

**GULF BREEZE CITY COUNCIL
REGULAR MEETING**

JUNE 20, 2011
MONDAY, 6:30 P.M.
COUNCIL CHAMBERS

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Approval of Minutes of June 6, 2011 (Regular Meeting)
4. Ordinance No. 05-11: **1ST PUBLIC HEARING** - Adoption of the Amendments to the Breeze Comprehensive Plan

Ordinance No. 06-11: Deadman's Island Combustion Motor Exclusion Zone For Northeastern Tip of Deadman's Island
FIRST READING

Ordinance No. 07-11: Amending Section 21-211, of the Code of Ordinances, Height Limit for Public Buildings - **FIRST READING**
5. **CONSENT AGENDA ITEMS:***
 - A. Discussion and Action Regarding Development Review Board Referrals of June 7, 2011
 - I. Charles Jr. And Janet Kahn 74 Baybridge Drive
Requesting to construct a pier with an uncovered boatlift at 20 Duncan Avenue
 - II. Frederic Levin - 316 South Baylen St., Suite 600
Requesting to construct a landscaped garden on his vacant lot at 533 Deer Point Circle
 - III. City of Gulf Breeze
Proposing an approximately 24,000 square foot addition and renovation to the Gulf Breeze Recreation Center located at 800 Shoreline Drive
 - B. Discussion and Action Regarding Florida Department of Transportation - SB 1446
Landscaping Grant Request for Proposal - Change Order Recommendation

- C. Discussion and Action Regarding South Santa Rosa Utility System Board Recommendations from June 7, 2011 Meeting
 - I. Bay Breeze Nursing and Retirement Center Meter Replacement
 - II. Duke Drive Lateral Replacement
 - III. Waterford Sound Impact Fees
- D. Discussion and Action Regarding Complaint by the City of Gulf Breeze Against Thomas Brady

***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**

ACTION AGENDA ITEMS:

NONE

- 6. New Business: Discussion and Action Regarding Development Review Board Appointment
- 7. Open Forum
- 8. 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 the recognition from the Chair.

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

The 1,177th regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida was held at the Gulf Breeze City Hall on Monday, June 6, 2011, at 6:30 p.m.

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

APPROVAL OF MINUTES:

Councilman Schluter moved for approval of the minutes for the regular meeting held on May 16, 2010. Councilman Morris seconded. The vote for approval was 5 - 0.

Councilman Morris moved for approval of the minutes for the special meeting held on May 16, 2010. Councilman Henderson seconded. The vote for approval was 5 - 0.

**RESOLUTION NO. 07-11: ADOPTING THE SANTA ROSA COUNTY 2011-2016
LOCAL MITIGATION STRATEGY PLAN**

The Resolution was read by title only by the City Clerk. Councilman Morris moved for approval. Councilman Landfair seconded. The vote for approval was 5 - 0.

**RESOLUTION NO. 08-11: APPROVING MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF GULF BREEZE AND THE
FLORIDA DEPARTMENT OF TRANSPORTATION RE:
MAINTENANCE OF U. S. HIGHWAY 98**

The Resolution was read by title only. Councilman Morris moved for approval. Councilman Henderson 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 REQUEST FROM
WOODLAND BAYOU ASSOCIATION FOR ADVANCEMENT
OF ENGINEERING FEES**

Reference: City Manager memo dated May 26, 2011

RECOMMENDATION:

That the City advance fund \$10,000 for engineering and surveying to be undertaken by the Woodland Bayou Association in order to pursue permits and grants for dredging the bayou.

- B. SUBJECT: DISCUSSION AND ACTION REGARDING ANNUAL REQUEST FOR FUNDS BY GULF BREEZE AREA CHAMBER OF COMMERCE**

Reference: Assistant City Manager memo dated May 24, 2011

RECOMMENDATION:

That the City Council approve the amount of FY2011 TDC funds budgeted to the Gulf Breeze Area Chamber of Commerce in the amount of \$6,000.

- C. SUBJECT: DISCUSSION AND ACTION REGARDING SOUTH SUNSET BOULEVARD PROJECT**

Reference: Assistant Public Services Director memo dated May 25, 2011

RECOMMENDATION:

That the City Council approve Kenneth Horne & Associates as the City's Roadway Paving Consultant and authorize staff to negotiate the contract and fees for the South Sunset Boulevard Project.

- D. SUBJECT: DISCUSSION AND ACTION REGARDING CITY OF GULF BREEZE RESPONSE TO DEPARTMENT OF COMMUNITY AFFAIRS REVIEW OF THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS AND PUBLIC HEARINGS**

Reference: Assistant City Manager memo dated May 25, 2011

RECOMMENDATION:

That the City Council direct staff to advertise a public hearing on June 20, 2011 for the 1st reading on adopted EAR-based amendments and July 18, 2011 for a second reading on the adopted EAR-based amendments and authorize transmittal of the amendments to the Department of Community Affairs.

E. SUBJECT: DISCUSSION AND ACTION REGARDING ARCHITECTURAL SERVICES-COMMUNITY PLAYGROUND EQUIPMENT REPLACEMENT

Reference: Parks and Recreation Director memo dated May 25, 2011

RECOMMENDATION:

That the City Council accept Bay Design Associates Architect's proposal for Limited Professional Services for the replacement of playground equipment in four of the City's community parks, for the sum of \$4,400.

F. SUBJECT: DISCUSSION AND ACTION REGARDING GAS PIPELINE TO PENSACOLA BEACH-PIPE COST FEMA ALTERNATIVE PROJECT NO. 05

Reference: Public Services Director memo dated May 26, 2011

RECOMMENDATION:

That the City Council approve direct purchase of the materials from Consolidated Pipe and Supply Company for \$174,821.43 and reduce the contract amount with Utility Service Company by \$171,353.85.

G. SUBJECT: DISCUSSION AND ACTION REGARDING CHANGES IN FLORIDA RETIREMENT SYSTEM (FRS) CONTRIBUTIONS EFFECTIVE JULY 1, 2011

Reference: Finance Director memo dated May 19, 2011

RECOMMENDATION:

That the City Council approve an adjustment in base pay for those nine (9) employees subject to new mandatory employee contributions for participation in the Florida Retirement System equal to 3% of their current rates, effective July 1, 2011.

H. SUBJECT: **DISCUSSION AND ACTION REGARDING REQUEST FOR PROPOSALS, ENGINEERING AND DESIGN SERVICES, HAZARD MITIGATION GRANT**

Reference: City Manager memo dated May 26, 2011

RECOMMENDATION:

That the City Council direct staff to prepare and advertise a Request for Proposals for design and engineering of certain stormwater projects.

I. SUBJECT: **DISCUSSION AND ACTION REGARDING REQUEST FOR ST. FRANCIS ROAD AND ADJACENT RIGHT-OF-WAY**

Reference: Assistant City Manager memo dated May 26, 2011

RECOMMENDATION:

That the City Council authorize staff to prepare a letter for signature by Mayor Zimmern requesting FDOT to consider granting St. Francis Drive and adjacent surplus right-of-way to the City.

J. SUBJECT: **DISCUSSION AND ACTION REGARDING DESIGNATION OF VOTING DELEGATE, FLORIDA LEAGUE OF CITIES CONFERENCE**

Reference: Assistant City Manager memo dated May 26, 2011

RECOMMENDATION:

That the City Council designate Mayor Zimmern as a voting delegate for the August 11 - 13, 2011 Florida League of Cities Conference.

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

OPEN FORUM:

Ms. Vici Papajohn, 101 Oviedo Street, thanked the City for donating bottled water to help with Project Graduation and the City Manager for being a volunteer and going on the trip with the seniors.

ADJOURNMENT:

The Mayor adjourned the meeting at 6:41 p.m.

CITY CLERK

MAYOR

ORDINANCE 05-11

AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BASED ON THE CITY'S ADOPTED EVALUATION AND APPRAISAL REPORT, AND WHICH AMENDMENT INCLUDES CHANGES TO THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, CONSERVATION, COASTAL MANAGEMENT, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS, AND PUBLIC SCHOOL FACILITIES ELEMENTS OF THE COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP SERIES AND TRANSPORTATION MAP SERIES; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the City Council adopted the Comprehensive Plan, Ordinance number 06-90 on September 4, 1990; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the City Council, on April 5, 2010, held an advertised public hearing for the proposed Ordinance, which provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process, and transmitted the EAR-based Comprehensive Plan Amendments to the Department of Community Affairs on September 29, 2010 for comment; and

WHEREAS, The Department of Community Affairs (DCA) reviewed the EAR-based Comprehensive Plan Amendments, and issued its Objections, Recommendations and Comments (ORC) Report on November 29, 2010; and

WHEREAS, the City Council has reviewed the ORC Report, considered the amended EAR-based Comprehensive Plan and reviewed the response to the ORC Report at two duly advertised public hearings on June 20, 2011 and July 18, 2011, and determined that each

document has addressed all of the DCA comments, and the Council is now ready to adopt the EAR-based Comprehensive Plan.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, AS FOLLOWS:

SECTION 1. The City Council does hereby adopt the EAR-based Comprehensive Plan Amendments, attached hereto as Exhibit "A" (Volume I, Goals, Objectives and Policies) and Exhibit "B" (Volume II, Map Atlas) and incorporated by reference.

SECTION 2. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 3. Severability. If an Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Effective Date. The effective date of this Plan Amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance, in accordance with Section 163.3184 Florida Statutes, whichever occurs earlier. No development orders, development permits, development agreements or land uses dependent on a part of this Plan Amendment may be issued or commence before the Plan Amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined not to be in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

FIRST READING and PUBLIC HEARING this 20th day of June, 2011.

SECOND READING and PUBLIC HEARING this 18th day of July, 2011.

PASSED and ADOPTED by the City Council of Gulf Breeze, Santa Rosa County, Florida, on this _____ day of _____, 2011.

CITY OF GULF BREEZE, FLORIDA

Beverly H. Zimmern, Mayor

Attest:

Marita Rhodes, City Clerk

ORDINANCE NO. 06-11

**AN ORDINANCE OF THE CITY OF GULF BREEZE FLORIDA,
PERTAINING TO THE CREATION OF A VESSEL EXCLUSION ZONE;
AMENDING CHAPTER 18, ARTICLE VI OF THE CODE OF
ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR
CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS, the public health, safety, and welfare of persons using the waters of the City of
Gulf Breeze require the regulation of certain water borne activities on and within those waters; and,**

Motorboat is synonymous with boat as referenced in Section 1(b), Article VII of the Florida Constitution and shall include every description of watercraft, barge and air boat used or capable of being used as a means of transportation on water.

680-23.103 (l)(d) F.A.C. *Regulatory marker* means any anchored or fixed marker in, on or over the water or on the shore and shall include but not be limited to speed zone markers and warning markers.

Sec. 18-101. Deadman's Island vessel exclusion zone.

The area between the northeastern end of Deadman's Island and the oyster reef breakwater is hereby designated a vessel exclusion zone meaning manually propelled vessels only. Regulatory markers appropriately identifying the area as a manually propelled vessels only zone shall be posted in accordance with applicable state and federal regulations.

Sec. 18-102. Penalties.

(a) Pursuant to §327.73 F.S., any person cited for a violation of section 18-101 shall be deemed to be charged with a noncriminal infraction and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50.00, except as otherwise provided in this section.

(b) Any person cited for an infraction under this section may:

- (1) Post a bond, which shall be equal in amount to the applicable civil penalty; or
- (2) Sign and accept a citation indicating a promise to appear.

The officer may indicate on the citation the time and location of the scheduled hearing and shall indicate the applicable civil penalty.

(c) Any person who willfully refuses to post a bond or accept and sign a summons is guilty of a misdemeanor of the second degree, punishable as provided by Florida Statutes.

(d) Any person charged with a noncriminal infraction under this article may:

- (1) Pay the civil penalty, either by mail or in person within ten days of the date of receiving the citation; or
- (2) If he has posted bond, forfeit bond by not appearing at the designated time and location.

If the person cited follows either of the above procedures, he shall be deemed to have

admitted the infraction and to have waived his right to a hearing on the issue of commission of the infraction.

(e) Any person electing to appear before the county court or who is required so to appear shall be deemed to have waived the limitations on the civil penalty specified in subsection (a). The court, after hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proved, the court may impose a civil penalty not to exceed \$500.00.

(f) At a hearing under this article, the commission of a charged infraction must be proved beyond a reasonable doubt.

(g) If a person is found by the hearing official to have committed an infraction, he may appeal that finding to the circuit court.

SECTION 2 - SEVERABILITY

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.

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 hereof.

SECTION 4 - EFFECTIVE DATE

This Ordinance shall become effective upon its adoption by the City Council.

PASSED ON THE FIRST READING ON THE _____ DAY OF _____, 2011.

ADVERTISED ON THE ON THE _____ DAY OF _____, 2011.

PASSED ON THE SECOND READING ON THE _____ DAY OF _____, 2011.

By: _____
Beverly Zimmern, Mayor

ATTESTED TO BY:

Marita Rhodes, City Clerk

DRAFT

ORDINANCE NO. 07-11

AN ORDINANCE OF THE CITY OF GULF BREEZE FLORIDA, AMENDING SECTION 21-211 OF THE CODE OF ORDINANCES, PERMITTED USES, P, PUBLIC LANDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the P, Public Lands District provides zoning regulations for properties owned by the City of Gulf Breeze; and,

WHEREAS, these regulations provide that no building shall exceed 35 feet in height; and,

WHEREAS, the City has a publically owned gymnasium in Shoreline Park which was built in 1987 and exceeds 35 feet in height and the City plans to build another gymnasium in Shoreline Park; and,

WHEREAS, in order to be able to stage volleyball, basketball and other similar sports in the gymnasium, it is required that each such gymnasium exceed an overall height of 35 feet.

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

SECTION 1 – The City Council does hereby amend Section 21-211, Permitted Uses (P, Public Lands) to read as follows:

Permitted uses within the P Public Lands District include public parks, playgrounds, schools, municipal and civic buildings, and public utility facilities. Publicly owned lands not designated for conservation use are included in the P District. Public buildings located within the P District shall be subject to the zoning requirements for the C-1 District except in the case of a public gymnasium which may be up to 45 feet in height.

SECTION 2 - SEVERABILITY

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.

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 hereof.

SECTION 4 - EFFECTIVE DATE

This Ordinance shall become effective upon its adoption by the City Council.

PASSED ON THE FIRST READING ON THE ____ DAY OF _____, 2011.

ADVERTISED ON THE ON THE ____ DAY OF _____, 2011.

PASSED ON THE SECOND READING ON THE ____ DAY OF _____, 2011.

Beverly H. Zimmern, Mayor

ATTESTED:

Marita Rhodes, City Clerk

EXECUTIVE COMMITTEE REPORT

JUNE 15, 2010

Councilmen Present: Dana Morris, Joseph Henderson, David Landfair and Mayor Beverly Zimmern

Councilmen Absent: Mayor Pro Tem J. B. Schluter (Out of town due to a death in the family)

ACTION AGENDA ITEMS:

A. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT REVIEW BOARD REFERRALS FROM JUNE 7, 2011

- I. Charles, Jr., and Janet Kahn - 74 Baybridge Drive
Requesting to construct a pier with an uncovered boatlift at 20 Duncan

RECOMMENDATION:

That the City Council approve the project as presented with the stipulation that all federal and state permits are to be received before staff issues the Development Order.

- II. Frederic Levin - 316 South Baylen St., Suite 600
Requesting to construct a landscaped garden on his vacant lot at 533 Deer Point Circle

RECOMMENDATION:

That the City Council approve the project as presented with the stipulation that the applicant install a key switch box compatible with the City's rapid entry system before staff signs off on the certificate of occupancy.

- III. City of Gulf Breeze - 800 Shoreline Drive
Proposing an approximately 24,000 square foot addition and renovation to the Gulf Breeze Recreation Center located at 800 Shoreline Drive

RECOMMENDATION:

That the City Council approve the project as presented.

B. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE 05-11, PUBLIC HEARING ON ADOPTION OF THE AMENDMENT TO THE GULF BREEZE COMPREHENSIVE PLAN

Reference: Assistant City Manager memo dated June 9, 2011

RECOMMENDATION:

That the City Council hold a Public Hearing as advertised on June 20, 2011 and then approve Ordinance 05-11 on First Reading. A Second Public Hearing and Second Reading of Ordinance 05-11 is scheduled for July 18, 2011.

- C. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE 06-11, DEADMAN'S ISLAND COMBUSTION MOTOR EXCLUSION ZONE FOR NORTHEASTERN TIP OF DEADMAN'S ISLAND**

Reference: Community Services Director memo dated June 9, 2011

RECOMMENDATION:

That the City Council approve Ordinance 06-11 on first reading on June 20, 2011 and schedule the Second Reading and Public Hearing on July 5, 2011.

- D. SUBJECT: DISCUSSION AND ACTION REGARDING FLORIDA DEPARTMENT OF TRANSPORTATION -SB 1446 LANDSCAPING GRANT REQUEST FOR PROPOSAL - CHANGE ORDER RECOMMENDATION**

Reference: Assistant City Manager memo dated June 9, 2011

RECOMMENDATION:

That the City Council approve staff recommendation to issue a change order to the original contract to include phase II work. That this change order include the continued services of DesignScapes in the amount of \$150,000 for the professional landscaping and irrigation services required in the Florida Department of Transportation - SB 1446 Landscaping Grant and extend the contract to September 30, 2011. That the City Council authorize the City Manager to sign the contract change order.

- E. SUBJECT: DISCUSSION AND ACTION REGARDING SOUTH SANTA ROSA UTILITY SYSTEM BOARD RECOMMENDATIONS FROM JUNE 7, 2011 MEETING**

Reference: Public Services Director memo dated June 9, 2011

I. BAY BREEZE NURSING AND RETIREMENT CENTER
METER REPLACEMENT

RECOMMENDATION:

SSRUS Board recommend to the City Council approval of Warrington Utility and Excavating to complete the Bay Breeze Center meter and bypass replacement for \$4,960. (Staff was directed to meet with owner/manager of the Bay Breeze Nursing Home prior to completion of the project.)

II. DUKE DRIVE LATERAL REPLACEMENT

RECOMMENDATION:

SSRUS Board recommend to City Council the award of the Duke Drive Lateral Replacement to Warrington Utility and Excavating for the amount of \$8,592.

III. WATERFORD SOUND IMPACT FEES

RECOMMENDATION:

SSRUS Board recommend to City Council the special impact fee payment agreement for Waterford Sound Subdivision Phase I.

F. SUBJECT: **DISCUSSION AND ACTION REGARDING (1) HIGHWAY 98 IRRIGATION COST ALLOCATION AND (2) CRA LIGHTING AUDIT**

Reference: Public Service Director memo dated June 8, 2011

RECOMMENDATION:

(1) That the City Council authorize the assignment of median irrigation costs from Fairpoint Drive to the south end of the Three Mile Bridge to the Community Redevelopment Agency account 107-3500-554-43.20 and authorize reimbursement of \$11,203.26 from CRA to the Parks and Recreation budget; (2) That the City Council authorize the inclusion of the 52 Street Lights at an additional cost of

\$5,300 in the CRA for F/Y 2011 and also authorize transfers in subsequent budget years to address this issue.

G. SUBJECT: DISCUSSION AND ACTION REGARDING AMENDMENT OF SECTION 21-211 OF THE CODE OF ORDINANCES, HEIGHT LIMIT FOR PUBLIC BUILDINGS

Reference: City Manager memo dated June 9, 2011

RECOMMENDATION:

That the City Council direct staff to draft an Ordinance amending the Municipal Code to allow public gymnasiums on public property to be built up to 45' in height and that first reading on such an Ordinance be scheduled for June 20, 2011.

H. SUBJECT: DISCUSSION AND ACTION REGARDING INVOICE FROM W. THOMAS LAVASH, DBA WTL & ASSOCIATES IN THE AMOUNT OF \$1,375.00

Reference: Assistant City Manager memo dated June 9, 2011

RECOMMENDATION:

That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, June 20, 2011 and approve payment of \$1,375 to WTL & Associates.

I. SUBJECT: DISCUSSION AND ACTION REGARDING INVOICE FROM MORRIS CLARK IN THE AMOUNT OF \$489.50

Reference: Assistant City Manager memo dated June 9, 2011

COMMENDATION:

That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, June 20, 2011 and approve payment of \$489.50 to Morris Clark.

Executive Committee Report
June 15, 2011
Page Five

**J. SUBJECT: DISCUSSION AND ACTION REGARDING COMPLAINT BY
THE CITY OF GULF BREEZE AGAINST THOMAS BRADY**

Reference: City Manager memo dated June 9, 2011

RECOMMENDATION:

That the City Council authorize the filing of a complaint against Thomas Brady.

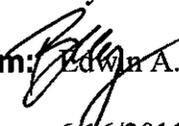


City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To: Mayor and City Council

From:  Edwin A. Eddy, City Manager

Date: 6/16/2011

Subject: Final Plans for Community Center

As noted at the Executive Session on Wednesday, June 15th, the Development Review Board met on Monday, June 13th in a Special Meeting to consider the final plans for the Community Center. Attached are the minutes from that meeting. The DRB voted unanimously to approve the project.

RECOMMENDATION:

THAT THE CITY COUNCIL APPROVE THE FINAL PLANS FOR THE COMMUNITY CENTER PROJECT.

DEVELOPMENT REVIEW BOARD AGENDA

SPECIAL MEETING

DATE: JUNE 13, 2011

TIME: 6:30 P.M.

LOCATION: GULF BREEZE CITY HALL, COUNCIL CHAMBERS, 1070 SHORELINE DRIVE, GULF BREEZE, FLORIDA 32561

1. ROLL CALL
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. REVIEW EX-PARTE COMMUNICATION IN ACCORDANCE WITH SECTION 20-47
4. CASES:

Project Number: 11-3000008

Request by: CITY OF GULF BREEZE
P.O. BOX 640
GULF BREEZE, FL 32562

Location: 800 SHORELINE DR

Description: RENOVATION AND ADDITION TO THE GULF BREEZE
RECREATION CENTER

PLEASE NOTIFY ME BY AT 934-5115 IF YOU CANNOT BE IN ATTENDANCE, SO THAT WE CAN BE ASSURED OF A QUORUM.

LESLIE GOMEZ
DEPUTY CITY CLERK

**MINUTES
DEVELOPMENT REVIEW BOARD
SPECIAL MEETING
JUNE 13, 2011
MONDAY.....6:30 P.M.
CITY HALL OF GULF BREEZE**

PRESENT

John Schuster
Cheryl Fromularo
Lee Brown
Bill Hoke
Samantha Rine

ABSENT

JB Schluter
Ramsy Landry

STAFF

Shane Carmichael
Leslie Gomez

The meeting was called to order at 6:30 p.m. by Chairman John Schuster.

The Deputy City Clerk called the roll.

Mr. Schuster asked if any members had any ex parte communication regarding the pending case. None of the Board members reported any such communication. Mr. Lee stated that he did pick up a set of plans as a subcontractor but had not viewed the plans until tonight's meeting and had not bid on the project.

PROJECT NO. 11-3000008 – CITY OF GULF BREEZE, 800 SHORELINE DRIVE, GULF BREEZE, FL PROPOSING AN APPROXIMATELY 24,000 SQUARE FOOT ADDITION AND RENOVATION TO THE GULF BREEZE RECREATION CENTER LOCATED AT 800 SHORELINE DRIVE.

Steve Jernigan with Bay Design Associates Architects addressed the Board on behalf of the City of Gulf Breeze. Mr. Jernigan presented his case to the Board and answered questions.

Shane Carmichael presented the staff report to the Board and answered questions. He stated that the staff report that was sent to the board in the packet did not reflect the updated items. The parking calculations had been changed from 102 to 100. This was done so that turn around could be added to the extreme northeast end of the newly created parking area. He also stated that the original plan submittal did not include landscaping calculations; however, they have since been added and that 2,808 feet of landscaping is included in the design.

After a brief discussion, a motion was made by Samantha Rine to approve the project as presented. Cheryl Fromularo seconded the motion. The vote for approval was unanimous.

This case is a Level 3 project and will go to the City Council for final approval.

As there was no other business to come before the Board, the meeting was adjourned at 6:45 p.m.

ATTESTED TO:


Leslie A. Gomez, Deputy City Clerk



City of Gulf Breeze

OFFICE OF THE MAYOR

June 17, 2011

TO: Mayor and City Council

FROM:  Edwin A. Eddy, City Manager

SUBJ: **CHANGE ORDER TO ADD PHASE II, TO FDOT HIGHWAY
BEAUTIFICATION GRANT**

As discussed at the June 15, Executive Session, the City has the opportunity to immediately proceed with Phase II of the FDOT funded Highway Beautification grant. As described in the attached summary, we can ask for a six month extension of the original grant and authorize the contractor to proceed with Phase II via a Change Order.

If the City Council approves the staff recommendation to ask for an extension and to proceed with Phase II, the entire two phases will be completed within the original amount funded of \$350,000.

Proceeding in this manner is not without controversy. However, in this way, the City gets Phase II built based on costs established via the bid process and we are able to secure the presently available funding.

FDOT Beautification Grant

- 2008 Applied for grant to landscape from Andrew Jackson to Daniel Drive
LDI writes grant estimated at \$730,729
- 2009 FDOT does not award City of Gulf Breeze a grant. FDOT States that the project is too big and does not want to award to one city some much money.
- 2010 Early 2010, FDOT comes to the City and says that there is money left over from the 2009 funding cycle and will award the City \$350,000.
- 2010 City hires LDI to carve out a phase I project from the original grant and develop construction plans. Andrew Jackson to Overpass)
- 2011 Construction plans are complete. Staff is instructed to bid project. Seven companies bid project. Prices range from \$186K to \$286K. Staff throw out lowest bid do to lack of experience. Awards bid to Designscares for \$199K. There is over \$150 left on the table.

City awards Phase II construction documents preparation to Ken Griffin Landscaping.

In talking with FDOT representative, Atkins, Co, staff is told that we can (if we are happy with our contractor) do a change order with Designscares and start Phase II (Overpass to Daniel Drive). We need to get Council approval to do change order, get a price for Phase II, and request the change order and extension of the contract from FDOT.

Staff got a quote of \$150,000 from Designscares to complete Phase II. Overall the project is \$380,729 less than originally estimated. Staff recommends Designscares to do the work on Phase II.



City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To: Edwin A. Eddy, City Manager

From: Leslie Gomez, Deputy City Clerk

Date: 6/13/2011

Subject: **Development Review Board Appointment**

Ms. Maureen Hill has resigned her position as a member of the Development Review Board (DRB) effective June 8, 2011. The Board's alternate Cheryl Fromularo has agreed to fill Ms. Hill's position effective immediately.

The Board will need one (1) alternate.

RECOMMENDATION:

THAT THE CITY COUNCIL APPOINT BOARD ALTERNATE CHERYL FROMULARO TO SERVE ON THE DEVELOPMENT REVIEW BOARD AND SELECT ONE (1) ALTERNATE.



City of Gulf Breeze

**DEVELOPMENT REVIEW BOARD
2011-2012**

*The Development Review Board (DRB) Meets On the Tuesday Prior To The Second Monday
of Each Month In The City Hall Council Chambers At 6:30 p.m.*

BOARD MEMBERS

**J.B. Schluter, Councilmember
338 Deer Point Drive**

**Ramsey Landry
205 S. Sunset Blvd**

**George Williams
219 Florida Ave**

**Maureen Hill
128 Windsor Place**

**John Schuster
405 Navy Cove**

**Samantha Rine
203 N. Sunset**

**Lee Brown
83 Shoreline Drive**

**Alternate:
Cheryl Fromularo
417 N. Sunset Blvd**

**Bill Hoke
205 Dolphine St.**

**Staff:
Shane Carmichael, Director of Community Services
Leslie Gomez, Deputy City Clerk**

**850-934-5109 (Office)
850-934-5115 (Office)**

Correspondance can be sent to: PO Box 640, Gulf Breeze, FL 32562

Leslie Gomez

From: mohill@mchsi.com
Sent: Wednesday, June 08, 2011 8:23 AM
To: Leslie Gomez
Subject: DRB

Leslie,

I have come to the conclusion that I am not doing my job as a member of the DRB Board for the city. I have been unable to attend the last three or four meetings because of conflicts and dont see any type of change coming up.

This is my notification that I am resigning from the board so that I can be replaced with someone who is able to attend all of the meetings. Thank for the opportunity to help out in a small way for our wonderful city.

Regards,

Maureen Hill

----- Original Message -----

From: "Leslie Gomez" <lgomez@ci.gulf-breeze.fl.us>

Leslie Gomez

Deputy City Clerk

City of Gulf Breeze

1070 Shoreline Drive

Gulf Breeze, FL 32561

850-934-5115

PLEASE NOTE: Florida has very broad public records law. All e-mail communication with the City of Gulf Breeze may be subject to public disclosure.

**COMMUNITY REDEVELOPMENT AGENCY
BOARD OF DIRECTORS**

JUNE 20, 2011
MONDAY - 6:30 P.M.
COUNCIL CHAMBERS

- A. Discussion and Action Regarding (1) Highway 98 Irrigation Cost Allocation
(2) CRA Lighting Audit

- B. Discussion and Action Regarding Invoice from W. Thomas Lavash, dba
WTL & Associates in the Amount of \$1,375

- C. Discussion and Action Regarding Invoice from Morris Clark in the Amount of
\$489.50

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

Memo

TO: Edwin A. Eddy, City Manager

FROM: Vernon L. Prather, Director of Public Services *V.P.*

DATE: June 8, 2011

RE: Highway 98 Irrigation Cost Allocation
CRA Lighting Audit

A review of irrigation costs for the Highway 98 corridor revealed two (2) water meters that furnish water to the medians from Fairpoint Drive to the south end of the bridge.

These meters are necessary as the previous well showed signs of salt water intrusion in July 2008 and was no longer suitable for irrigation. Continued withdrawals also increased the probability that other wells could be impacted with salt water.

The annual cost of irrigation (approx. \$17,000) is currently charged to 001-1500-579-43.10 (Rec. Center) and should be allocated to the CRA 107-3500-554-43.20, as the cost is directly related to maintenance of the medians.

Additionally, the Rec. Center has incurred costs of \$11,203.26 this fiscal year and consideration for reimbursement is warranted.

RECOMMENDATION: City Council authorize the assignment of median irrigation costs from Fairpoint Drive to the south end of the 3 mile bridge to the Community Redevelopment Agency account 107-3500-554-43.20 and authorize reimbursement of \$11,203.26 from CRA to the Rec. Center.

CRA Lighting Audit

We have typically assigned only the Hwy 98 Corridor street lights to the CRA with an annual cost of approx. \$24,000 from Gulf Power.

Staff received updated and detailed lighting maps from Gulf Power as they are currently performing an audit of the City's street lights. We over layed the CRA boundary on the map to determine which fixtures should be assigned to specific funds.

Our analysis indicates that 52 fixtures and the related costs estimated at \$5,300 should be allocated to the CRA instead of the General Fund. This brings the total street light cost assigned to the CRA to \$29,300.

Recommendation: City Council authorize the inclusion of the 52 Street Lights at an additional cost of \$5,300 in the CRA for F/Y 2011 and also authorize transfers in subsequent budget years to address this issue.

VLP/ohl



City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To: Mayor and City Council

From:  Edwin A. Eddy, City Manager

Date: 6/9/2011

Subject: Transfer of Recurring Expenses from General Fund to Community Redevelopment Agency

The action recommended by staff boils down to a policy decision by the Council. "Should ongoing, recurring maintenance expenses realized in the Community Redevelopment Agency district be charged to the CRA or to the General Fund or a mix of both?"

We currently charge the costs of law enforcement, street lights, street sweeping, median mowing and flower bed maintenance that are utilized or occur in the CRA district to the CRA fund. When we decided to use potable water rather than well water for irrigation of medians in the CRA, we simply charged those costs to Parks and Recreation. It seems more consistent to charge all expenses associated with median upkeep to the CRA.

We have been charging the CRA for street lighting costs. We never audited the lights in the CRA against the bills we receive to see if these charges were complete and accurate. Again, it seems consistent to charge the CRA account for all street lights in the CRA district.

There are surplus funds within the CRA to make these payments to the General Fund.

RECOMMENDATION:

THAT THE CITY COUNCIL DETERMINE THAT THE COMMUNITY REDEVELOPMENT AGENCY FUNDS BE USED TO PAY THE COST OF POTABLE WATER FOR MEDIAN IRRIGATION ON U.S. 98 FROM THE BAY BRIDGE TO FAIRPOINT AND THAT CRA FUNDS ALSO BE USED TO PAY ALL STREET LIGHTING COSTS WITHIN THE CRA DISTRICT.

CRA
Revenue

1996	\$93,607.00	2004	\$380,635.00
1997	\$136,338.00	2005	\$554,821.00
1998	\$176,491.00	2006	\$598,381.00
1999	\$231,564.00	2007	\$898,951.00
2000	\$248,660.00	2008	\$801,636.00
2001	\$329,900.00	2009	\$802,252.00
2002	\$336,741.00	2010	\$843,105.00
2003	\$354,609.00	2011	\$781,680.00

Revenue Total(includes both City &County contribution)) \$7,569,371.00

Reimbursements

County Incentive Grant	\$528,799.00
Hwy 98 Corridor Grant	\$450,000.00
Baptist Hospital	\$40,874.51
Santa Rosa Schools	\$29,095.27

Total Reimbursements \$1,048,768.78

CRA Total \$8,618,139.78

Expenditures

Year	Project	
1997	U.S 98 Corridor Study Visioning Project Landscaping Overpass Year Total:	\$11,725.00
1998	U.S. Corridor Study Fishing Bridge Repairs Year Total:	\$8,900.00 \$346,800.00 \$355,700.00
1999	Access Management Study	\$27,529.40

	Sidewalks	\$29,043.00
	Beach Overpass	\$50,000.00
	Year Total:	\$106,572.40
2000	Rip Rap - Wayside Park West (grant match)	\$22,045.55
	Underground wiring	\$2,000.00
	Beach Road Plaza Sidewalk	\$31,261.34
	Highway 98 Improvements (Engineering)	\$20,683.32
	Paving Improvements (Health Dept, etc.)	\$15,867.75
	Resurfacing Shoreline	\$2,300.75
	Complete Sidewalk & Stormwater Drainage	
	Improvements on McAbee Ct	\$31,639.54
	Miscellaneous	\$3,165.00
	Year Total:	\$128,963.25
2001	First Phase of Underground Wiring	\$21,535.00
	Renovate Health Dept Building	\$105,411.05
	Shoreline turn lanes	\$49,640.72
	Wayside Park West	\$9,615.00
	Miscellaneous	\$675.00
	Year Total:	\$186,876.77
2002	Pensacola Bay Bridge Replacement Study	\$85,939.46
	Daniel Drive Extension	\$463,602.95
	Bay Bridge Sidewalk Improvements	\$1,000.00
	Miscellaneous	\$175.00
	Year Total:	\$550,717.41
2003	Pensacola Bay Bridge Replacement Study	\$145,475.14
	Daniel Drive Extension	\$141,259.32
	Miscellaneous	\$695.00
	Year Total:	\$287,429.46
2004	Pensacola Bay Bridge Replacement Study	\$43,587.45
	Daniel Drive Extension	\$998,053.93
	Ads & Memberships	\$1,300.00
	Professional Services	\$32,921.06
	Year Total:	\$1,075,862.44

2005	Daniel Drive Extension	\$577,071.10
	Professional Services	-3432
	Resurfacing	\$18,480.00
	Ads & Membership	\$695.00
	Year Total:	\$592,814.10
2006	Jehle Engineering (Baptist roadway & median)	\$16,262.64
	Dannheisser (Legal services w/in CRA district)	\$11,520.83
	Land Design Inovations (CRA design guidelines)	\$46,591.88
	McDonald Fleming	\$7,673.21
	Other Professional Services	\$981.00
	1/3 Cost GBHS Marque	\$13,600.00
	Other Operating Supplies	\$478.24
	Sidewalks @ GBHS	\$15,215.00
	Daniel Drive Extension	\$117,848.17
	Ads & Memberships	\$1,017.45
	Road Resurfacing & Engineering	\$192,585.11
	Generator Transfer switches (5)	\$9,420.00
	Year Total:	\$433,193.53
2007	Dannheisser (Legal services w/in CRA district)	\$6,732.14
	Jehle Engineering (Baptist roadway & median)	\$3,500.00
	McDonald Fleming	\$24,240.30
	Land Design Inovations	\$44,700.20
	Baptist Health Care	\$3,360.00
	Street Lighting	\$5,049.11
	Road Resurfacing & Engineering	\$105,246.41
	Ads & Memberships	\$689.81
	Hwy 98 Improvements	\$628,288.93
	Baptist - Andrew's Institute	\$529,102.20
	Year Total:	\$1,350,909.10
2008	Professional Services	\$79,802.53
	Street Lighting	\$20,047.91
	Operating Expenses	\$101.00
	Memberships	\$805.13
	Hwy 98 Improvements	\$9,617.40
	Wayside Park Improvements	\$153.74
	Resurfacing	\$17,118.19
	Police Services	\$120,000.00
	YTD Total:	\$247,645.90

2009	Professional Services	\$85,130.00
	Utilities	\$28,826.00
	Street Lighting	\$25,000.00
	Operating Expenses	\$125.00
	Memberships	\$6,212.00
	Hwy 98 Improvements	\$344,826.00
	Resurfacing	\$2,500.00
	Police Services	\$126,000
	Transfers	\$29,000.00
	YTD Total:	\$647,619.00
2010	Professional Services	\$117,762.00
	Utilities	\$25,000.00
	Street Lighting	\$30,838.00
	Operating Expenses	\$8,063.00
	Memberships	\$6,339.00
	Capital Improvements	\$133,996.49
	CDBG Grant Match	0
	Police Services	\$136,000.00
	Transfers	\$29,000.00
	YTD Total:	\$486,998.49
	Expense Total:	\$6,463,026.85
	CRA Revenue Total:	\$8,618,139.78
	CRA Balance:	\$2,155,112.93

FY2011 Budget

Professional Services	\$120,000.00
Legal Services (\$8,000)	
Miscellaneous Consulting Services (\$35,350)	
Flower Bed Maintenance & Median Mowing(\$50,000)	
Annual Christmas Lighting (\$19,000)	
Street Sweeping (\$7650)	
Street Lighting	\$30,000.00
Utilities	\$30,000.00
Memberships & Ads	\$7,100.00
Operating Expenses (1,000)	
Team Santa Rosa (\$5,000)	
FRA & State Membership (\$1,100)	
CDBG Grant Match	\$100,000.00
Capital Improvements	\$318,855.00
Cost Allocation Transfers	\$175,725.00
Police Services (\$136,000)	
CRA Administration Fee (\$20,000)	
Median Maintenance Supplement (\$9,000)	
Budget Total:	\$781,680.00
CRA Balance:	\$1,373,432.93



City of Gulf Breeze

TO: Edwin A. Eddy, City Manager
FROM:  David J. Szymanski, Assistant City Manager
DATE: June 9, 2011
SUBJECT: Invoice, W. Thomas Lavash, dba WTL & Associates

Attached is an invoice from Thomas Lavash for \$1,375.00 for services associated with the Live Oak Village opinion letter of value and development potential. This project is now complete. Total price of project was \$17,400.00

RECOMMENDATION:

That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, June 20, 2011 and approve payment of \$1,375.00 to WTL & Associates.

Leslie Gomez

From: wthomas.lavash@wlassociates.com
Sent: Tuesday, May 31, 2011 12:55 PM
To: Edwin Eddy
Cc: David J. Szymanski
Subject: Final Invoice-Live Oak Village Study
Attachments: WTL Assoc-Gulf Breeze Invoice 4 05-31-11.xls

Gentlemen:

Please find attached the final invoice for the Live Oak Village Development Study. This covers the remaining time for completion of the final report.

I very much appreciate the opportunity to assist the City of Gulf Breeze on this important project.

Best regards,

Tom

W. Thomas Lavash

Managing Principal

WTL+a: Urban Real Estate Advisors

4235 South Dakota, NE

Washington, D.C. 20017.3030

202.636.4002

301.502.4171 (M)



31-May-11

Mr. Edwin Eddy, City Manager
City of Gulf Breeze
2070 Shoreline Drive
Gulf Breeze, FL 32561-4702

INVOICE: 2011.2.4

Final Invoice #4 for professional services associated with the Live Oak Village Opinion Letter of Value and Development Potentials Study, from April 15, 2011 through project completion.

No.	Task	Fee By Task	% Complete	Previously Billed	Fee This Invoice
TOTAL PROFESSIONAL FEE:		\$ 17,400			
1	Project Initiation/Kick-off	\$ 750	100%	750	\$ -
2	Existing Operating Performance	\$ 1,200	100%	1,200	\$ -
3	Financial Feasibility Analysis	\$ 3,500	100%	3,500	\$ -
4	Demographic & Economic Profile	\$ 2,000	100%	2,000	\$ -
5	Real Estate Market Overview	\$ 3,500	100%	3,500	\$ -
6	Preliminary Market/Development Potentials	\$ 2,500	100%	2,500	\$ -
7	Project Meeting	\$ 1,200	100%	1,200	\$ -
8	Project Deliverable/Final Report	\$ 2,750	100%	1,375	\$ 1,375
Subtotal:		\$ 17,400	100.0%	\$ 16,025	\$ 1,375

REIMBURSABLE EXPENSES (None This Invoice):

Airfare (RT: DCA-PNS)	\$ -
Car Rental	\$ -
Hotel	\$ -
Taxi/Parking	\$ -
Meals/Food	\$ -
Research Data (Demographic & Economic)	\$ -
Other (Gas/Tolls)	\$ -
Subtotal-Reimbursable Expenses:	\$ -

AMOUNT DUE:

Current Amount Due: **\$ 1,375.00**

Payable within 10 days to:

W. Thomas Lavash Sole Prop dba WTL +Associates
4235 South Dakota, NE
Washington, D.C. 20017-3030
202.636.4002/301.502.4171



City of Gulf Breeze

TO: Edwin A. Eddy, City Manager
FROM:  David J. Szymanski, Assistant City Manager
DATE: June 9, 2011
SUBJECT: Invoice, Morris Clark

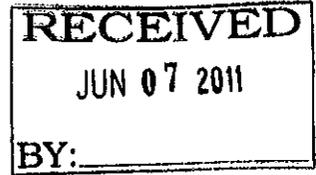
Attached is an invoice from Morris Clark for \$489.50 for assistance he has provided to the City relative to the replacement of the Pensacola Bridge.

RECOMMENDATION:

That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, June 20, 2011 and approve payment of \$489.50 to Morris Clark.

Morris M. Clark, P.E.
Consulting Engineer

609 timber Ridge Road, Pensacola, FL 32534
850-968-5498 or 850-281-1857(Cell)
morrisclark@cox.net



INVOICE

To: Mr. Edwin A. Eddy, City Manager City of Gulf Breeze 1070 Shoreline Drive Gulf Breeze, FL 32561	Invoice No. 101-06	Date: 6/1/2011
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For Professional Engineering Services rendered May 1, 2011 thru May 31, 2011 including the following:

Preparation for and participation, via telephone, in FDOT's Pensacola Bay Bridge Replacement PD&E Study Progress Meeting on May 5th and follow-up correspondence.

4.45 hours at \$110.00 per hour	=	\$489.50
0.0 miles of auto mileage at \$0.50 per mile	=	<u>0.00</u>
Current Amount Due		<u>\$ 489.50</u>

Thank you for the opportunity to be of service.

Morris M. Clark