwy, in Gulf Breeze, Fla. Attendees to the event include local firefighters, police officers and their families, as well as Jim Broscious, Area Representative, Theia Welborn, franchisee and Meghan Bender, Foundation Community Programs Manager.

Firehouse Subs®, founded in Jacksonville, Fla., by former firefighting brothers Chris and Robin Sorensen, is a 380-unit fast-casual restaurant chain. Firehouse Subs® offers oversized portions of premium hand-sliced meats and cheeses, steamed to make the flavors burst, then piled high with fresh produce atop a toasted sub roll. The restaurants reflect the authentic firefighter heritage, as well as the founding family's 200 years of firefighting service. In 2005, the company created The Firehouse Subs Public Safety Foundation, Inc. to provide funding to deserving local fire departments. Since its inception, the Foundation has donated more than \$2 million in equipment and resources. Firehouse Subs was also named "National Chain" winner of the National Restaurant Association's (NRA) Restaurant Neighbor Award for their overall dedication to community service. The 2010 plans for expansion include the Northeast, Central and Southwest regions of the U.S.

In 2005, Firehouse Subs extended their mission with the creation of the non-profit, Firehouse Subs Public Safety Foundation. The foundation is dedicated to improving the life-saving capabilities of emergency services in communities served by Firehouse Subs by providing funding, resources and support to deserving public safety entities. Through the non-profit 501 (c) (3) Firehouse Subs is able to give back to those hometown heroes who protect our local communities by providing funding, resources and support.

For more information on Firehouse Subs or this donation, please call the Gulf Breeze location at (850) 916-7664 or visit [www.firehousesubs.com](http://www.firehousesubs.com).

###