

**GULF BREEZE CITY COUNCIL
REGULAR MEETING**

JULY 15, 2013
MONDAY, 6:30 P.M.
COUNCIL CHAMBERS

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Approval of Minutes of July 1, 2013 (Regular Meeting)
4. **CONSENT AGENDA ITEMS:***
 - A. Discussion and Action Regarding Development Review Board Recommendation:

Randy and Heather Reese
90 Fairpoint Drive, Gulf Breeze
Request to construct an addition to their existing pier
 - B. Discussion and Action Regarding Additional Ice Maker for Tiger Point Golf Club
 - C. Discussion and Action Regarding Replacement Carpet for Tiger Point Golf Club
 - D. Discussion and Action Regarding Change Order for Tiger Point Golf Club Main Building
 - E. Discussion and Action Regarding Change Orders for Installation of LED Lighting
 - F. Discussion and Action Regarding FEMA 2013 Pilot Program
 - G. Discussion and Action Regarding Budget Workshop and Setting of a Special Meeting

***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 Agreement with Jim Linn of Lewis, Longman and Walker of Tallahassee, Florida Regarding the Police Pension Fund

5. New Business

6. Open Forum

7. 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 1,227th regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida was held at the Gulf Breeze City Hall on Monday, July 1, 2013, at 6:30 p.m.

Upon call of the roll the following Councilmen were present: Cherry Fitch, David G. Landfair, Joseph Henderson and Mayor Zimmern. Mayor Pro Tem J. B. Schluter was not at the meeting.

APPROVAL OF MINUTES:

Councilman Landfair moved for approval of the minutes for the regular meeting held on Monday, June 17, 2013. Councilman Fitch 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, June 17, 2013. Councilman Landfair seconded. The vote for approval was 4 - 0.

PRESENTATION OF CERTIFICATE OF APPRECIATION TO MICHAEL WRIGHT:

A Certificate of Appreciation was presented to Mr. Michael Wright for his help to the residents of the Breeze Apartments. Fire and smoke/water damaged four apartments of the complex.

RESOLUTION NO. 10-13: APPOINTING A HEARING OFFICER FOR RED LIGHT VIOLATIONS

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

ACTION AGENDA ITEMS:

RECOMMENDATION:

That the City Council approve the following Consent Agenda Items: A, B, and C:

- A. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT REQUEST FROM GULF BREEZE UNITED METHODIST CHURCH FOR SUNDAY, SEPTEMBER 29, 2013 2:00 - 6:00 P.M.**

Reference: Police Deputy Chief memo dated June 20, 2013

RECOMMENDATION:

That the City Council approve the Gulf Breeze United Methodist Church request to hold a block party, closing portions of Nightingale Lane on Sunday, September 29, 2013, from 2:00 - 6:00 p.m.

B. SUBJECT: DISCUSSION AND ACTION REGARDING PENSACOLA BEACH NATURAL GAS PIPELINE EXPANSION CHANGER ORDER #12

Reference: Public Services Director memo dated June 20, 2013

RECOMMENDATION

That the City Council accept deductive change order #12 for the Sabine Drive 2" gas main extension, for FEMA Alternate Project #5 in the amount of \$4,188.80 from Utility Services Company.

C. SUBJECT: DISCUSSION AND ACTION REGARDING SOUTH SANTA ROSA UTILITY SYSTEM BOARD RECOMMENDATION JUNE 10, 2013

Reference: Assistant Public Services Director memo dated June 20, 2013

1. GULF ISLES LIFT STATION RE-INSTALLATION

RECOMMENDATION:

The SSRUS Board recommends to City Council the approval of Brown Construction to do the Gulf Isles Lift Station relocation for \$81,310.27 and the purchase of the lift station material for \$49,344 from Pump & Process Equipment.

Councilman Landfair moved for approval of Consent Agenda Items A, B, and C. Councilman Fitch seconded. The vote for approval was 4 - 0.

ACTION AGENDA ITEMS:

A. SUBJECT: DISCUSSION AND ACTION REGARDING GULF BREEZE - MOST LIVABLE CITY IN AMERICA

Reference: City Manager memo dated June 19, 2013

RECOMMENDATION:

That the City Council table this item, advertise and conduct a public workshop to discuss the issue with the residents of the City. The following individuals spoke regarding the Master Plan: Susan Bleiler, 481 Deer Point Dr.; Steve Quinnell, 1100 Shoreline Drive; Edward Patterson, 311 Loruna Dr.; and Joseph P. Walsh, 404 Bear Dr.; Karen Thompson, 4 Poinciana Dr., and Adam Guess, 1100 Shoreline Dr.

Councilman Landfair moved for approval of the recommendation. Councilman Fitch seconded. The vote for approval was 4 - 0.

ADJOURNMENT:

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

DEPUTY CITY CLERK

MAYOR

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 DEVELOPMENT
REVIEW BOARD RECOMMENDATIONS OF JULY 3, 2013**

Reference: DRB Minutes of July 3, 2013

- (1) Randy and Heather Reese - 90 Fairpoint Drive
Request to construct an addition to the existing
pier behind their residence

RECOMMENDATION:

That the City Council approve the project as submitted.

**B. SUBJECT: DISCUSSION AND ACTION REGARDING DRAFT ORDINANCE
RETARDING FRONT YARD PARKING**

Reference: City Manager memo dated July 3, 2013

RECOMMENDATION:

That the City Council table this item until the next Executive Session and direct staff and City Attorney to include language relative to include cars and compliance period. (The following residents spoke regarding this issue: Rodney Sutton, 102 Shoreline Drive; Lewis Bear, 72 Highpoint Drive; Dan Kopack, 14 McLane Road; Russ Pascoe, 124 Hibiscus; Joe Walsh, 404 Bear Drive; John Hammond, 421 Kenilworth; Oscar Ring, 119 Gilmore; Bruce DeMotts, 827 Baycliffs Drive; Erik Ostrom, 108 Gilmore Drive and Lori Menke, 31-33 Hoffman Drive; 3-5-7-9 Center Street and 325 James River Road.)

**C. SUBJECT: DISCUSSION AND ACTION REGARDING ADDITIONAL ICE
MAKER FOR TIGER POINT GOLF CLUB**

Reference: Parks and Recreation Director memo dated June 26, 2013

RECOMMENDATION

That the City Council authorize the purchase of a new ice maker and storage bin from Gulf Ice Systems, Inc., at the Florida Government Contract price of \$6,669.91.

D. SUBJECT: DISCUSSION AND ACTION REGARDING REPLACEMENT CARPET FOR TIGER POINT GOLF CLUB

Reference: Parks and Recreation Director memo dated June 20, 2013

RECOMMENDATION:

That the City Council authorize the purchase and installation of carpet tiles in the first floor of the Tiger Point Clubhouse from Blue Water Flooring at their quoted price of \$15,012.50.

E. SUBJECT: DISCUSSION AND ACTION REGARDING CHANGE ORDER FOR TIGER POINT GOLF CLUB MAIN BUILDING

Reference: Parks and Recreation Director memo dated June 27, 2013

RECOMMENDATION:

That the City Council authorize the change order in the total amount of \$38,887.60, increasing the total project cost to \$102,887.60.

F. SUBJECT: DISCUSSION AND ACTION REGARDING CHANGE ORDER FOR INSTALLATION OF LED LIGHTING

Reference: City Manager memo dated July 3, 2013

RECOMMENDATION:

That the City Council approve change orders 1, 2, and 4 for work done at City Hall and change order 3 for lighting at Tiger Point Golf and Country Club.

G. SUBJECT: DISCUSSION AND ACTION REGARDING FEMA 2013 PILOT PROGRAM

Reference: Finance Director memo dated July 2, 2013

RECOMMENDATION:

That the City Council empower the Mayor and/or City Manager, in the event of a declared disaster, to authorize election of any or all of the 2013 FEMA Pilot Programs that they deem in the best interest of the City at that time.

H. SUBJECT: DISCUSSION AND ACTION REGARDING BUDGET WORKSHOP AND SETTING OF A SPECIAL MEETING

Reference: Assistant City Manager memo dated July 3, 2013

RECOMMENDATION:

That the Executive Meeting scheduled for July 31, 2013 be set as a Special Meeting to accomplish "TRIM" requirements; that the Tentative Budget Hearing date for adopting the Resolution for Tentative Ad Valorem and budget and regular Council meeting be set for Wednesday, September 4, 2013, 6:30 p.m. at Gulf Breeze City Hall; and that the Council set Tuesday, September 17, 2013, 6:30 p.m. at Gulf Breeze City Hall as the date for the final millage, budget public hearing.



City of Gulf Breeze

Memorandum

To: Mayor and City Council

From:  Edwin A. Eddy, City Manager

Date: 7/12/2013

Subject: New Business Item July 15th Council Meeting: Discussion and Action Regarding Legal Assistance – Police Pension Fund

In March of this year, the City had to provide additional funding in the amount of \$136,000 to the Police Pension Fund in order to keep it fully funded. The Council also approved increasing the City's contribution per payroll from 16% to 30%. Staff and the City Attorney have been working on this matter in an effort to develop potential solutions. We discussed our issues with an attorney that specializes in municipal pension matters. We are both familiar with Mr. Linn of Lewis, Longman and Walker and his work on municipal pensions over the years.

Attached is an engagement letter prepared by Mr. Linn. The City Attorney and I had a preliminary conversation with him on July 9th. Mr. Linn will evaluate the condition of our police pension plan, offer a series of recommendations and implementation strategies. His letter provides hourly rates. We anticipate the total cost of his assistance to be approximately \$6,000.

RECOMMENDATION:

THAT THE CITY COUNCIL APPROVE A LETTER OF ENGAGEMENT WITH JIM LINN OF LEWIS, LONGMAN AND WALKER FOR LEGAL ASSISTANCE WITH THE POLICE PENSION FUND AND AUTHORIZE THE CITY MANAGER TO SIGN THE LETTER.



REPLY TO: TALLAHASSEE

July 9, 2013

Mr. Edwin Eddy
City Manager
City of Gulf Breeze
1070 Shoreline Drive
Gulf Breeze, FL 32561

CONFIDENTIAL
ATTORNEY/CLIENT
PRIVILEGED

Re: Legal Representation of City of Gulf Breeze—Pension Matters

Dear Mr. Eddy:

On behalf of the law firm of Lewis, Longman & Walker, P.A., thank you for the opportunity to work with you on the above matter. The terms and conditions of our representation are outlined below.

1. **Services.** Lewis, Longman & Walker, P.A. will provide advice and representation on pension matters. I will be the shareholder in charge of this matter and will be primarily responsible for providing and supervising the legal services required. I will be responsible for ensuring that this matter is staffed in a manner adequate and appropriate to the requirements of the representation. Glenn Thomas, a shareholder who works with me on pension matters, will also be involved in this matter. We will use our best judgment to determine the amount of time, who is to perform specific tasks and work, and the nature of the services to be performed in your best interests.

2. **Professional Fees.** I will be the primary attorney working on your matter and my standard hourly rate is \$275.00. In addition to me, I may assign work to other attorneys or paralegals within the office, depending upon who can best do the work in the most efficient manner. The hourly rates for attorneys range from \$195.00 to \$275.00 per hour. The hourly rates for paralegals/law clerks range from \$100.00 to \$150.00 per hour. These rates will be in effect through December 2013 and may be modified annually thereafter in January of each subsequent year. We will provide you with our new rates along with the Firm's statement of services rendered in January of each year.

See Things Differently

BRADENTON
101 Riverfront Boulevard
Suite 620
Bradenton, Florida 34205

p | 941-708-4040 • f | 941-708-4024

JACKSONVILLE
245 Riverside Avenue
Suite 150
Jacksonville, Florida 32202

p | 904-353-6410 • f | 904-353-7619

TALLAHASSEE
315 South Calhoun Street
Suite 830
Tallahassee, Florida 32301

p | 850-222-5702 • f | 850-224-9242

WEST PALM BEACH
515 North Flagler Drive
Suite 1500
West Palm Beach, Florida 33401

p | 561-640-0820 • f | 561-640-8202

Mr. Edwin Eddy
July 9, 2013
Page 2

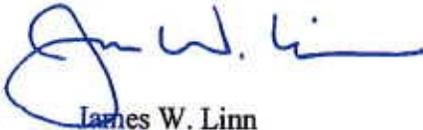
3. Costs and Expenses. The firm charges for costs and expenses incurred on your behalf for this representation. We have established a surcharge of 3.5% of fees to cover many of these costs and expenses. Attachment 1 sets forth the most commonly incurred costs and expenses and explains the terms of how they are billed as not every cost or expense is covered under the surcharge. We may advance these costs and seek reimbursement in our billings or we may at our discretion require you to deposit these costs with us before the costs are incurred.

4. Billing and Payment. We will bill you on a monthly basis for professional services rendered and expenses incurred in connection with this matter, less any retainer amounts applied against these services and expenses. You agree to pay the amount of each statement in full within twenty (20) days of the billing date. Should you question or dispute any items or any statement, you agree to notify us in writing of any such question or dispute within fifteen (15) days of the billing date, and we will assume you do not have any dispute if we do not hear from you in that time. Any amounts remaining unpaid for more than thirty (30) days from the date of billing shall bear interest at the rate of twelve (12%) percent per annum, compounded daily, until paid.

5. Client Documents. During the course of your matter, you may be required to provide to us documents such as pension plan documents, actuarial reports, etc. We will hold these records during the pendency of this matter. At the conclusion of this matter, you may contact us and make arrangements for the return of your records. It is your responsibility to secure the return of your records. We will retain the balance of your file for an appropriate time period. If arrangements are not made for the return of your records within six (6) years following the conclusion of your matter, they will be destroyed according to the guidelines set out in our Records Retention Policy.

We sincerely thank you for choosing our firm to assist you in this most important matter. If you agree with the foregoing terms and conditions, please sign in the space provided at the bottom of the letter, return the original to me, and retain a copy for your records. On behalf of the Firm, I look forward to assisting you in this matter.

Sincerely,



James W. Linn

JWL/es

Enclosure

ACCEPTED BY:

CITY OF GULF BREEZE

By: _____

Title: _____

Date: _____

ATTACHMENT 1

Cost/Expense	Costs & Expenses Covered by The 3.5% Surcharge
Delivery Charges	Included within surcharge of 3.5% of hourly fees.
Messenger Service	Included within surcharge of 3.5% of hourly fees.
Overnight Express	Included within surcharge of 3.5% of hourly fees.
Tele -facsimile	Outgoing: Included within surcharge of 3.5% of hourly fees. Incoming: No charge
Photocopying	Inside copies: Included within surcharge of 3.5% of hourly fees.
Secretarial Overtime	No charge
Telephone Charges	Included within surcharge of 3.5% of hourly fees.
Word Processing	No charge
Cost/Expense	Costs & Expenses Not Covered by The 3.5% Surcharge
Photocopying	Outside services: Actual amount invoiced to firm.
Travel-Local/Surface	Reasonable mileage or actual rental charges.
Travel-Out-of-Town	Intrastate: Actual common carrier charges for coach. Interstate: Actual common carrier charges for coach
	Meals/Accommodations: Lowest corporate seasonal rate available, reasonable business related meal expenses.
Other Expenses	Actual cost invoiced to the firm. In selected cases, these items may be directly invoiced from vendor to client.
Computer Research	Actual usage + proportionate share of base subscription.
Court Reporters	Direct invoice from vendor to client or paid from retainer.