

**GULF BREEZE CITY COUNCIL  
REGULAR MEETING**

APRIL 1, 2013  
MONDAY, 6:30 P.M.  
COUNCIL CHAMBERS

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Approval of Minutes of March 18, 2013 (Regular Meeting)  
Approval of Minutes of March 18, 2013 (CRA Meeting)
4. Resolution No. 06-13: Urging Support to Preserve Current Tax-Exempt Status of  
Municipal Bonds
5. **CONSENT AGENDA ITEMS:\***
  - A. Discussion and Action Regarding Special Event request - American Diabetes Association  
Annual 42 and 62 Mile Circuit Bike Ride
  - B. Discussion and Action Regarding Memorandum of Understanding (MOU) Between Gulf  
Breeze Fire Department and Gulf Islands National Seashore (GINS)
  - C. Discussion and Action Regarding Conceptual Approval - Installation of Sidewalk  
on Fairpoint Drive
  - D. Discussion and Action Regarding LED Lighting Proposals
  - E. Discussion and Action Regarding Wellness Program
  - F. Discussion and Action Regarding Adjustment to Police Officers Retirement  
Plan 2011 - 2012

**\*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:**

- A. Discussion and Action Regarding Natural Gas Franchise - General Release
  
- 6. New Business
- 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 1,220<sup>th</sup> regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida was held at the Gulf Breeze City Hall on Monday, March 18, 2013, at 6:30 p.m.

Upon call of the roll the following Councilmen were present: Cherry Fitch, Mayor Pro Tem J. B. Schluter, Joseph Henderson and Mayor Zimmern. Councilman David G. Landfair was out of town.

**APPROVAL OF MINUTES:**

Councilman Schluter moved for approval of the minutes for the regular meeting held on Monday, March 4, 2013 Councilman Henderson seconded. The vote for approval was 4 - 0.

Councilman Henderson moved for approval of the minutes for the special Community Redevelopment Agency (CRA) meeting held on Monday, March 4, 2013. Councilman Fitch seconded. The vote for approval was 4 - 0.

**RESOLUTION NO. 05-13: SUPPORT FOR CLEAN CITIES COALITION**

Councilman Henderson moved for approval of the Resolution. Councilman Fitch seconded. The vote for approval was 4 - 0.

**DISCUSSION AND ACTION REGARDING AUDIT PRESENTATION:**

Mr. Kevin Bowyer, Warren Averett, LLC, presented the comprehensive annual financial report to Council and answered questions.

Councilman Henderson moved for approval of the financial report. Councilman Fitch seconded. The vote for approval of the report was 4 - 0.

**CONSENT AGENDA ITEMS:**

**RECOMMENDATION:**

**That City Council approve the following items on the Consent Agenda: A, B, C, D, E, F, G, H, I, J, K AND L:**

**A. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT, ST. ANN CATHOLIC CHURCH PALM SUNDAY PROCESSIONAL ON MARCH 24, 2013**

Reference: Deputy Police Chief memo dated February 25, 2013

**RECOMMENDATION:**

**That the City Council approve the St. Ann Catholic Church's request for the Palm Sunday processional on March 24, 2013.**

**B. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT, MOMENTUM CHURCH, EASTER SUNDAY AT THE HIGH SCHOOL FOOTBALL FIELD**

Reference: Deputy Police Chief memo dated March 8, 2013

**RECOMMENDATION**

**That the City Council approve the Momentum Church request to conduct an Easter Service at the High School Football stadium.** (Participants will be urged to park at the middle or elementary schools.)

**C. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT, GBHS STUDENT GOVERNMENT 5K FUN RUN, SATURDAY MARCH 30, 2013**

Reference: Deputy Police Chief memo dated March 8, 2013

**RECOMMENDATION:**

**That the City Council approve the Gulf Breeze Student Council special event application for a 5K fun run on Saturday, March 30, 2013, starting at 8:00 a.m.** (Ms. Allie Turner, 483 Deer Point Drive and Ms. Jordan Kirchgessner, 822 Baycliff Road with the High School Student Government explained that proceeds from this fun run will go to Quentin Cooper and to liver cancer research. Future fun run proceeds will go to help other fellow students.)

**D. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT REVIEW BOARD RECOMMENDATIONS OF MARCH 5, 2013**

Reference: Development Review Board minutes of March 5, 2013

1. Gulf Winds Federal Credit Union - located at 1300 Shoreline Drive  
Request to construct a small, 10 space parking lot to the east of their existing building

**RECOMMENDATION:**

**That the City Council approve the project contingent upon the removal of the proposed three painted parking spaces located on the east side of the Gulf Winds building and the removal of the existing asphalt driveway and a matching radius be added to the new driveway.**

2. Francis and Charles Bryan - 317 Deer Point Drive  
Request to install an addition within 50 feet of the mean high water line (MHWL) to the existing residence

**RECOMMENDATION:**

**That the City Council approve the project as submitted.**

3. Chris Schulte - 702 Stonewall Drive  
Request to install a deck within 50 feet of the mean high water line (MHWL) behind the residence under construction at 491 Deer Point Drive

**RECOMMENDATION:**

**That the City Council approve the project as submitted.**

**E. SUBJECT: DISCUSSION AND ACTION REGARDING GOLF COURSE LAKE MAINTENANCE AGREEMENT WITH LAKE DOCTORS, INC.**

Reference: Public Services Director memo dated February 22, 2013

**RECOMMENDATION:**

**That the City Council authorize Lake Doctors, Inc., to begin golf course lake maintenance contract pending legal sign-off by City Attorney.**

**F. SUBJECT: DISCUSSION AND ACTION REGARDING CHEMICAL STORAGE FACILITY - TIGER POINT GOLF COURSE**

Reference: Parks and Recreation Director memo dated March 7, 2013

**RECOMMENDATION:**

**That the City Council authorize the purchase of an agri-chemical storage facility, Model #CL1088 from U.S. Chemical, LLC, at their quoted price of \$14,973.00 plus an estimated \$1,788.00 for shipping.**

**G. SUBJECT: DISCUSSION AND ACTION REGARDING REPLACEMENT OF 5 UNIT GANG MOWER - TIGER POINT GOLF CLUB**

Reference: Parks and Recreation Director memo dated March 7, 2013

**RECOMMENDATION:**

**That the City Council authorize the purchase, from Sportco, Inc., of the used mower for a price not to exceed \$9,200.00.**

**H. SUBJECT: DISCUSSION AND ACTION REGARDING REQUEST TO DECLARE 1995 IBM IMPACT PRINTER SURPLUS**

Reference: Finance Director memo dated February 15, 2013

**RECOMMENDATION:**

**That the City Council declare the IBM 6252 Impact Printer as surplus for sale on Govdeals.com or scrap disposal if adequate bids are not received.**

**I. SUBJECT: DISCUSSION AND ACTION REGARDING LANDSCAPING FOR THE GULF BREEZE COMMUNITY CENTER**

Reference: Parks and Recreation Director memo dated March 8, 2013

**RECOMMENDATION:**

**Pending review of the design drawing and graphic depictions, that Council authorize a change order to the Recreation Center Addition/Renovation project, authorizing Ken Griffin Landscape Contractors to provide landscape services, for a sum not to exceed \$119,654.34.**

**J. SUBJECT: DISCUSSION AND ACTION REGARDING THE NAVARRE STREET TRAFFIC SAFETY IMPROVEMENTS**

Reference: Assistant Public Services Director memo dated March 8, 2013

**RECOMMENDATION:**

**That the City Council award the Navarre Street Traffic Safety Improvements to Roads, Inc., of NWF for the amount of \$18,600.85. (Project will commence this week.)**

**K. SUBJECT: DISCUSSION AND ACTION REGARDING ZOO WELL REPAIR**

Reference: Assistant Public Services Director dated March 7, 2013

**RECOMMENDATION:**

**That the City Council authorize an expenditure not to exceed \$7,000 for the repair of the Zoo well, to be paid directly to Layne Central or reimbursed to the Gulf Breeze Zoo upon presentation of the invoice.**

**L. SUBJECT: DISCUSSION AND ACTION REGARDING FLORIDA FISH AND WILDLIFE GRANT APPLICATION**

Reference: City Manager memo dated March 7, 2013

**RECOMMENDATION:**

**That the City Council approve the application for a FWC grant in the amount of \$15,000 to replace/repair channel markers and pilings in the approach to Woodland**

**and Hoffman Bayous.** (Council asked that Heather Reed provide an update regarding progress on Deadman's Island project.)

Councilman Fitch moved for approval of Consent Agenda items. Councilman Schluter seconded. The vote for approval was 4 - 0.

**OPEN FORUM:**

Mr. Scott Stikeleather with the Bayside Soccer Club, Post Office Box 363, Gulf Breeze, FL 32562, spoke to Council regarding City property to be used as a soccer field.

**ADJOURNMENT:**

The Mayor adjourned the meeting at 6:55 p.m.

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CITY CLERK

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MAYOR

**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, March 18, 2013, at 6:50 p.m.

Upon call of the roll for the Community Redevelopment Agency the following members were present: Councilmen Cherry Fitch, Mayor Pro Tem J. B. Schluter, Joseph Henderson, and Mayor Beverly Zimmern. Councilman David G. Landfair was out of town.

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

**A. SUBJECT: DISCUSSION AND ACTION REGARDING FAIRPOINT  
SIDEWALK 2013 BID AWARD TO ROADS, INC., OF NWF**

Reference: Assistant Public Services Director memo dated March 8, 2013

**RECOMMENDATION:**

**That the City Council award the Fairpoint Sidewalk 2013 to Roads, Inc., of NWF for the amount of \$16,521.00 and that the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, March 18, 2013 to approve the funds from the CRA District. (Council direct staff to determine costs and feasibility of completing sidewalk on Fairpoint from Julia Way west to Pine Tree.)**

Councilman Henderson moved for approval. Councilman Fitch seconded. The vote for approval was 4 - 0.

**B. SUBJECT: DISCUSSION AND ACTION REGARDING PROGRESS  
PAYMENT TO VHB FOR MASTER PLANNING IN THE  
AMOUNT OF \$3,612.19**

Reference: City Manager memo dated March 8, 2013

**RECOMMENDATION:**

**That the City Council meet as the Board of Director of the CRA on Monday, March 18, 2013 and approve the invoice from VHB in the amount of \$3,612.19**

Councilman Henderson moved for approval. Councilman Schluter seconded. The vote for approval was 4 - 0.

**ADJOURNMENT:**

The Mayor adjourned the meeting at 6:52 p.m.

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CITY CLERK

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MAYOR

## RESOLUTION 06-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, URGING THE ADMINISTRATION AND CONGRESS OF THE UNITED STATES TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF MUNICIPAL BONDS, AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM TAX-EXEMPT MUNICIPAL BONDS.**

**WHEREAS**, several proposals are being discussed in the ongoing Federal budget negotiations that would either reduce or eliminate the current tax exemption on the interest earned from tax-exempt municipal bonds; and

**WHEREAS**, the United States House of Representatives Ways and Means Committee is considering various changes to Federal tax provisions on reducing or eliminating the current tax exemption on the interest earned from tax-exempt municipal bonds, along with the ability to individual taxpayers who itemize to deduct their State and local income and property taxes when filing their Federal tax return and other tax related issues; and

**WHEREAS**, for state and local governments, tax-exempt municipal bonds are the most important tool available for financing critical infrastructure projects such as primary and secondary schools, hospitals, water and sewer systems, roads, highways and streets, public power facilities, mass transit projects, airports, solid waste, sanitation and recycling, multi-family housing, police and fire stations and equipment, bridges, tunnels and other infrastructure projects; and

**WHEREAS**, together, state and local governments are responsible for building and maintaining 75 percent of the nation's infrastructure, which is financed mostly by tax-exempt municipal bonds; and

**WHEREAS**, on average, state and local governments save up to two percentage points on their borrowing rates through use of tax-exempt municipal bonds; and

**WHEREAS**, these savings allow state and local governments to invest more in critical infrastructure and essential services while holding down the cost to taxpayers; and

**WHEREAS**, the report shows that if the 28% cap on interest earned from tax-exempt municipal bonds was in effect over the last decade, it would have cost state and local governments an additional \$173 billion in interest expense over the last decade; and

**WHEREAS**, the report shows that if the tax-exemption had been fully eliminated, it would have cost state and local governments an additional \$495 billion in interest expense over the last decade.

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

**SECTION 1:** The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

**SECTION 2:** The City Council urges the Administration and Congress of the United States to preserve the current tax-exempt status of municipal bonds which has successfully provided trillions of dollars in low-cost financing for critical infrastructure investments that serve citizens in all states and local communities.

**SECTION 3:** The City Council urges the Administration and Congress of the United States to reject any proposal that would reduce or eliminate the federal tax exemption on interest earned from tax-exempt municipal bonds.

**SECTION 4:** That this Resolution shall take effect immediately upon its adoption by the City Council.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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

ATTEST:

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

Councilmen Present: Cherry Fitch, Joseph Henderson, David G. Landfair, Mayor Pro Tem J. B. Schluter and Mayor Beverly Zimmern

**ACTION AGENDA ITEMS:**

- A. SUBJECT: DISCUSSION AND ACTION REGARDING PROJECT UPDATE - DEADMAN'S ISLAND**

Reference: City Manager memo dated March 21, 2013

**RECOMMENDATION:**

**No City Council action necessary. Update relative to the restoration/preservation of the Deadman's Island project presented by Heather Reed, Project Manager.**

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- B. SUBJECT: DISCUSSION AND ACTION REGARDING RESOLUTION 06-13, URGING SUPPORT TO PRESERVE CURRENT TAX EXEMPT STATUS OF MUNICIPAL BONDS**

Reference: Resolution presented by City Manager

**RECOMMENDATION:**

**That the City Council adopt Resolution No. 06-13 at their regular Council meeting scheduled for Monday, April 1, 2013.**

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- C. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT REQUEST - AMERICAN DIABETES ASSOCIATION ANNUAL 42 AND 62 MILE CIRCUIT BIKE RIDE - SAT., APRIL 6, 2013**

Reference: Deputy Police Chief memo dated March 11, 2013

**RECOMMENDATION:**

**That the City Council approve the American Diabetes Association annual bike ride scheduled for Saturday, April 6, 2013.**

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- D. SUBJECT: DISCUSSION AND ACTION REGARDING MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN GULF BREEZE FIRE DEPARTMENT AND GULF ISLANDS NATIONAL SEASHORE**

Reference: Fire Chief memo dated March 8, 2013

**RECOMMENDATION:**

**That the City Council authorize the Fire Chief to sign the MOU for fire suppression operations between Gulf Breeze Fire Department (GBFD) and Gulf Islands National Seashore (GINS).**

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- E. SUBJECT: DISCUSSION AND ACTION REGARDING CONCEPTUAL APPROVAL - INSTALLATION OF SIDEWALK ON FAIRPOINT DRIVE**

Reference: City Manager memo dated March 21, 2013

**RECOMMENDATION:**

**That the City Council approve the concept of the installation of a five foot (5') wide sidewalk along the north side of Fairpoint Drive from Julia Way to Pine Tree Drive and authorize staff to develop a price proposal.**

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- F. SUBJECT: DISCUSSION AND ACTION REGARDING LED LIGHTING PROPOSALS**

Reference: Assistant Public Services Director memo dated March 2, 2013

**RECOMMENDATION:**

**That the City Council award the LED lighting project to Gulf Coast LED Lighting for the amount of \$21,705.32 (Option 1).**

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- G. SUBJECT: DISCUSSION AND ACTION REGARDING WELLNESS PROGRAM**

Reference: City Manager memo dated March 20, 2013

**RECOMMENDATION:**

**That the City Council approve the City joining the Baptist Health Care “Healthy Lives” program subject to an agreement with Baptist Health Care.**

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**H. SUBJECT: DISCUSSION AND ACTION REGARDING NATURAL GAS FRANCHISE - GENERAL RELEASE**

Reference: City Manager memo dated March 21, 2013

**RECOMMENDATION:**

**That the City Council approve the General Release document relative to the Natural Gas franchise issue on Pensacola Beach and authorize the Mayor to execute the document.**

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**I. SUBJECT: DISCUSSION AND ACTION REGARDING ADJUSTMENT TO POLICE OFFICERS RETIREMENT PLAN 2011 - 2012**

Reference: City Manager memo dated March 22, 2013

**RECOMMENDATION:**

**That the City Council approve the following: (1) an added contribution to the Police Officers Retirement Plan for the year ending October 1, 2012 in the amount of \$136,775; (2) City increase its payroll contribution to 30%; and (3) the Executive Director of Capital Trust Agency and the City’s Finance Director to meet on a regular basis (quarterly, semi-annually, or annually to be determined) to review the Police Officers Retirement Plan.**

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**J. SUBJECT: DISCUSSION AND ACTION REGARDING COMMUNITY REDEVELOPMENT AGENCY 2012 REPORT**

Reference: Assistant City Manager memo dated March 22, 2013

**RECOMMENDATION:**

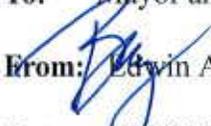
**That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, April 1, 2013 and approve the CRA FY 2012 Report.**



# *City of Gulf Breeze*

## Memorandum

**To:** Mayor and City Council

**From:**  Erwin A. Eddy, City Manager

**Date:** 3/28/2013

**Subject: General Release, Natural Gas Franchise**

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The City Attorney discussed this matter with the City Council at the Executive Session on March 27<sup>th</sup>. Some changes have been made to the actual form of the release since the distribution of the packet on Friday, March 22<sup>nd</sup>. We have not placed this item on the Consent Agenda in case the City Attorney needs to provide the Council with an update.

## **GENERAL RELEASE**

STATE OF FLORIDA  
COUNTY OF SANTA ROSA

### **RECITALS**

WHEREAS, Escambia County, a political subdivision of the State of Florida (County), has enacted Escambia County Ordinance No. 95-7 which granted City of Pensacola an exclusive franchise to erect, install, extend, maintain and operate a system of works, pipes, pipelines, and all necessary apparatus, machinery, structures, and appurtenances for the purpose of transporting, distributing, and selling natural gas to the inhabitants of and public generally residing or situated in the unincorporated areas of Escambia County, excluding Town of Century; and

WHEREAS, City of Pensacola and City of Gulf Breeze have agreed that City of Pensacola shall assign its natural gas franchise rights granted by Escambia County pursuant to Ordinance No. 95-7, for the area of Escambia County located on Santa Rosa Island, as memorialized in the Agreement for Natural Gas Franchise Assignment between City of Pensacola and City of Gulf Breeze made and entered into on February 4, 2013; and

WHEREAS, City of Pensacola, City of Gulf Breeze, and Escambia County participated in the process mandated by the Florida Governmental Conflict Resolution Act, Chapter 164, Fla. Stat., prior to any litigation being instituted by City of Pensacola against City of Gulf Breeze and Escambia County; and

WHEREAS, City of Pensacola and City of Gulf Breeze have participated in pre-suit mediation which culminated in the making and entering into of the Agreement for

Natural Gas Franchise Assignment by City of Pensacola and by City of Gulf Breeze;  
and

WHEREAS, the Okaloosa Gas District has for a number of years provided natural gas distribution to certain of Escambia County's inhabitants in the unincorporated areas of Escambia County excluding Town of Century and Santa Rosa Island; and

### **GENERAL RELEASE**

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, in the absence of any of which this General Release would not be executed and delivered by the City of Gulf Breeze (hereinafter "Gulf Breeze") nor accepted by it, and of the benefits and advantages anticipated by Gulf Breeze and by Escambia County from the compromise and settlement of any claims now existing or which in the future might exist, and in consideration of the unconditional approval of the Agreement for Natural Gas Franchise Assignment dated February 4, 2013 and the adoption of an ordinance by Escambia County as set forth in paragraphs 3a and 3c of the Agreement for Natural Gas Franchise Assignment, Gulf Breeze has acquitted, released, exonerated and discharged, and does hereby acquit, release, exonerate and discharge, Escambia County, its successors, Commissioners, legal representatives, agents and assigns, of and from any and all obligation, liability, or responsibility under the laws of the State of Florida, and of any other state of the United States, and of the United States of America, for, from, upon, under, on the account of, or growing or arising out of any claims described above including damages, claims, losses, costs, franchise fees,

interest, injunctive relief, attorneys fees, charges and expenses, of every kind, nature and character, now existing or hereafter arising, resulting directly or indirectly, proximately or remotely, from the Agreement for Natural Gas Franchise Assignment and from the adoption and enforcement of Ordinance No. 95-7 and does hereby acknowledge full and complete compromise and settlement, accord and satisfaction and payment thereof and therefor.

Gulf Breeze covenants and agrees that it will not sue or bring or assert any action, claim, or cause of action in any jurisdiction or forum against Escambia County asserting any claim arising out of or from the adoption of or enforcement of Ordinance No. 95-7 or arising out of or from the Agreement for Natural Gas Franchise Assignment.

Escambia County may plead this General Release as a complete defense and bar to any claim released and, in such event, Gulf Breeze shall indemnify and hold Escambia County harmless from and against any and all costs and expenses arising therefrom (including reasonable attorneys' fees and expenses incurred in connection therewith).

The above Recitals are incorporated into this General Release and are the full, complete and entire consideration for this General Release. Except for taking action contemplated in paragraphs 3a and 3c of the Agreement for Natural Gas Franchise Assignment, there is no agreement, oral or written, express or implied, whereby Gulf Breeze is to receive at any time or in any event or upon the happening of any contingency or upon the development or discovery of any fact, circumstance or condition any further consideration of any kind whatsoever relating to the Agreement for Natural Gas Franchise Assignment dated February 4, 2013 or to Ordinance No. 95-7. It

is understood that the consideration recited above for this General Release in no way constitutes an admission of liability by Escambia County, but is made by Gulf Breeze as a compromise of any and all claims released hereby. Gulf Breeze acknowledges that Escambia County has no duty or obligation to prohibit or to seek an injunction to prohibit Okaloosa Gas District from owning, operating or maintaining a natural gas utility in the unincorporated areas of Escambia County, excluding Town of Century and Santa Rosa Island.

Gulf Breeze acknowledges that it has been represented by counsel in connection with this General Release. Any rule or law or any legal decision that would require the interpretation of any claimed ambiguities in this General Release against Escambia County has no application and is expressly waived by Gulf Breeze. .

The person who signs this General Release hereby represents and covenants that they are fully and duly authorized to execute it and to bind Gulf Breeze thereby

IN WITNESS WHEREOF, the City of Gulf Breeze has made and executed this General Release on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**CITY OF GULF BREEZE, FLORIDA**

By: \_\_\_\_\_  
Beverly Zimmern, Mayor

ATTEST:

By: \_\_\_\_\_  
Marita Rhodes, City Clerk

**COMMUNITY REDEVELOPMENT AGENCY  
BOARD OF DIRECTORS**

APRIL 1, 2013  
MONDAY, 6:30 P.M.  
COUNCIL CHAMBERS

THIS MEETING WILL BE HELD AT THE END OF THE  
REGULAR CITY COUNCIL MEETING

- A. Discussion and Action Regarding Community Redevelopment Agency 2012 Report

**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*

## MEMORANDUM

**TO:** Edwin A. Eddy, City Manager  
**FROM:**  David J. Szymanski, Assistant City Manager  
**DATE:** March 22, 2013  
**SUBJECT:** Community Redevelopment Agency 2012 Report

In accordance with requirements in Florida Statutes for Community Redevelopment Agencies, Chapter 163, Part III, S. 163.356(3)(c), the governing body shall report its activities for the preceding fiscal year. Attached find the 2012 Community Redevelopment Report. It would be appropriate to consider a motion to approve the report and authorize distribution.

**RECOMMENDATION: That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, April 1, 2013 and approve the CRA FY2012 Report.**

# City of Gulf Breeze Community Redevelopment Agency 2012 Annual Report



*Sculpture "Fuego" installed at Wayside Park during 2012*

Prepared by  
David Szymanski, Assistant City Manager  
City of Gulf Breeze  
1070 Shoreline Drive  
Gulf Breeze, FL 32561



## **FY2012 Community Redevelopment Agency Board**

The City of Gulf Breeze City Council serves as the Community Redevelopment Agency Board. The members for October 1, 2011 to September 30, 2012 were as follows:

**Beverly H. Zimmern, Mayor**

**J.B. Schluter, Mayor Pro Tem**

**Joseph Henderson, Councilman**

**David G. Landfair, Councilman**

**Robert Cleveland, Councilman**

## **FY2012 Community Redevelopment Agency Staff**

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

1070 Shoreline Drive  
Gulf Breeze, FL 32561  
(850) 934-5115  
[eaeddy@gulfbreezefl.gov](mailto:eaeddy@gulfbreezefl.gov)

**David Szymanski, Assistant City Manager**

1070 Shoreline Drive  
Gulf Breeze, FL 32561  
(850) 934-5106  
[dszymanski@gulfbreezefl.gov](mailto:dszymanski@gulfbreezefl.gov)

## **Community Redevelopment Agency History**

Before Gulf Breeze was incorporated in 1961 it witnessed significant commercial growth and investment along US 98, consisting of a variety of retail stores, service stations, office complexes, restaurants, motels and shopping centers. There were no standards or guidelines in place to discourage the "strip commercial" pattern that resulted, nor was there an attempt to establish or nurture a "downtown" or "city center" identity.

In an effort by the City to create a sustainable downtown community and to address high vacancy rates in retail and office units along US 98 (Gulf Breeze Parkway), the City of Gulf Breeze proposed the delineation of a redevelopment area along the US 98 corridor, which serves as the City's economic and, to some extent, social core. To administer the activities and programs offered within the redevelopment area the City created a Community Redevelopment Agency in December of 1989.

The Gulf Breeze CRA is approximately 393 acres in size, about 13% of the City's acreage, and is comprised of approximately 410 parcels. The CRA is located along the entire corridor of US 98 within the City limits, beginning at the south side of the Pensacola Bay Bridge and extending various depths northeast and southwest of the highway to the City's eastern limits. The CRA also includes the Pensacola Beach Road corridor south of US 98, which forms the approach to the Bob Sikes Bridge to Pensacola Beach.

The need for a CRA was established in 1989 based on the Finding of Necessity documentation required pursuant to Chapter 163, Florida Statutes. This document continues to act as the foundation for blight determination within the CRA and the elimination of these blighting characteristics remains the primary focus for redevelopment activities. Many of the blighting characteristics have been addressed to some degree since the time the CRA was established in 1989; however, some issues have not been addressed, or have not been addressed fully, so the need continues to exist.

The City of Gulf Breeze adopted its first redevelopment plan in 1990 to "...assist the City with addressing the early signs of blight identified in 1989 and to stimulate economic development within the community redevelopment area." The City's 1990 comprehensive plan states that "...much of the commercial core suffers from underutilization and aesthetically poor architecture."

Concurrent with the Agency being created in 1989, the City Council was appointed as the Board of the Community Redevelopment Agency. Subsequently, a Redevelopment Plan was developed and adopted following several public hearings. The Redevelopment Plan established the goals for implementing revitalization of the core downtown area.

The CRA Plan has been updated in 2006 and again in 2009. In order to ensure that an orderly plan of growth would be followed, the Gulf Breeze Community Redevelopment Agency directed that the 1990 Gulf Breeze Community Redevelopment Plan be updated. Based on community input and visioning that began in March 2006 and culminated in July 2008, this updated plan evaluates the CRA's physical and economic conditions and the challenges and opportunities facing the community.

Redevelopment strategies and critical tasks are included in this update that will enable the City of Gulf Breeze to stimulate and encourage economic development, provide increased public amenities, improve pedestrian safety and effectively manage redevelopment within the CRA in order to realize the City's vision and long-term community goals. Short-term (up to five years) and long-term (up to ten years) capital improvements projects are identified as a means to address these issues in a way that will maximize leveraging of local, state and federal resources in the implementation of this plan.

Since 1989, the City has been proactive in addressing the issues in the Redevelopment Plan and several major initiatives have been completed over the past ten years. Most noticeable is the median landscaping, decorative fencing, establishment of the Community Redevelopment design guidelines and urban design standards, and designation of CRA four major Gateway Districts. Thanks to the efforts of the Community Redevelopment Agency Board, Gulf Breeze's downtown continues to improve.



## City of Gulf Breeze Community Redevelopment Area

# **2012 Community Redevelopment Achievements**

## **Downtown Landscaping Project**

In 2008, the City applied for a Florida Department Highway Beautification Grant in the amount of \$730,729.00. In late 2009, we were notified that the City had been awarded \$350,000.00 from the Florida Department of Transportation SB 1446 Landscape Grant program. The initial project was then divided into two phases in order to get as much of the project done under the current award of \$350,000.00.

The two landscaping phases were defined as:

- Phase I - landscaping and irrigation along Highway 98 from Andrew Jackson Trail to the entrance of the Gulf Breeze Middle School.
- Phase II - was similar landscaping and irrigation construction from the Gulf Breeze Middle School to Daniel Drive.

In February 2011, Request for Proposal for landscaping and irrigation services was issued. On March 10, 2011, the City Council approved staff recommendation and awarded DesignScapes the contract for the professional landscaping and irrigation services required in the Florida Department of Transportation - SB 1446 Landscaping Grant in the amount of \$199,937.05 .

On June 9, 2011, the City Council approve staff recommendation to issue a change order to the original contract to include Phase II work. The change order included the continued services of DesignScapes in the amount of \$150,000 for the professional landscaping and irrigation services and the original contract was extended to December 31, 2011. The price for Phase I and Phase II together were under the original grant amount of \$350,000. In 2008 the project was estimated to cost \$730,729.00.

Phase I was completed June 27, 2011. Phase II was completed December 23, 2011. This project was closed out with Florida Department of Transportation as of January 2012 and all costs have been reimbursed to the City.

## **CRA Paving Project**

The City was awarded \$530,194.00 from the Community Development Block Grant - American Recovery and Reinvestment Act; to connect 28 homes to sanitary sewer on York Street and to resurface in the CRA area both McClure and Shirley Drives in the Joachim area to the east of St. Ann Church. There was a \$119,880.00 City match toward this grant funded by the CRA. As with any federally funded grant program funded

through the State of Florida, there were many requirements that have to be completed in order to proceed.

The first two of the requirements of this grant were to secure a company to administer the CDBG grant for the City and another for an engineer to design the scope of work. Monies to pay for such services were included in the grant. Jordan & Associates (administration) and Baskerville Donovan (engineering) were chosen.

Baskerville Donovan completed the design work in early January 2011, and advertised a Request for Proposals for construction services. On January 28, 2011, City Council accept staff recommendation of Roads, Inc. for adding 28 homes to sanitary sewer on York Street and for resurfacing McClure and Shirley Drives in the Joachim area to the east of St. Ann Church.

Work began early July 2011 and was completed in January 2012. This project was closed out with Florida Department of Economic Opportunity as of January 31, 2012 and all costs have been reimbursed to the City.

## **Master Plan**

On May 9, 2011, the City Council directed staff to draft a Request for Proposal for a consultant to guide in the creation of a Master Plan for the City and Hwy 98. The RFP stated that the City of Gulf Breeze was interested in the creation of a Master Plan to guide the short, intermediate and long-term development of the downtown commercial corridor. The proposed plan was to address the operating efficiency of the Gulf Breeze Parkway transportation corridor within the City of Gulf Breeze.

The impetus for this project was the pending replacement of the Pensacola Bridge by the Florida Department of Transportation. A Florida Department of Transportation Project Development and Environment study to replace the bridge is currently underway.

On September 9, 2011, the City Council accepted the hiring recommendation of VHB MillerSellen for the Master Plan Project. The project description is as follows:

The City of Gulf Breeze is a built-out community that is bisected by US 98, a heavily traveled regional corridor that connects the City of Pensacola, Pensacola Beach, and Gulf Islands National Seashore. The City has recognized the need for a community-supported vision for redevelopment and reinvestment that will anticipate and plan for changing economic and transportation conditions. VHB MillerSellen (VHB-MS) will prepare a Master Plan with a long term strategy for redevelopment of the US 98 corridor within the City of Gulf Breeze. The Master Plan will evaluate future travel demands, market conditions, land use patterns and potential redevelopment catalyst sites. The results of these analyses will be used to prepare a land use and transportation plan for the corridor, along with an action plan for programming the improvements necessary to spur economic

development of identified catalyst sites along the corridor. VHB-MS is to perform the Scope of Services for a total lump sum and estimated fees of \$ 329,500.00.

There are six tasks in the scope of services. They are:

**Context Report** - the purpose of the Context Report is to examine the existing conditions within the City of Gulf Breeze and along Gulf Breeze Parkway. This document will provide the background information necessary to build a shared understanding of the opportunities and constraints that must be considered in formulating the Master Plan for the City.

**Public Participation Process** - an inclusive outreach process that engages stakeholders and provides multiple opportunities for public input during the planning and design process.

**Refinement of Revitalization Alternatives** - prepare up to three (3) conceptual Revitalization Alternatives for the City of Gulf Breeze.

**Market & Financial Analysis** - the citywide market analysis previously completed by Tom Lavash (for the Live Oak Village Center site in April 2011) will be updated by VHB-MS subconsultant Tom Lavash as necessary to ensure that recent and current development trends, and relevant demographics and economic “drivers” of demand for growth and economic development in Gulf Breeze are up-to-date.

**Preparation of the City of Gulf Breeze Revitalization Master Plan** - the recommendations of all prior tasks will be summarized in the Master Plan report.

**Communicate with Agencies** - At the direction of the City, VHB-MS is to attend meetings with FDOT, the Florida-Alabama TPO, or other applicable agencies, to represent the City's interests and discuss potential impacts resulting from the Pensacola Bay Bridge Replacement Project, US 98 Corridor Management Plan, or other projects that may influence land use and transportation conditions along the US 98 corridor within the City of Gulf Breeze.

VHB MillerSellen has completed over 90% of these tasks associated with the scope of services. It is anticipated that VHB MillerSellen will present their final findings and draft Master Plan to the City Council in April 2013.

# **2013 Community Redevelopment Planning**

## **CRA Paving Project**

In the Community Redevelopment Agency FY2012 budget there was a project funded to resurface of St. Francis Drive. It was the City staffs belief that St Francis Drive was a City road. The road belonged to the Florida Department of Transportation. The Mayor requested FDOT to grant St. Francis Drive and adjacent surplus right-of-way to the City. This request pushed the project into FY2013.

The scope of the project is to repave St. Francis Drive beginning on McClure Drive from Roberts Ave. FDOT is requiring a sidewalk be built along St. Francis. The City signed an agreement with FDOT stating that the City will build the sidewalk and that the expense will reimbursed by FDOT. Cost estimate is \$25,000. The City will also plant 26, 14-16 foot trees along the 455 foot stretch of St. Francis right-of way.

This entire project will be funded out of the Community Redevelopment Agency for an estimated price of \$167,000.00. Estimated completion date is June 2013.

## **Underground Wiring**

In January, 2012 the City Council meet as the Board of Directors of the Community Redevelopment Agency and directed staff to begin work with Gulf Power on conversion of U.S. Highway 98 wiring to underground. The scope of the project is to convert to underground about 4,200 linear feet of wires connecting street lights along U.S. Highway 98, convert banks of wire that cross over the highway from the Bay Bridge to McDonalds, and install L.E.D. lighting fixtures.

This entire project will be funded out of the Community Redevelopment Agency for an estimated price of \$230,500.00. Estimated completion date is June 2013.

## **Master Plan**

The City and VHB MillerSellen have been working on the Master Plan to guide the Cities short, intermediate and long-term development of the downtown commercial corridor. The impetus for this project was the pending replacement of the Pensacola

Bridge by the Florida Department of Transportation. A Florida Department of Transportation Project Development and Environment study to replace the bridge is currently underway and scheduled to be completed by 2014.

VHB MillerSellen has completed over 90% of these tasks associated with the scope of services. It is anticipated that VHB MillerSellen will present their final findings and draft Master Plan to the City Council in the second quarter of 2013.

**City of Gulf Breeze, Florida**  
**GOVERNMENTAL FUNDS**  
**BALANCE SHEET**  
**September 30, 2012**

	General	Urban Core Redevelopment	Non-Major Governmental Funds	Total Governmental Funds
<b>ASSETS</b>				
Cash and cash equivalents	\$ 983,569	\$ 950,289	\$ 518,231	\$ 2,452,089
Receivables	318,184	-	-	318,184
Interfund receivables	2,247,765	-	-	2,247,765
Due from other governments	4,325,417	-	-	4,325,417
Inventory, at cost	5,980	-	-	5,980
Restricted assets				
Cash and cash equivalents	63,094	-	-	63,094
Total assets	<u>\$ 7,944,009</u>	<u>\$ 950,289</u>	<u>\$ 518,231</u>	<u>\$ 9,412,529</u>
<b>LIABILITIES</b>				
Accounts payable	\$ 297,367	\$ 71,242	\$ 14,288	\$ 382,897
Accrued liabilities	463,896	-	-	463,896
Interfund payables	-	-	49,786	49,786
Total liabilities	<u>761,263</u>	<u>71,242</u>	<u>64,074</u>	<u>896,579</u>
<b>FUND BALANCE</b>				
Non-spendable				
Inventory	5,980	-	-	5,980
Restricted				
Public safety	-	-	37,303	37,303
Community redevelopment	-	879,047	-	879,047
Committed				
Community funds	437	-	-	437
Self-insurance	250,000	-	-	250,000
Public safety	-	-	416,854	416,854
Beautification	96,352	-	-	96,352
Parks subdivision	15,481	-	-	15,481
Assigned				
Disaster recovery	100,000	-	-	100,000
Public safety	15,993	-	-	15,993
Unassigned	6,698,503	-	-	6,698,503
Total fund balance	<u>7,182,746</u>	<u>879,047</u>	<u>454,157</u>	<u>8,515,950</u>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<u>\$ 7,944,009</u>	<u>\$ 950,289</u>	<u>\$ 518,231</u>	<u>\$ 9,412,529</u>

**City of Gulf Breeze, Florida  
GOVERNMENTAL FUNDS**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
Year Ended September 30, 2012**

	General	Urban Core Redevelopment	Non-Major Governmental Funds	Total Governmental Funds
<b>REVENUES</b>				
Taxes	\$ 2,077,953	\$ 571,763	\$ -	\$ 2,649,716
Licenses and permits	373,351	-	-	373,351
Intergovernmental	7,631,527	570,687	-	8,202,214
Charges for services	243,576	-	-	243,576
Fines and forfeitures	101,917	-	640,363	742,280
Investment earnings	35,537	-	-	35,537
Miscellaneous	624,868	-	28,053	652,921
<b>TOTAL REVENUES</b>	<b>11,088,729</b>	<b>1,142,450</b>	<b>668,416</b>	<b>12,899,595</b>
<b>EXPENDITURES</b>				
<b>Current</b>				
General government	1,271,246	458,055	-	1,729,301
Public safety	2,103,919	-	492,221	2,596,140
Transportation	204,519	-	-	204,519
Economic environment	133,073	-	-	133,073
Culture and recreation	1,251,795	-	-	1,251,795
Capital outlay	5,309,551	647,535	-	5,957,086
<b>Debt service</b>				
Principal	171,600	-	-	171,600
Interest	310,536	-	-	310,536
<b>TOTAL EXPENDITURES</b>	<b>10,756,239</b>	<b>1,105,590</b>	<b>492,221</b>	<b>12,354,050</b>
<b>EXCESS REVENUES OVER EXPENDITURES</b>	<b>332,490</b>	<b>36,860</b>	<b>176,195</b>	<b>545,545</b>
<b>OTHER FINANCING SOURCES (USES)</b>				
Insurance proceeds	-	-	-	-
Transfers in	1,637,554	178,227	-	1,815,781
Transfers out	(197,227)	(306,548)	(130,355)	(634,130)
<b>TOTAL OTHER FINANCING SOURCES (USES)</b>	<b>1,440,327</b>	<b>(128,321)</b>	<b>(130,355)</b>	<b>1,181,651</b>
<b>NET CHANGE IN FUND BALANCE</b>	<b>1,772,817</b>	<b>(91,461)</b>	<b>45,840</b>	<b>1,727,196</b>
<b>FUND BALANCE - BEGINNING OF YEAR</b>	<b>5,409,929</b>	<b>970,508</b>	<b>408,317</b>	<b>6,788,754</b>
<b>FUND BALANCE - END OF YEAR</b>	<b>\$ 7,182,746</b>	<b>\$ 879,047</b>	<b>\$ 454,157</b>	<b>\$ 8,515,950</b>

**City of Gulf Breeze, Florida  
GOVERNMENTAL FUNDS**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND  
BALANCE - BUDGET AND ACTUAL - URBAN CORE REDEVELOPMENT  
SPECIAL REVENUE FUND**

**Year Ended September 30, 2012**

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
REVENUES				
Taxes	\$ 749,990	\$ 1,142,450	\$ 571,763	\$ (570,687)
Intergovernmental	-	-	570,687	570,687
<b>TOTAL REVENUES</b>	<b>749,990</b>	<b>1,142,450</b>	<b>1,142,450</b>	<b>-</b>
EXPENDITURES				
Current				
General government	473,911	350,336	458,055	(107,719)
Capital outlay	276,079	858,420	647,535	210,885
<b>TOTAL EXPENDITURES</b>	<b>749,990</b>	<b>1,208,756</b>	<b>1,105,590</b>	<b>103,166</b>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	-	(66,306)	36,860	103,166
OTHER FINANCING SOURCES (USES)				
Transfers in	-	178,227	178,227	-
Transfers out	-	(306,548)	(306,548)	-
<b>TOTAL OTHER FINANCING SOURCES (USES)</b>	<b>-</b>	<b>(128,321)</b>	<b>(128,321)</b>	<b>-</b>
NET CHANGES IN FUND BALANCE	-	(194,627)	(91,461)	103,166
FUND BALANCES, BEGINNING OF YEAR	-	194,627	970,508	775,881
FUND BALANCES, END OF YEAR	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 879,047</b>	<b>\$ 879,047</b>