

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

The 1,146th regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at the Gulf Breeze City Hall on Tuesday, February 16, 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 Zimmern.

PUBLIC HEARING: ADOPTION OF EVALUATION AND APPRAISAL REPORT:

Mayor Zimmern opened the public hearing for the City's evaluation and appraisal report and introduced Ms. Stephania Wilson, (an independent consultant), Indever, LLC. Ms. Wilson presented a power point presentation explaining the issues and amendments to be submitted to the Department of Community Affairs. After the presentation the Mayor opened the floor for public comments and questions. The following individual spoke: Mr. Joe Reynes, 3802 Tiger Point Boulevard. There were no other comments made and the Mayor closed the public hearing. The adoption of the evaluation and appraisal report will be approved in Resolution No. 02-10 below.

APPROVAL OF MINUTES:

Councilman Fulford moved for approval of the minutes for the regular meeting held on Monday, February 1, 2010. Councilman Henderson seconded. The vote for approval was 5 - 0.

**ORDINANCE NO. 01-10: AMENDING SECTIONS 8-51 AND 8-56 OF THE
MUNICIPAL CODE OF ORDINANCES RELATIVE TO
STORAGE OF VEHICLES ON RIGHTS-OF-WAY
SECOND READING AND PUBLIC HEARING**

The Ordinance was read by title only by the City Clerk. The Mayor reviewed the purpose of the ordinance and opened the floor for public comment. The following individuals spoke: Mr. Les Harper, 315 Shoreline Drive; Mr. Alan Little, 304 Washington Avenue; and Ms. Katherine Headrick, 603 Silverthorn. There were no other comments made and the public hearing was closed.

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

**ORDINANCE NO. 02-10: AMENDING SECTION 21-72 OF THE MUNICIPAL CODE
OF ORDINANCES, RELATIVE TO FENCES**

_____The Ordinance was read by title only by the City Clerk. The Mayor opened the floor for public comments. There were no comments made and the public hearing was closed.

Councilman Morris moved for approval of the Ordinance. Councilman Henderson seconded. The vote for approval was 5 - 0.

**RESOLUTION NO. 02-10: ADOPTING THE EVALUATION AND APPRAISAL
REPORT FOR THE CITY**

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

**RESOLUTION NO. 03-10: ESTABLISHING A POLICY FOR COMPLIANCE WITH
THE FAIR AND ACCURATE CREDIT TRANSACTION
ACT OF 2003 (FACTA)**

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

RESOLUTION NO. 04-10: REVISING THE CROSS-CONNECTION PROGRAM

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

RESOLUTION NO. 05-10: ALLIED WASTE RATE ADJUSTMENT:

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

**RESOLUTION NO. 06-10: GRANT AGREEMENT WITH THE STATE OF FLORIDA
DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES, DIVISION OF FORESTRY**

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

CONSENT AGENDA ITEMS:

RECOMMENDATION:

That City Council approve the following Consent Agenda items: A, B, C, D, E, F, G, J, and K:

A. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT REVIEW BOARD REFERRAL OF FEBRUARY 2, 2010

Reference: Development Review Board Minutes dated February 2, 2010

Kym and Martin S. Lewis
98 Shoreline Drive - request to Construct
a 190 foot pier with two finger piers

RECOMMENDATION:

That the City Council approve the project as presented with the stipulation that the public access issue be addressed.

B. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT REQUEST FROM ST. ANN CATHOLIC CHURCH FOR A PALM SUNDAY PROCESSIONAL FROM WAYSIDE PARK TO THE CHURCH ON SUNDAY, MARCH 28, 2010

Reference: Deputy Police Chief memo dated February 3, 2010

RECOMMENDATION:

That the City Council approve the special event request from St. Ann Catholic Church for a Palm Sunday Processional from Wayside Park to the Church on Sunday, March 28, 2010.

C. SUBJECT: DISCUSSION AND ACTION REGARDING REVISED CROSS CONNECTION CONTROL PROGRAM

(COVERED UNDER RESOLUTION SECTION ABOVE)

D. SUBJECT: DISCUSSION AND ACTION REGARDING THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT (FACTA ACT)

(COVERED UNDER RESOLUTION SECTION ABOVE)

E. SUBJECT: DISCUSSION AND ACTION REGARDING NATURAL GAS AND STORMWATER CONTRACTS

Reference: Assistant Public Services Director memo dated February 4, 2010

RECOMMENDATION:

That the City Council approve and authorize the Mayor to sign the contracts for stormwater improvements with Hatch Mott MacDonald, and the contracts for stormwater improvements and natural gas main extension with Baskerville-Donovan, Inc.

F. SUBJECT: DISCUSSION AND ACTION REGARDING FOREST HEALTH IMPROVEMENT INITIATIVE GRANT

(COVERED UNDER RESOLUTION SECTION ABOVE)

G. SUBJECT: DISCUSSION AND ACTION REGARDING CONTRACTUAL RATE INCREASE REQUESTED BY ALLIED WASTE/REPUBLIC SERVICES

(COVERED UNDER RESOLUTION SECTION ABOVE)

ITEMS H AND I ARE LISTED BELOW UNDER ACTION AGENDA ITEMS.

J. SUBJECT: DISCUSSION AND ACTION REGARDING SCHEDULING A PUBLIC FORUM FOR THE EVALUATION AND APPRAISAL REPORT

(COVERED UNDER PUBLIC HEARING AND RESOLUTION SECTIONS ABOVE)

K. INFORMATION ITEMS

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

ACTION AGENDA ITEMS:

A. SUBJECT: DISCUSSION AND ACTION REGARDING ARCHITECTURAL REVIEW BOARD REFERRAL OF CONCEPTUAL REVIEW OF THE QUIETWATER OFFICE PROJECT

_____Reference: Community Service Director memo dated February 3, 2010

RECOMMENDATION:

That the City Council accept the ARB's recommendation and conceptually approve the Quietwater Office building.

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

B. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO. 01-10, AMENDING SECTIONS 8-51 AND 8-56 OF THE MUNICIPAL CODE OF ORDINANCES RELATIVE TO STORAGE OF VEHICLES ON RIGHTS-OF-WAY

_____ (COVERED UNDER ORDINANCE SECTION ABOVE)

C. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO. 02-10, AMENDING SECTION 21-72 OF THE CODE OF ORDINANCES RELATIVE TO FRONT YARD FENCES

(COVERED UNDER ORDINANCE SECTION ABOVE)

D. SUBJECT: DISCUSSION AND ACTION REGARDING DRACENA WAY LIFT STATION REHAB

_____Reference: Public Services Director memo dated February 4, 2010

RECOMMENDATION:

That the City Council authorize the rehabilitation to the Dracena Way Lift Station by Brown Construction in the amount of \$82,597.04 with funding from reserves.

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

H. SUBJECT: DISCUSSION AND ACTION REGARDING FLORIDA DEPARTMENT OF TRANSPORTATION SB 1446 - LANDSCAPE GRANT - SELECTION OF DESIGN CONSULTANT

Reference: Assistant City Manager memo dated February 16, 2010

RECOMMENDATION:

That the City Council approve Land Design Innovations to do the landscape design work for the Florida Department of Transportation - SB 1446 Landscaping Grant that was recently awarded to the City.

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

I. SUBJECT: DISCUSSION AND ACTION REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT - AMERICAN RECOVERY AND REINVESTMENT ACT, SELECTION OF ADMINISTRATIVE CONSULTANT AND ENGINEER

Reference: Assistant City Manager memo dated February 16, 2010

RECOMMENDATION:

That the City Council select Jordan & Associates for the CDBG Administrative Services and Baskerville-Donovan for the CDBG Engineering Services required by the CDBG Grant that was recently awarded to the City.

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

NEW BUSINESS: AWARD OF BID FOR DESIGN/BUILD OF DECORATIVE FENCING ON U.S. HIGHWAY 98 FROM ANDREW JACKSON TRAIL TO PEDESTRIAN WALKOVER

Reference: Assistant City Manager memo dated February 12, 2010

RECOMMENDATION:

That the City Council accept the bid from Biggs-Green to build and install a concrete/brick column fence with steel panels on the east side of U.S. Highway 98 from Andrew Jackson Trail to the walkover and on the west side from the bus road south of the Chamber building to the entrance of the elementary school.

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

ADJOURNMENT:

Mayor Zimmern adjourned the meeting at 7:15 p.m.

CITY CLERK

MAYOR