

**GULF BREEZE CITY COUNCIL
REGULAR MEETING**

NOVEMBER 1, 2010
MONDAY, 6:30 P.M.
COUNCIL CHAMBERS

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Approval of Minutes of October 18, 2010 (Regular Meeting)
Approval of Minutes of October 18, 2010 (CRA Special Meeting)
4. **UTILITY RATE INCREASE PUBLIC HEARING**

Resolution No. 25-10: Increasing Water and Sewer Rates for Utility Customers in
The City of Gulf Breeze

Resolution No. 26-10: Increasing Sewer Rates for Utility Customers in the South
Santa Rosa Utility System
5. **RESOLUTIONS:**

Resolution No. 27-10: Approving a Plan for Gulf Breeze Tourist Development
Expenditures for Fiscal Year 2011
6. **CONSENT AGENDA ITEMS:***
 - A. Discussion and Action Regarding Utility Rate Increase Hearing
(COVERED UNDER PUBLIC HEARING SECTION ABOVE)
 - B. Discussion and Action Regarding "No Motor Zone" Behind Breakwater at Deadman's
Island
 - C. Discussion and Action Regarding Pest Control Services
 - D. Discussion and Action Regarding Investment Grade Audit Agreement Between
Energy Systems Group and the City of Gulf Breeze
 - E. Discussion and Action Regarding Planning, Design and Environmental Study -
Replacement of Pensacola Bay Bridge

- F. Discussion and Action Regarding Digital Control Litigation
- G. Discussion and Action Regarding Adoption of Resolution No. 27-10, FY2011 Tourist Development Council Budget
(COVERED UNDER RESOLUTION SECTION ABOVE)
- H. Discussion and Action Regarding Adoption of Resolution No. 28-10, FY2011 Community Redevelopment Agency Budget
(COVERED UNDER COMMUNITY REDEVELOPMENT AGENCY AGENDA)
- I. Information Items

***These are items considered routine in nature and will be considered by one motion. If any citizen wishes to voice an opinion on one of the items, you should advise the Council immediately.**

7. **ACTION AGENDA ITEM:**

- A. Discussion and Action Regarding Occupancy of Former Bruno's Space
- 8. New Business:
- 9. Open Forum
- 10. Adjournment

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.

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA**

The 1,162nd regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at the Gulf Breeze City Hall on Monday, October 18, 2010, at 6:30 p.m.

Upon call of the roll the following Councilmen were present: Dana Morris, J. B. Schluter, Richard Fulford, Joseph Henderson and Mayor Beverly Zimmern.

APPROVAL OF MINUTES:

Councilman Schluter moved for approval of the minutes for the regular meeting held on Monday, October 4, 2010. Councilman Henderson seconded. The vote for approval was 5 - 0.

Councilman Morris moved for approval of the minutes for a Community Redevelopment Agency meeting held on Monday, October 4, 2010. Councilman Schluter seconded. The vote for approval was 5 - 0.

CONSENT AGENDA ITEMS:

RECOMMENDATION:

**That the City Council approve the following Consent Agenda Items:
A, B, C, D, E, F, G, H, I, and J:**

**A. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT
REVIEW BOARD REFERRAL MINUTES**

Reference: Development Review Board Minutes of October 5, 2010

City of Gulf Breeze – 800 Shoreline Drive
Request to Construct a New Restroom Facility at the
Kids Park and a New Restroom Facility with Concession
Stand at the Ball Fields – Shoreline Park North

RECOMMENDATION:

**That the City Council approve the project as presented and
contingent upon receipt of the appropriate permits. (The Council
asked that plans for landscaping the facility be developed.)**

**B. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL
EVENT REQUEST, CHAMBER OF COMMERCE
CHRISTMAS PARADE, SATURDAY, DEC. 4, 2010**

Reference: Deputy Police Chief memo dated October 7, 2010

RECOMMENDATION:

That the City Council approve the Christmas Parade to be held on Saturday, December 4, 2010, starting at 10:00 a.m.

- C. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT REQUEST, CHAMBER OF COMMERCE, BUSINESS EXPO, SATURDAY, APRIL 9, 2011**

Reference: Deputy Police Chief memo dated October 6, 2010

RECOMMENDATION:

That the City Council approve the Business Expo to be held on Saturday, April 9, 2011 at the Recreation Center.

- D. SUBJECT: DISCUSSION AND ACTION REGARDING SHORELINE PARK NORTH – WEST END RESTROOMS – PERMISSION TO SEEK COMPETITIVE BIDS**

Reference: Parks and Recreation Director memo dated October 6, 2010

RECOMMENDATION:

That the City Council direct staff to proceed with the solicitation of Competitive bids for the construction of the Shoreline Park North – West End Restrooms together with the Softball Concession facility.

- E. SUBJECT: DISCUSSION AND ACTION REGARDING CONDUCTING A FISH FRY FOR COAST WATCHERS**

Reference: City Manager memo dated October 7, 2010

RECOMMENDATION:

That the City Council approve a fish fry to be held at Shoreline Park South on Wednesday, November 3rd at 4:30 p.m. to recognize the City's Coast Watchers.

- F. SUBJECT: DISCUSSION AND ACTION REGARDING OPTIMIST YOUTH CLUB YOUTH APPRECIATION EVENT AND BREAKFAST SCHEDULED FOR FRIDAY, NOVEMBER 5, 2010

Reference: City Manager memo dated October 7, 2010

RECOMMENDATION:

That the City Council approve the schedule for the Optimist Youth Appreciation event to be held on November 5th and 15th, 2010.

- G. SUBJECT: DISCUSSION AND ACTION REGARDING OPERATIONAL ASSISTANCE FOR NATIONAL PARK SERVICE – WATER SYSTEM OPERATIONS

Reference: Public Service Director memo dated October 6, 2010

RECOMMENDATION:

That the City Council authorize City staff to provide operational assistance to the National Park Service for approximately three (3) months while their employees receive training.

- H. SUBJECT: DISCUSSION AND ACTION REGARDING PROPERTY FOR NATURAL GAS METERING STATION

Reference: Public Services Director memo dated October 6, 2010

RECOMMENDATION:

That the City Council authorize the purchase of property for the purpose of installing a natural gas metering station.

- I. SUBJECT: DISCUSSION AND ACTION REGARDING APPROVING INMATE WORK CREW CONTRACT

Reference: Assistant City Manager memo dated October 7, 2010

RECOMMENDATION:

That the City Council approve the revised contract with the Florida Department of Correction for inmate work crews and authorize the Mayor to sign the contract.

J. SUBJECT: DISCUSSION AND ACTION REGARDING RED LIGHT CAMERA PROGRAM

Reference: City Manager memo dated October 7, 2010

RECOMMENDATION:

That the City Council approve the agreement for red light cameras with Sensys America and authorize Sensys and the City to install cameras at Daniel Drive and U.S. Highway 98.

Councilman Morris moved for approval of the Consent Agenda Items A, B, C, D, E, F, G, H, I, and J. Councilman Henderson seconded. The vote for approval of for the Consent Agenda Items was 5 - 0.

ACTION AGENDA ITEMS:

A. SUBJECT: DISCUSSION AND ACTION REGARDING HIGHWAY 98 BEAUTIFICATION EASTERN CITY LIMITS

(COVERED UNDER COMMUNITY REDEVELOPMENT AGENCY AGENDA

B. SUBJECT: DISCUSSION AND ACTION REGARDING CONTRIBUTION TO EAGLE FUND

Reference: City Manager memo dated October 7, 2010

RECOMMENDATION:

That the City Council approve funding the Andrews-Paulos Research and Education Institute Eagle project subject to an agreement between parties being brought to Council for review and approval.

Councilman Fulford moved for approval. Councilman Henderson seconded. The vote for approval was 5 - 0.

C. **SUBJECT: DISCUSSION AND ACTION REGARDING SEQUESTERING OR RESERVING A PORTION OF FUNDS REALIZED FROM 1997A PROGRAM (COUNCILMAN MORRIS)**

Reference: Verbal discussion

RECOMMENDATION:

That the City Council reserve a 50% of the funds from the 1997A Bond program for future projects.

Councilman Morris moved for approval. Councilman Fulford seconded. the vote for approval was 5 - 0.

D. **SUBJECT: DISCUSSION AND ACTION REGARDING RETAINING THE LAW FIRM OF GALLOWAY, JOHNSON TO REPRESENT THE CITY IN THE UPCOMING LAW SUIT, CITY OF GULF BREEZE - BAPTIST HOSPITAL AND MOULTON PROPERTIES**

Reference: City Attorney memo dated October 13, 2010

RECOMMENDATION:

That the City Council retain outside counsel of Galloway, Johnson, Tompkins, Burr and Smith to assist in defending the City against lawsuits initiated by both Baptist Hospital and Moulton Properties.

Councilman Fulford moved for approval. Councilman Morris seconded. The vote for approval was 4 - 0 - 1, with the Mayor abstaining due to a conflict of interest. (Conflict of Interest form attached with minutes.)

NEW BUSINESS: DISCUSSION AND ACTION REGARDING HALLOWEEN EVENING FOR TRICK OR TREAT IN THE CITY OF GULF BREEZE

Reference: City Manager memo dated October 15, 2010

RECOMMENDATION:

That the City Council rescind Resolution No. 22-10, proclaiming Saturday, October 30, 2010 as Halloween and declare Sunday, October 31, 2010 as Hallowing in the City of Gulf Breeze.

Councilman Morris moved for approval. Councilman Henderson seconded. The vote for approval was 4 - 1, with Councilman Schluter dissenting.

OPEN FORUM:

Ms. Susan Ozburn, 88 Highpoint Drive, asked the City to consider creating a non-motor area between the newly created oyster beds and Deadman's Island to keep boats with motors out of that area and away from Deadman's Island. Council indicated they would consider the idea.

Council asked the City Manager about the status of the following projects: Fishing Bridge deconstruction; South Sunset paving project; updated projects list; the Andrew Jackson Trail median closure; and pressure washing the overpass ramps.

ADJOURNMENT:

The Mayor adjourned the meeting at 7:05.

CITY CLERK

MAYOR

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ZIMMERN, BEVERLY H.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY COUNCIL
MAILING ADDRESS POST OFFICE BOX 640	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY gulf breeze, santa rosa	NAME OF POLITICAL SUBDIVISION: city of gulf breeze
DATE ON WHICH VOTE OCCURRED OCTOBER 18, 2010	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, BEVERLY H. ZIMMERN, hereby disclose that on OCTOBER 18, 2010, 20 ;

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, son works @ this firm. _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

OCTOBER 27, 2010

Date Filed

Beverly H. Zimmern
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

**MINUTES OF A MEETING OF THE BOARD OF DIRECTORS
FOR THE COMMUNITY REDEVELOPMENT AGENCY**

A meeting of the Board of Directors for the Community Redevelopment Agency, Gulf Breeze, Florida, was convened at the Gulf Breeze City Hall on Monday, October 18, 2010, at 6:58 p.m. Upon call of the roll for the Community Redevelopment Agency meeting the following Board members were present: Councilmen Dana Morris, J. B., Schluter, Richard Fulford, Joseph Henderson, and Mayor Beverly Zimmern.

The purpose of the meeting was for the Board of Directors for the Community Redevelopment Agency to consider the following item:

**A. SUBJECT: DISCUSSION AND ACTION REGARDING HIGHWAY 98
BEAUTIFICATION EASTERN CITY LIMITS**

Reference: Parks and Recreation Director memo dated October 5, 2010

FIRST RECOMMENDATION:

That the City Council authorize the use of Community Redevelopment Agency funds in the amount of \$4,014.00, payable to East Bay Landscaping and Irrigation, Inc., for the annual maintenance of the newly installed plants and beds at the west entrance to the City.

SECOND RECOMMENDATION:

That the City Council authorize the use of Community Redevelopment Agency funds in the amount of \$4,500.00 payable to Hepworth Lawn Maintenance and Landscaping, for the annual maintenance of the newly installed plants and beds at the west entrance to the City.

Councilman Schluter moved for approval of the project. Councilman Henderson seconded. The vote for approval was 5- 0.

**B. SUBJECT: DISCUSSION AND ACTION REGARDING HOLIDAY
DECORATIONS FOR CITY**

Reference: City Manager verbal report

RECOMMENDATION:

Community Redevelopment Agency
October 18, 2010
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That the City Council approve spending \$16,738 for Holiday decorations for the City.

Councilman Schluter moved for approval. Councilman Morris seconded. The vote for approval was 5 - 0.

The meeting was adjourned at 7:00 p.m.

CITY CLERK

MAYOR

EXECUTIVE COMMITTEE REPORT

OCTOBER 27, 2010

Councilmen Present: Dana Morris, J. B. Schluter, Joseph Henderson and Mayor Beverly Zimmern
Councilman Absent: Richard Fulford (out of town)

ACTION AGENDA ITEMS:

A. SUBJECT: DISCUSSION AND ACTION REGARDING UTILITY RATE INCREASE HEARING

Reference: Assistant Public Services Director memo dated October 20, 2010

RECOMMENDATION:

That the City Council adopt Resolutions 25-10 and 26-10 for the SSRUS and City Water and Sewer rate increases during the public hearing to be held on November 1, 2010.

B. SUBJECT: DISCUSSION AND ACTION REGARDING NO MOTOR ZONE BEHIND BREAKWATER AT DEADMAN'S ISLAND

Reference: Community Services Director memo dated October 20, 2010

RECOMMENDATION:

That the City Council direct staff to prepare a draft ordinance that would declare the area behind the breakwater at Deadman's Island a "No Internal Combustion Motors" or "No Motor Zone" and contract with Ecological Consulting Services, Inc. for the permitting acquisition of the appropriate

D. SUBJECT: DISCUSSION AND ACTION REGARDING PEST CONTROL SERVICES

Reference: City Manager memo dated October 21, 2010

RECOMMENDATION:

That the City Council direct staff to prepare the necessary materials and specifications to seek bids for pest control services for City buildings.

E. SUBJECT: DISCUSSION AND ACTION REGARDING INVESTMENT GRADE AUDIT AGREEMENT BETWEEN ENERGY SYSTEMS GROUP AND THE CITY OF GULF BREEZE

Reference: Public Services Director memo dated October 21, 2010

RECOMMENDATION:

That the City Council approve the I.G.A. agreement between the City and Energy Services Group and authorize the Mayor to execute the agreement.

F. SUBJECT: DISCUSSION AND ACTION REGARDING PLANNING, DESIGN AND ENVIRONMENTAL STUDY - REPLACEMENT OF PENSACOLA BAY BRIDGE

Reference: City Manager memo dated October 21, 2010

RECOMMENDATION:

That the City Council approve a contract with Vanasse, Hangen and Brustlin for initial consultation relative to the replacement of the Pensacola Bay Bridge for an amount not to exceed \$10,000.

G. SUBJECT: DISCUSSION AND ACTION REGARDING DIGITAL CONTROL LITIGATION

Reference: Assistant Public Services Director memo dated October 22, 2010

RECOMMENDATION:

That the City Council authorize the City Attorney to file the documents necessary for both parties to rescind their current claims against the other.

H. SUBJECT: DISCUSSION AND ACTION REGARDING ADOPTION OF RESOLUTION NO.27-10, FY 2011 TOURIST DEVELOPMENT COUNCIL BUDGET

Reference: Assistant City Manager memo dated October 21, 2010

RECOMMENDATION:

That the City Council adopt Resolution 27-10 approving the FY 2011 Tourist Development Council budget.

I. SUBJECT: DISCUSSION AND ACTION REGARDING ADOPTION OF RESOLUTION NO. 28-10, FY 2010 COMMUNITY REDEVELOPMENT AGENCY BUDGET

Reference: Assistant City Manager memo dated October 21, 2010

RECOMMENDATION:

That the City Council meet as the CRA Board of Directors on November 1, 2010, and adopt Resolution No. 38-10 approving the FY 2011 Community Redevelopment Agency budget.

J. INFORMATION ITEMS

RESOLUTION 25-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, INCREASING WATER AND SEWER RATES FOR UTILITY CUSTOMERS IN THE CITY OF GULF BREEZE.

WHEREAS, the City of Gulf Breeze provides water and wastewater service to the residents within the city limits of the City of Gulf Breeze and must rely upon water and sewer rates to pay for the costs to operate the system and provide for adequate reserves; and,

WHEREAS, the City Council has determined that operating costs, including but not limited to personnel, purchase of energy and wholesale water have increased; and,

WHEREAS, the City Council has determined that the current operating revenues can not support the current level of service, even with the cost cutting measures already taken; and

WHEREAS, the City Council held a Public Hearing on Monday, November 1, 2010 on this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA AS FOLLOWS;

SECTION 1: The water and sewer charges for City of Gulf Breeze customers are hereby increased as listed in Exhibit A. Said increase to be implemented commencing with bills produced after November 2, 2010.

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

Mayor

ATTEST

City Clerk

**EXHIBIT 'A' Res. 25-10
CITY WATER AND SEWER
PROPOSED RATE INCREASES**

VOLUMETRIC RATES PER THOUSAND GALLONS

	Current	Increase	Proposed
Water	\$2.57	\$0.08	\$2.65
Sewer	\$3.57	\$0.11	\$3.68

Residential - Water Base Fee

Meter Size	2010 Current Base Fee	Increased By	2011 New Base Fee
3/4"	\$9.14	\$0.27	\$9.41
1"	\$16.95	\$0.51	\$17.46
1 1/2"	\$44.34	\$1.33	\$45.67
2"	\$72.22	\$2.17	\$74.39
3"	\$146.93	\$4.41	\$151.33
4"	\$221.63	\$6.65	\$228.28
6"	\$441.43	\$13.24	\$454.67

Residential - Sewer Base Fee

Meter Size	2010 Current Base Fee	Increased By	2011 New Base Fee
3/4"	\$11.25	\$0.34	\$11.59
1"	\$21.62	\$0.65	\$22.27
1 1/2"	\$54.12	\$1.62	\$55.74
2"	\$87.69	\$2.63	\$90.33
3"	\$177.66	\$5.33	\$182.99
4"	\$265.27	\$7.96	\$273.23
6"	\$521.68	\$15.65	\$537.33

Commercial - Water Base Fee

Meter Size	2010 Current Base Fee	Increased By	2011 New Base Fee
3/4"	\$9.14	\$0.27	\$9.41
1"	\$16.95	\$0.51	\$17.46
1 1/2"	\$44.34	\$1.33	\$45.67
2"	\$72.22	\$2.17	\$74.39
3"	\$146.93	\$4.41	\$151.33
4"	\$221.63	\$6.65	\$228.28
6"	\$441.43	\$13.24	\$454.67

Commercial - Sewer Base Fee

Meter Size	2010 Current Base Fee	Increased By	2011 New Base Fee
3/4"	\$11.25	\$0.34	\$11.59
1"	\$21.62	\$0.65	\$22.27
1 1/2"	\$54.12	\$1.62	\$55.74
2"	\$87.69	\$2.63	\$90.33
3"	\$177.66	\$5.33	\$182.99
4"	\$265.27	\$7.96	\$273.23
6"	\$521.68	\$15.65	\$537.33

RESOLUTION 26-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, INCREASING SEWER RATES FOR UTILITY CUSTOMERS IN THE SOUTH SANTA ROSA UTILITY SYSTEM.

WHEREAS, the City of Gulf Breeze provides water and wastewater service to the residents within the South Santa Rosa Utility System and must rely upon water and sewer rates to pay for the costs to operate the system and provide for adequate reserves; and,

WHEREAS, the City Council has determined that operating costs, including but not limited to personnel, purchase of energy and wholesale water have increased; and,

WHEREAS, the City Council has been advised by the South Santa Rosa Utility Board that the current base charges for wastewater and reclaimed services and volumetric rates for wastewater should be increased; and

WHEREAS, the City Council held a Public Hearing on Monday, November 1, 2010 on this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA AS FOLLOWS;

SECTION 1: The sewer and reclaimed charges for the South Santa Rosa Utility System are hereby increased as listed in Exhibit A. Said increase to be implemented commencing with bills produced after November 2, 2010.

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

Mayor

ATTEST

City Clerk

EXHIBIT 'A' Res. 26-10

PROPOSED WATER AND SEWER RATES

SOUTH SANTA ROSA UTILITY SYSTEM

VOLUMETRIC RATES PER THOUSAND GALLONS

	Current	Increase	Proposed
Water	\$2.70	\$0.00	\$2.70
Sewer	\$3.90	\$0.12	\$4.02

Residential - Water Base Fee

Meter Size	2010 Base Fee	Increased By	2011 Base Fee
3/4"	\$12.90	NO CHANGE	\$12.90
1"	\$23.94		\$23.94
1 1/2"	\$62.62		\$62.62
2"	\$102.01		\$102.01
3"	\$207.52		\$207.52
4"	\$313.03		\$313.03
6"	\$623.48		\$623.48

Residential - Sewer Base Fee

Meter Size	2010 Base Fee	Increased By	2011 Base Fee
3/4"	\$13.70	\$0.41	\$14.11
1"	\$26.45	\$0.79	\$27.24
1 1/2"	\$66.53	\$2.00	\$68.52
2"	\$108.35	\$3.25	\$111.60
3"	\$220.63	\$6.62	\$227.25
4"	\$332.82	\$9.98	\$342.80
6"	\$661.33	\$19.84	\$681.17

Commercial - Water Base Fee*

Meter Size	2010 Base Fee	Increased By	2011 Base Fee
3/4"	\$23.82	NO CHANGE	\$23.82
1"	\$35.89		\$35.89
1 1/2"	\$80.57		\$80.57
2"	\$124.00		\$124.00
3"	\$242.28		\$242.28
4"	\$366.43		\$366.43
6"	\$724.56		\$724.56

Commercial - Sewer Base Fee*

Meter Size	2010 Base Fee	Increased By	2011 Base Fee
3/4"	\$30.26	\$0.91	\$31.17
1"	\$42.00	\$1.26	\$43.26
1 1/2"	\$86.01	\$2.58	\$88.59
2"	\$129.39	\$3.88	\$133.27
3"	\$248.51	\$7.46	\$255.97
4"	\$376.19	\$11.29	\$387.48
6"	\$740.81	\$22.22	\$763.03

*includes 3,000 gallons usage in base rate

Reclaimed Rates

	2009 Base Fee	Increased By	2011 Base Fee
	\$5.00	\$1.00	\$6.00

RESOLUTION NO. 27-10
A RESOLUTION OF THE CITY OF GULF BREEZE APPROVING A PLAN FOR GULF BREEZE TOURIST DEVELOPMENT EXPENDITURES FOR FISCAL YEAR 2011

WHEREAS, Santa Rosa County has established a Tourist Development Council (TDC) in accordance with Florida Statute 125.0014; and

WHEREAS, the TDC is charged with the responsibility of developing a "Tourist Development Plan" for Santa Rosa County; and

WHEREAS, the TDC for Santa Rosa County has determined that the City Council of the City of Gulf Breeze can best allocate funds for Tourist Development for the City of Gulf Breeze as tourists travel through the community while headed elsewhere; and

WHEREAS, the City Council of the City of Gulf Breeze has determined that it should develop a tourist development plan for expenditures of TDC funds generated within its local community in conjunction with local hotel and citizen interests; and

WHEREAS, the City Council hereby approved a plan for expenditure for Fiscal Year 2011 and desires the TDC to continue to provide funds for this plan via the existing interlocal agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City Of Gulf Breeze, Florida, in Regular Session as follows:

The City Council hereby approves the attached plan for expenditures to be made with TDC funds for Fiscal Year 2011 for the City of Gulf Breeze. The Santa Rosa County Tourist Development is hereby requested to provide funding for this plan from those tourist development funds generated within the City limits of the City of Gulf Breeze.

PASSED AND ADOPTED by the City Council of the City of Gulf Breeze, Santa Rosa County, Florida on the _____ day of ____ 2010.

CITY OF GULF BREEZE

BY: _____
Mayor Beverly Zimmern

ATTESTED

BY: _____
City Clerk, M. Rhodes

CITY OF GULF BREEZE
TOURIST DEVELOPMENT PLAN
OCTOBER 2010 THROUGH SEPTEMBER 2011

GOAL: To further tourism in the Gulf Breeze area by promoting the special Family and "small town" atmosphere, the cultural arts and the history of the community.

REVENUE:

TDC Funds Collected Within the Gulf Breeze City Limits	\$20,000
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EXPENDITURES: Annual Arts Festival	\$ 5,000
Chamber Support	\$ 6,000
Miscellaneous	<u>\$ 9,000</u>
	\$20,000

[7] See s. 163.370, Fla. Stat., which contains numerous other powers, none of which specifically include programs which would encompass a street festival or party to promote tourism or community redevelopment.

[8] See, e.g., *Gardinier, Inc. v. Florida Department of Pollution Control*, 300 So. 2d 75, 76 (Fla. 1st DCA 1974); *Williams v. Florida Real Estate Commission*, 232 So. 2d 239, 240 (Fla. 4th DCA 1970).

[9] See *Halifax Drainage District of Volusia County v. State*, 185 So. 123, 129 (Fla. 1938); *State ex rel. Greenberg v. Florida State Board of Dentistry*, 297 So. 2d 628 (Fla. 1st DCA 1974), cert. dismissed, 300 So. 2d 900 (Fla. 1974); *City of Cape Coral v. GAC Utilities, Inc., of Florida*, 281 So. 2d 493 (Fla. 1973). And see, e.g., Ops. Att'y Gen. Fla. 02-30 (2002) and 04-48 (2004).

[10] See *State v. Rife*, 789 So. 2d 288, 292 (Fla. 2001); *McLaughlin v. State*, 721 So. 2d 1170, 1172 (Fla. 1998).

[11] Originally drafted November 21, 1995; Last updated July 29, 2009.

[12] See generally *Contractors and Builders Association of Pinellas County v. City of Dunedin*, 329 So. 2d 314, 317 (Fla. 1976). See also *City of Tampa v. Birdsong Motors, Inc.*, 261 So. 2d 1 (Fla. 1972) (municipality's power to tax is subject to the restrictions in Art. VII, s. 9, Fla. Const.).

[13] See *Supreme Forest Woodmen Circle v. Hobe Sound Company*, 138 Fla. 141, 189 So. 249 (1939); *Dickinson v. Stone*, 251 So. 2d 268, 273-274 (Fla. 1971) (it is a violation of an elemental principle in the administration of public funds for one who is charged with the trust of their proper expenditure not to apply those funds to the purposes for which they are raised). And see *Oven v. Ausley*, 106 Fla. 455, 143 So. 588 (1932); *Taylor v. Williams*, 142 Fla. 756, 196 So. 214 (Fla. 1940).

[14] See Op. Att'y Gen. Fla. 96-26 (1996). And see Ops. Att'y Gen. Fla. 86-39 (1986), 82-54 (1982), and 77-26 (1977).

**COMMUNITY REDEVELOPMENT AGENCY
BOARD OF DIRECTORS
SPECIAL MEETING**

**NOVEMBER 1, 2010
MONDAY, 6:30 P.M.
COUNCIL CHAMBERS**

**THIS SPECIAL MEETING OF THE COMMUNITY REDEVELOPMENT
AGENCY – BOARD OF DIRECTORS – WILL CONVENE AT THE
CONCLUSION OF THE REGULAR CITY COUNCIL MEETING**

ACTION AGENDA ITEM:

- A. Discussion and Action Regarding Adoption of Resolution No. 28-10, Fiscal Year 2011
Community Redevelopment Agency Budget

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.

RESOLUTION NO. 28-10

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY BOARD
APPROVING A PLAN FOR GULF BREEZE COMMUNITY REDEVELOPMENT
AGENCY EXPENDITURES FOR FISCAL YEAR 2011.**

The Community Redevelopment Agency Board does hereby approve the following plan for expenditures to be made with CRA funds for Fiscal Year 2011.

Community Redevelopment Agency Budget
October, 2010 through September, 2011

REVENUE:

County Contribution	\$ 595,922
Gulf Breeze City Contribution	<u>\$ 185,758</u>
Total Revenue	\$ 781,680

EXPENDITURES:

Professional Services (\$30,850)	\$ 120,000
Flower Bed Maintenance & Median Mowing, Fertilizing (\$54,500)	
Legal Services (\$8,000)	
Annual Christmas Lighting (\$19,000)	
Street Sweeping (\$7,650)	
Street lighting	\$ 30,000
Utilities	\$ 30,000
Memberships & Ads, Operating Expenses	\$ 6,100
Team Santa Rosa (\$5,000)	
FRA & State Memberships (\$1,100)	
CDNG Grant Match	\$ 100,000
Capital Improvements	\$ 319,855
Cost Allocation Transfers	\$ 175,725
Police Services (\$142,987)	
Median Maintenance supplement (\$10,160)	
CRA Administration Fee (\$ 22,578)	
Total Expense	\$ 781,680

PASSED AND ADOPTED by the Community Redevelopment Board of the City of Gulf Breeze, Santa Rosa County, Florida, on the _____ day of, _____ 2010.

Community Redevelopment Board

Beverly H. Zimmern, Chairman

ATTEST:

Marita Rhodes, City Clerk