

**GULF BREEZE CITY COUNCIL  
REGULAR MEETING**

**SEPTEMBER 5, 2012  
WEDNESDAY, 6:30 PM  
COUNCIL CHAMBERS**

**SPECIAL MEETING: PUBLIC HEARING REGARDING:**

**RESOLUTION NO. 14-12: Establishing a Tentative Millage Rate of 1.90 Mills  
RESOLUTION NO. 15-12: Adopting Tentative Budget for Fiscal Year beginning  
October 1, 2012**

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Approval of Minutes of August 20, 2012 (Regular Meeting)
4. Ordinance No. 06-12: Pertaining to Code Enforcement; Amending Sections 8-28;  
8-29; 8-37; 8-56 and 9-128  
**SECOND READING AND PUBLIC HEARING**
5. **CONSENT AGENDA ITEMS:\***
  - A. Discussion and Action Regarding Adding Old Copiers and Printers to the Police Department Surplus/Salvage Property to sell on Govdeals.com
  - B. Discussion and Action Regarding Award of Bid for CNG 12 Passenger (Inmate) Van and (1) CNG 3/4 Ton Cargo Van to Hub City Ford
  - C. Discussion and Action Regarding Dental, Vision and Ancillary Benefits Coverage for Fiscal Year 2013
  - D. Discussion and Action Regarding Stormwater Utility Rate Increase
  - E. Discussion and Action Regarding City Water/Sewer Utility Rate Increase
  - F. Discussion and Action Regarding Wal-Mart Lift Station

**\*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 Assistance with Demolition Costs, Hampton Inn
  
- 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 1,206<sup>th</sup> regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida was held at the Gulf Breeze City Hall on Monday, August 20, 2012, at 6:30 p.m.

Upon call of the roll the following Councilmen were present: Bob Cleveland, Mayor Pro Tem J. B. Schluter, David G. Landfair, Joseph Henderson and Mayor Zimmern.

**RECOGNITION OF CHRIS LITTLE:**

The Mayor thanked Chris Little for his help during his internship with the City and presented him with a letter of recommendation. He helped out in various departments and the Deadman's Island project. The City Manager told Council that Chris Little was a quick learner and had a way of coming up with solutions.

**APPROVAL OF MINUTES:**

Councilman Cleveland moved for approval of the minutes for the regular meeting held on Monday, August 6, 2012. Councilman Schluter seconded. The vote for approval was 5 - 0.

Councilman Henderson moved for approval of the minutes for the special Community Redevelopment Agency meeting held Monday, August 6, 2012. Councilman Landfair seconded. The vote for approval was 5 - 0.

**ORDINANCE 06-12: PERTAINING TO CODE ENFORCEMENT, AMENDING  
SECTIONS 8-28; 8-29; 8-37; 8-56 AND 9-128 - FIRST READING**

The ordinance was read by title only by the City Clerk. Councilman Henderson moved for approval of the Ordinance on First Reading and to schedule the Second Reading and Public Hearing for Wednesday, September 5, 2012. Councilman Schluter seconded. The vote for approval was 5 - 0.

**RESOLUTION 13-12: CAPITAL TRUST AGENCY - FINANCING STUART LODGE**

The Mayor reviewed purpose of the resolution. Councilman Schluter moved for approval. Councilman Cleveland seconded. The vote for approval was 5 - 0.

**CONSENT AGENDA ITEMS:**

**RECOMMENDATION:**

**That the City Council approve the following consent agenda items: B, C, D,**

**E, F, G, and H. Item A was removed from the Consent Agenda and placed on the Action Agenda.**

**B. SUBJECT: DISCUSSION AND ACTION REGARDING CONSTRUCTION OF CONCRETE PAD FOR SCULPTURE IN WOODLAND PARK**

Reference: City Manager memo dated August 9, 2012

**RECOMMENDATION:**

**That the City Council approve a proposal by Hewes Construction to build a concrete base for installation of a sculpture at Woodland Park subject to approval from the Advisory Park Board. Funding is from donations.**

**C. SUBJECT: DISCUSSION AND ACTION REGARDING THE DECLARATION OF THE WATER TREATMENT FILTER AS SURPLUS**

Reference: Assistant Public Services Director memo dated August 10, 2012

**RECOMMENDATION:**

**That the City Council designate the Filtronics Water System to be surplus and allow an "as is" sale with our online auction service.**

**D. SUBJECT: DISCUSSION AND ACTION REGARDING BERGREN ROAD PROPERTY LEASE TO SANTA ROSA COUNTY**

Reference: Assistant Public Services Director memo dated August 10, 2012

**RECOMMENDATION:**

**That the City Council authorize the City Attorney to negotiate the lease of the Bergren Road property to Santa Rosa County for final approval by City Council and give Santa Rosa County permission to perform the work allowed by and in accordance with the City's dredge and fill permit.**

**E. SUBJECT: DISCUSSION AND ACTION REGARDING RECREATION CENTER SERVICE ROAD**

Reference: Assistant Public Services Director memo dated August 10, 2012

**RECOMMENDATION:**

**That the City Council award the construction of the Recreation Center Service Road to Radford and Nix Construction, LLC for \$150,701.25 as a change order to the South Sunset Boulevard paving project.** (Council made suggestions regarding replacement of the approximately 20 protected trees that will have to be cut down.)

**F. SUBJECT: DISCUSSION AND ACTION REGARDING TRAFFIC CALMING NAVARRE STREET**

Reference: City Manager memo dated August 10, 2012

**RECOMMENDATION:**

**That the City Council authorize Ken Horne and Associates to conduct a traffic calming analysis of Navarre Street including public meetings at a cost not to exceed \$5,000.** (Council asked that Mr. Horne provide an approximate time line to produce the information for Council.)

**G. SUBJECT: DISCUSSION AND ACTION REGARDING EMPLOYEE HEALTH INSURANCE COVERAGE FOR FISCAL YEAR 2013**

Reference: Assistant City Manager memo dated August 10, 2012

**RECOMMENDATION:**

**That the City Council accept and approve the Blue Cross Blue Shield of Florida Self Referral HMO plan for fiscal year 2013.**

**H. SUBJECT: DISCUSSION AND ACTION REGARDING ANNUAL POPULATION ESTIMATE FROM THE UNIVERSITY OF FLORIDA, BUREAU OF ECONOMIC AND BUSINESS RESEARCH**

Reference: Assistant City Manager memo dated August 10, 2012

**RECOMMENDATION:**

**That the City Council accept the estimate of the City's population of 5,790.**

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

**ACTION AGENDA ITEMS:**

**A. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT REVIEW BOARD REFERRALS OF AUGUST 7, 2012**

Reference: Minutes from DRB August 7, 2012 meeting

**RECOMMENDATION:**

- I. Gulf Breeze United Methodist Church - 75 Fairpoint Drive  
Requests to install two masonry and stone columbariums,  
50 inches, between the small chapel and youth building

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

Councilman Schluter moved for approval of the project. Councilman Henderson seconded. The vote for approval was 4 - 0 - 1, with Councilman Cleveland abstaining due to a conflict of interest because of him serving on a Board for the Church.

- II. St. Ann Catholic Church - 100 Daniel Drive  
Requests to construct a covered walkway connecting the  
Parish Hall to the Sanctuary

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

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

**NEW BUSINESS DISCUSSION AND ACTION REGARDING PROPOSAL TO REPAIR SHOULDER ON SHORELINE DRIVE IN FRONT OF RECREATION CENTER**

Reference: Verbal report by City Manager

**RECOMMENDATION:**

**That the City Council authorize Radford and Nix Construction, LLC to repair the undermining of the pavement on Shoreline Drive in front of the Recreation Center for an amount not to exceed \$5,746.**

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

**ADJOURNMENT:**

The Mayor adjourned the meeting at 6:42 p.m.

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CITY CLERK

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MAYOR

**RESOLUTION NO. 14-12**

**A RESOLUTION TENTATIVELY LEVYING AN AD VALOREM PROPERTY TAX  
FOR THE CITY OF GULF BREEZE FOR 2012; PROVIDING AN  
EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE,  
FLORIDA:**

SECTION 1:

An ad valorem tax of 1.90 mills is tentatively levied for 2012 against all property, both real and personal, not exempt from taxation within the corporate limits of the City of Gulf Breeze.

SECTION 2:

The 2012 tentative ad valorem tax rate of 1.90 mills constitutes a -0.29% decrease from the Rolled-Back Rate (1.9056) as calculated according to Chapter 200, Florida Statutes.

SECTION 3:

This resolution shall take effect immediately upon its adoption by the City Council and shall be published as required by law. The ad valorem tax levy provided for herein shall not become final until a resolution levying the tax is adopted at a subsequent public hearing.

ADOPTED: \_\_\_\_\_

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

ATTEST:

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

**RESOLUTION NO. 15-12**

**A RESOLUTION TO BE ENTITLED:**

**A RESOLUTION TENTATIVELY ADOPTING A BUDGET FOR THE CITY OF GULF BREEZE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, MAKING APPROPRIATIONS FOR THE PAYMENT OF THE EXPENSES OF THE CITY GOVERNMENT AND ALL DEPARTMENTS THEREOF AND FOR THE PAYMENT OF ACCOUNT OF THE BONDED INDEBTEDNESS OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, REPEALING CLAUSE AND EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA:**

**SECTION 1:**

That the appropriation hereinafter made are based on the estimates contained in the Budget, as indexed, submitted by the City Manager, as afterwards revised, approved and adopted by the City Council for the payment of the expenses of the City Government and all Departments of the City, and on account of the bonded indebtedness, as the same as set forth in said Budget so adopted, copies of which are on file in the Office of the City Manager, and to which reference may be made;

That said budget summarized as to estimated revenues, transfers and appropriations for fund is set forth herein;

That there is estimated there will received and available for appropriation for the Fiscal Year beginning October 1, 2012 the amounts of revenues as listed according to the respective funds; detailed by source, type, and account as set forth in said Budget;

That there be and is hereby appropriated the sums shown for the various purposes hereinafter specified, for the Fiscal Year beginning October 1, 2012, provided from the sources of revenue hereinbefore designated;

That there is determined that certain transfer of funds will be required during the Fiscal Year beginning October 1, 2012, and such transfers are hereby authorized as set forth herein:

Revenues:	General Fund	Urban Core Redevel	GB Financial	Natural Gas Fund	SSRUS Fund	Solid Waste Fund	Water & Sewer Fund	Stormwater Fund	Traffic Citation Fund	
Taxes	2,469,221	752,089								
Licenses Fees & Permits	12,500									
Intergovernmental Revenue	579,313									
Charges for Services	283,800		702,401	2,000,000	4,091,593	1,064,431	1,842,350	195,000	425,000	
Fines & Forfeits	186,900									
Miscellaneous Revenues	211,264		237,000	6,000	459,446		35,500	9,638	6,000	
Other Sources	1,868,737				227,557		105,059			
<b>TOTAL:</b>	<b>5,611,735</b>	<b>752,089</b>	<b>939,401</b>	<b>2,006,000</b>	<b>4,778,596</b>	<b>1,064,431</b>	<b>1,982,910</b>	<b>204,638</b>	<b>431,000</b>	<b>17,770,800</b>

Expenditures:	General Fund	Urban Core Redevelop	GB Financial	Natural Gas Fund	SSRUS Fund	Solid Waste Fund	Water & Sewer Fund	Stormwater Fund	Traffic Citation Fund	
Wages	2,424,523	0	80,900	359,120	965,110	77,549	266,068	90,125	0	
Taxes & Benefits	572,070	0	28,218	113,366	291,198	9,550	63,770	27,046	0	
Services & Contracts	455,960	300,000	72,840	892,500	627,500	903,487	764,946	15,000	30,000	
Operating Expenses	727,466	82,300	17,400	97,400	607,900	3,000	142,100	11,400	305,000	
Administration	485,010	7,100	17,040	157,590	305,200	4,000	78,600	2,500	21,000	
Debt Costs (Int & Prin)	444,102	0	3,756	0	1,063,042	0	113,089	42,567	0	
Contribution & Grants	0	0	24,000	0	0	0	0	0	0	
Transfers	178,726	193,737	500,000	191,617	271,778	66,845	399,337	16,000	75,000	
	5,287,857	583,137	744,154	1,811,593	4,131,728	1,064,431	1,827,910	204,638	431,000	
Capital	0	168,952	0	121,200	424,211	0	155,000	0	0	
SUB TOTAL:	5,287,857	752,089	744,154	1,932,793	4,555,939	1,064,431	1,982,910	204,638	431,000	
RESERVES:	323,878	0	195,247	73,207	222,657	0	0	0	0	
TOTAL:	5,611,735	752,089	939,401	2,006,000	4,778,596	1,064,431	1,982,910	204,638	431,000	17,770,800

**SUMMARY OF PROPOSED FUND TRANSFERS**  
**FISCAL YEAR 2012-2013**

**REIMBURSEMENTS:**      For Internal Services

**FROM:**

**TO:**

Solid Waste	General Fund	\$	78,838
Water Utility Services	General Fund	\$	131,116
Sewer Utility Services	General Fund	\$	86,416
Natural Gas Utility Services	General Fund	\$	191,828
South Santa Rosa Utility System	General Fund	\$	270,815
Stormwater	General Fund	\$	15,987
Red Light Camera	General Fund	\$	75,000
		\$	850,000

**CONTRIBUTIONS:**

**FROM:**

**TO:**

Gulf Breeze Financial Services	General Fund	\$	500,000
Capital Trust Agency	General Fund	\$	325,000
		\$	825,000

SECTION 2:

This budget shall be administered in strict adherence to the Charter and Code of Ordinances of the City of Gulf Breeze, as amended, the Laws of the State of Florida, applicable bond covenants, and the Budget Manual as adopted by the City Council. Amendments to this budget shall be only by Supplemental Appropriations Resolution for all revenues and for all expenditures by fund and by object code; provided further that the City Manager is authorized to approve transfers of appropriated expenditures between those sub-object codes within the object codes of each fund.

SECTION 3:

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4:

This resolution shall take effect upon its adoption by City Council immediately and shall be published as required by law.

PASSED AND ADOPTED by the City Council of the City of Gulf Breeze, Santa Rosa County, Florida, on the 5 day of September, 2012.

APPROVED:

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

ATTEST:

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

**ORDINANCE NO. 06-12**

**AN ORDINANCE OF THE CITY OF GULF BREEZE FLORIDA, PERTAINING TO CODE ENFORCEMENT; AMENDING SECTIONS 8-28, 8-29, 8-37, 8-56 and 9-128; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Gulf Breeze promotes and protects the health, safety and welfare of its citizens through the code enforcement process; and,

WHEREAS, the City of Gulf Breeze has recently undertaken steps to help revitalize and enhance the appearance of the City; and,

WHEREAS, the Code of Ordinances contains differing time periods for abatement of code violations; and,

WHEREAS, the City Council finds it to be in the interest of the City of Gulf Breeze to establish an uniform time period for abatement.

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

**SECTION 1.** Section 8-28 of the Code of Ordinances of the City of Gulf Breeze is hereby amended to read as follows:

**Sec. 8-28. - Procedures for abatement of public nuisance.**

The repair, rehabilitation, demolition, clearing, cleaning, or removal as contemplated in sections 8-26 and 8-27, above, shall be in accordance with the following procedures:

- (1) *Notice of violation:* Whenever the city determines that there are reasonable grounds to believe that an unsafe building exists or that a public nuisance as defined in section 8-27 exists, a notice of violation shall be given to the owners of the property of the fact that said building, lot or parcel, constitutes an unsafe building and/or a nuisance. Such notice shall:
  - a. Be in writing;
  - b. Include a statement of reasons why the building, lot or parcel is in violation of sections 8-26 and/or 8-27
  - c. State that the owners of the building, lot or parcel will be allowed a reasonable time period for the performance of such acts which will render the building, lot or parcel in conformity with sections 8-26 and 8-27. Such time period will be determined by the City Manager or his/her designee and shall be no fewer than 3 calendar days and no more than 30 calendar days.
  - d. Provide notice that if the necessary repairs, rehabilitation, demolition, clearing, cleaning or removals are not voluntarily completed within the stated time set forth in the notice of violation, that the city may (i) proceed to repair, rehabilitate, demolish, clean, clear or remove the buildings, lots or parcels and/or take such other actions which it deems necessary to abate the public nuisance; (ii) charge

the owners of the property with the expense of said action by the city, which said charge shall constitute a lien on the property that will accrue interest at the statutory rate for judgments; and (iii) upon completion of the repairs, rehabilitation, demolition, cleaning, clearing, removals or other actions taken to abate the nuisance, the city may initiate and commence efforts to foreclose the lien.

- e. State that the declaration of nuisance and/or unsafe building, as well as any actions required of the owner, may be appealed to the city council at a hearing which will be held for the purpose of hearing the property owner's objections thereto at a scheduled meeting of the city council, the date of which shall be set forth in the notice.

(2) *Service of notice of violation:* The service of the notice of violation shall be as follows:

- a. By personal service upon the owners of the property, or by leaving the notice at the usual place of abode of the owners of the property with a person over the age of 15 years;
- b. By service upon the owners by United States certified mail, return receipt requested; or
- c. Where the owners of the property cannot be found or secret themselves within the state or outside the state, by posting the notice on the premises for seven days, plus notice by publication in a newspaper of general circulation in the city once a week for two consecutive weeks.

(3) *Opportunity to cure; city's right to abate nuisance upon owner's failure:* If the repairs, rehabilitations, demolitions, clearing, cleaning, removals, or other acts contemplated by the notice of violation are not voluntarily completed within the time period set forth therein, the city may proceed to repair, rehabilitate, demolish, clear, clean, remove and otherwise abate the conditions causing the public nuisance. The city may charge the owners of the property with the expense of such action taken by the city to abate the public nuisance. The city shall submit to such persons a statement for said charges through United States certified mail, return receipt requested, to the address at which the said persons were served with the original notice. The owners and/or other persons having legal interest in the property shall have 30 days from the date of mailing of such statement to pay the city the amounts reflected therein. Upon the failure to timely pay the charges, the city shall have a lien upon the property for the amount of the charges which shall accrue interest at the statutory rate for judgments. The city may then record in the public records of Santa Rosa County, Florida, a notice of lien setting forth therein the nature of the lien, the ordinance or other legal authority upon which it is based, a brief description of the circumstances resulting in imposition of the lien, and the amount of the lien. The city may immediately commence foreclosure proceedings upon the lien.

(4) *Appeal rights; hearing:* The owners of the affected property and those who have a legal interest therein may appeal the declaration of nuisance and/or unsafe building and any actions required to abate the public nuisances, to the city council. The appeal shall be in writing, filed with the city manager, and state all grounds for the appeal. The notice of appeal must be filed with the city manager at least ten days before the date of the hearing as set forth in the notice of violation. A hearing will be held upon the appeal at a

regularly scheduled meeting of the city council, the date of which will be set forth in the notice of violation.

**SECTION 2.** Section 8-29 of the Code of Ordinances of the City of Gulf Breeze is hereby amended to read as follows:

**Sec. 8-29. - Abatement of public nuisances imminent danger to public health, safety and welfare.**

Notwithstanding the procedures set forth in section 8-28, in the event the city reasonably determines that a public nuisance poses imminent danger to public health, safety or welfare, the city may proceed to immediately repair, rehabilitate, demolish, clear, clean, remove and otherwise abate the conditions causing the public nuisance without first serving the required notice of violation or allowing the property owners opportunity to perform such acts which would render the building, lot or parcel in conformity with sections 8-26 and 8-27. Before taking such immediate action to abate a public nuisance, the city must reasonably determine that the danger to public health, safety and welfare is indeed imminent and that immediate abatement is necessary to avoid possible human injury or death and/or damage to property. Should the city undertake to immediately abate a public nuisance pursuant to the authority set forth in this section, all procedures set forth in section 8-28 shall be applicable to such undertaking, except:

- (1) The city shall serve the notice of violation upon the property owners as soon as possible following the city's determination of the need to proceed with immediate efforts to abate the public nuisance;
- (2) The owners of the building, lot or parcel will be allowed a reasonable time period for the performance of such acts which will render the building, lot or parcel in conformity with sections 8-26 and 8-27. Such time period will be determined by the City Manager or his/her designee and shall be no fewer than 3 calendar days and no more than 30 calendar days. The notice of violation shall state that due to the imminent threat of danger to public health, safety and welfare the city has immediately commenced and/or completed efforts to abate the public nuisance; and
- (3) That in addition to the appellate rights otherwise provided, the owners of the affected property may appeal to the city council the required determinations which were a precondition to the city immediately undertaking to abate the public nuisance.

**SECTION 3.** Section 8-37 of the Code of Ordinances of the City of Gulf Breeze is hereby amended to read as follows:

**Sec. 8-37. - Removal of weeds and grasses; assessment of costs; lien.**

- (a) It is the responsibility of each person or entity who owns or is in possession or in control of any parcel of land in the city to maintain that portion of the public right-of-way between said parcel and the paved roadway surface within said right-of-way in accordance with this section.
- (b) The following exceptions apply to the foregoing:
  - (1) Any section of public right-of-way in front of or adjacent to a lot or parcel which has not been cleared or altered from its natural state.

- (2) Any section of public right-of-way between the paved surface of Shoreline Drive and Fairpoint Drive and any adjacent lot or parcel.
  - (3) The portion of the public right-of-way at the rear of a residence developed on a parcel or lot which faces or fronts on another public right-of-way which has a paved roadway.
- (c) Delineation of maintenance responsibility in accordance with this section shall be made by drawing a straight line from:
- (1) The point at which the side lot line of a lot or parcel meets the right-of-way; and
  - (2) To the nearest point on the center line of the paved roadway surface.
- (d) It shall be the duty of the code enforcement officer to cause to be cut down and removed from all public ways and other public places of the city all weeds and grasses which shall grow to a height exceeding 12 inches and, also, to cause to be cut down and removed from any private premises all weeds growing thereon to a height exceeding 12 inches whenever the owner of such premises, occupant, agent of the owner or other person who is required by this section to cut down and remove the weeds and grasses fails or refuses to do so.
- (e) Prior to cutting down or removing weeds and grasses from private premises, an enforcement officer shall give written notice to the owner, occupant, agent of the owner or other person controlling the premises that if such weeds are not cut down or removed within a reasonable time period, the code enforcement officer will cause them to be cut down or removed, and the owner, occupant or agent of the owner will be billed and the property assessed for the cost thereof. Such time period will be determined by the City Manager or his/her designee and shall be no fewer than 3 calendar days and no more than 30 calendar days. Notice shall be deemed to be sufficient if it is prominently posted upon the premises and mailed to the occupant of the premises, if any, or the last owner of record on file in the office of property appraiser or agent of the owner by certified mail, return receipt requested, or personally delivered to any of such persons.
- (f) Upon completion of the cleaning or clearing by the city of any lot, parcel or tract of land not in its original state within the city by removing therefrom the weeds and grasses, undergrowth, trash, filth, garbage or other refuse, the city manager, director of public service or designee shall certify the costs incident to and required by the removal of such offensive matter, specifying the lots and parcels so improved and the nature of the improvements. Thereafter, the city manager shall assess such land, lot or parcel of land for such improvements and the costs thereof and shall take such appropriate action as necessary to place a lien upon such land, parcel or tract of land, which lien shall be equal in dignity to all other special assessments for benefits against property within the city, and shall be collected in the same manner as other special assessments for benefits collected. The city manager is authorized and directed to perform and to do all things necessary for the recording, perfecting and collection of such lien. No such lien shall be recorded unless 30 days have expired without payment of the special assessment after the city manager has served notice of the nature and the amount of the special assessment.

**SECTION 4.** Section 8-56 of the Code of Ordinances of the City of Gulf Breeze is hereby amended to read as follows:

**Sec. 8-56. - Exterior storage of vehicles, boats and trailers.**

- (a) Nonoperating vehicles, boats and trailers.
  - (1) No person who owns or is in possession of, in charge of or in control of any property shall keep or allow a nonoperating vehicle, boat, camper or any trailer designed to be pulled by a vehicle to remain in full view on such property longer than 30 days. A nonoperating vehicle is a vehicle which cannot be readily moved under its own power or which is not currently and properly licensed for operation by the state. A nonoperating boat is a boat which is not seaworthy or is not currently licensed for operation by the state. A nonoperating boat trailer, camper or other trailer is one which is not readily transportable on its own tires or is not currently licensed by the state.
  - (2) No ongoing, continuous body work or repair work or similar activities to automobiles, boats, trailers and vehicles is allowed on private property longer than 30 days. Any such activities must be moved to an enclosed building, garage or be so located and fenced so as not to be visible from any public place or street.
  - (3) This section shall not apply to any vehicle, boat or trailer in an enclosed building, or so located upon the premises as not to be visible from any public place or street.
  - (4) This section shall not apply to any vehicle, boat or trailer on the premises of a city-licensed business enterprise operated in a nonresidential district when the keeping or maintaining of such vehicle, boat or trailer is necessary to the operation of such business enterprise, otherwise known as purposeful inventory, or to any vehicle, boat or trailer in an appropriate storage place or depository maintained in a lawful place by the city or any public agency.
  - (5) No person who owns or is in possession of, in charge of or in control of any property shall keep or allow a vehicle, boat, camper or any trailer designed to be pulled by a vehicle to be parked or stored in any public or private right-of-way.
  - (6) Any person who is in violation of this section shall be issued a notice of violation and shall be allowed a reasonable time period for the performance of such acts which will render the property in conformity with this section. Such time period will be determined by the City Manager or his/her designee and shall be no fewer than 3 calendar days and no more than 30 calendar days.
- (b) Storage of vehicles, boats and trailers.
  - (1) Any recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type vehicle stored on any residential parcel shall be maintained in a condition or appearance free from holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay, neglect or lack of maintenance, or loss of operating ability.
  - (2) The area immediately under, adjacent to and surrounding any stored recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type vehicle shall be kept clear of any

debris, trash, filth, garbage, refuse, rubbish, waste, junk, parts, castoffs, oddments, litter, leavings, ruins.

- (3) The area immediately under stored recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type vehicle shall be kept clear of any weeds, grasses or other vegetative material in excess of 12 inches in height.
- (4) No recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type of vehicle shall be stored on any public or private right-of-way.
- (5) Any person who is in violation of this section shall be issued a notice of violation and shall be allowed a reasonable time period for the performance of such acts which will render the property in conformity with this section. Such time period will be determined by the City Manager or his/her designee and shall be no fewer than 3 calendar days and no more than 30 calendar days.

**SECTION 5.** Section 9-128 of the Code of Ordinances of the City of Gulf Breeze is hereby amended to read as follows:

**Sec. 9-128. - Same—Time allotted for abatement.**

After receiving notice that a fire hazard exists, the owner, manager or other responsible party is hereby allotted a reasonable time period from the initial inspection to abate all hazards. Such time period will be determined by the City Manager or his/her designee and shall be no fewer than 3 calendar days and no more than 30 calendar days. In the case of an extreme or repeat hazard that poses an immediate threat to the health, safety or welfare of the public, the fire marshal or his designee can reduce the time allotted for the abatement.

**SECTION 6. 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 7. 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 8. EFFECTIVE DATE**

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

PASSED ON THE FIRST READING ON THE 20<sup>TH</sup> DAY OF AUGUST, 2012.

ADVERTISED ON THE ON THE 23<sup>RD</sup> DAY OF AUGUST, 2012.

PASSED ON THE SECOND READING ON THE 5<sup>TH</sup> DAY OF SEPTEMBER, 2012.

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

ATTESTED TO BY:

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

Councilmen Present: Bob Cleveland, Joseph Henderson, David G. Landfair, and Mayor Beverly Zimmern

Councilmen Absent: Mayor Pro Tem J. B. Schluter

**ACTION AGENDA ITEMS:**

- A. SUBJECT: DISCUSSION AND ACTION REGARDING RESOLUTION 14-12 ESTABLISHING A TENTATIVE MILLAGE RATE OF 1.90 MILLS AND RESOLUTION 15-12, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2013**

Reference: Assistant City Manager memo dated August 24, 2012

**RECOMMENDATION:**

**That the City Council adopt Resolution No. 14-12 setting the tentative millage rate for Fiscal Year 2011 and adopt Resolution No. 15-12 containing the tentative budget for fiscal year ending September 30, 2013.**

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- B. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE 06-12, PERTAINING TO CODE ENFORCEMENT; AMENDING SECTIONS 8-28; 8-29; 8-37; 8-56 AND 9.128**

Reference: Community Services Director memo dated August 22, 2012

**RECOMMENDATION:**

**That the City Council approve Ordinance 06-12 on Second Reading and Public Hearing on Wednesday, September 5, 2012.**

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- C. SUBJECT: DISCUSSION AND ACTION REGARDING ADDING OLD COPIERS AND PRINTERS TO THE POLICE DEPARTMENT SURPLUS/SALVAGE PROPERTY TO SELL ON GOVDEALS.COM**

Reference: City Clerk memo dated August 16, 2012

**RECOMMENDATION**

**That the City Council declare the old copiers and printers as surplus property and authorize the Police Department to sell the items on Govdeals.com with other surplus property with the proceeds being deposited into the City General Fund.**

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**D. SUBJECT: DISCUSSION AND ACTION REGARDING AWARD OF BID FOR CNG 12 PASSENGER (INMATE) VAN AND (1) CNG 3/4 TON CARGO VAN TO HUB CITY FORD**

Reference: Public Services Director memo dated August 22, 2012

**RECOMMENDATION:**

**That the City Council authorize purchase of one 12 passenger CNG van with funding assigned to FEMA Alt Project #11 for \$40,999.00 and one 3/4 ton cargo van with funding assigned to SSRUS for \$34,999.00 from Hub City Ford.**

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**E. SUBJECT: DISCUSSION AND ACTION REGARDING DENTAL, VISION AND ANCILLARY BENEFITS COVERAGE FOR FISCAL YEAR 2013**

Reference: Finance Director memo dated August 21, 2012

**RECOMMENDATION:**

**That the City Council accept the recommendation of Rich & Company and maintain the current carriers for the ancillary insurance coverages at an estimated total annual increase of \$6,545, or about \$75 per full time employee.**

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**F. SUBJECT: DISCUSSION AND ACTION REGARDING STORMWATER UTILITY RATE INCREASE**

Reference: Assistant Public Services Director memo dated August 22, 2012

**RECOMMENDATION:**

**That the City Council approve the \$0.25 increase according to a schedule provided and that a Public Hearing on this matter be held on October 15, 2012.**

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**G. SUBJECT: DISCUSSION AND ACTION REGARDING CITY WATER/SEWER UTILITY RATE INCREASE**

Reference: Assistant Public Services Director memo dated August 22, 2012

**RECOMMENDATION:**

**That the City Council approve the full funding of the deficit be approved according to the schedule provided with a Public Hearing held on October 15, 2012.**

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**H. SUBJECT: DISCUSSION AND ACTION REGARDING WALMART LIFT STATION**

Reference: City Manager memo dated August 22, 2012

**RECOMMENDATION:**

**That the City Council approve a budget of \$32,000 for the upgrade of the Walmart lift station. It is recommended the project be funded by the CRA. (The Council directed staff to seek assistance from an architect on the proposed improvements.)**

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**I. SUBJECT: DISCUSSION AND ACTION REGARDING CITY OF GULF BREEZE MASTER PLANNING INVOICE**

Reference: Assistant City Manager memo dated August 21, 2012

**RECOMMENDATION:**

**That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Wednesday, September 5, 2012 and approve payment of Invoice No. 151704 for \$34,093.47 to VHB Miller Sellen.**

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**J. INFORMATION ITEMS**

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**NEW BUSINESS: DISCUSSION AND ACTION REGARDING ASSISTANCE WITH DEMOLITION COSTS, HAMPTON INN**

Reference: City Manager memo dated August 28, 2012

**RECOMMENDATION:**

**That the City Council deny the request by Banyan Properties for assistance with the demolition of the wing of the old hotel to make way for a Hampton Inn.** (Mr. Pravin Chauhan, Miramar Beach, FL, spoke to the Council asking them to help with the costs for the demolition.



# City of Gulf Breeze

## Memorandum

To: Mayor and City Council

From:  Edwin A. Eddy, City Manager

Date: 8/28/2012

**Subject: Assistance with Demolition Costs, Hampton Inn**

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Attached please find a letter we received after we prepared the agenda for the August 29, 2012, Executive Session. We would ask the Council to consider this item as an add on to your agenda. Banyan Investment Group is requesting assistance with the cost of demolition of the wing of the old hotel on the site. Mr. Chauhan is aware of the City's assistance with the demolition of the Benson Building.

The situation with the Benson Building was not the same as this hotel property. The Benson Building had rent paying tenants at the time. The City offered to assist with demolition. The owner had to forego rent in order to proceed with demolition. The wing of the hotel that was demolished was allowed to go vacant by Banyan and equipment was salvaged leaving the rooms unrentable.

The City contributed one half the cost of demolition of the Benson property.

### **RECOMMENDATION:**

**THAT THE REQUEST BY BANYAN PROPERTIES FOR ASSISTANCE WITH THE DEMOLITION OF THE WING OF THE OLD HOTEL TO MAKE WAY FOR A HAMPTON INN BE DENIED.**



August 24, 2012

**Mr. Edwin A. Eddy**  
**City Manager - City of Gulf Breeze**  
**1070 Shoreline Dr.**  
**Gulf Breeze, FL 32561**  
**(850) 934-5100**  
**[eaeddy@ci.gulf-breeze.fl.us](mailto:eaeddy@ci.gulf-breeze.fl.us)**

**SENT VIA EMAIL**

**Re: Demolition – For the development of a 90 unit Hampton Inn & Suites**

**Dear Mr. Eddy,**

**As per our discussion, we are requesting participation in the cost of the demolition from the City of Gulf Breeze for the development of a 90-unit Hampton Inn and Suites. We hope the city will consider our request, as we have adhered to the city's request to build outside the prototypical standards, thus leading to increased costs.**

**Please find attached the bid from our demolition contractor.**

**We look forward to your response.**

**Warmest Regards,**

**Rakesh Chauhan**

September 26, 2011

Ken Smith  
The Winter Construction Company  
191 Peachtree Rd.  
Suite 2100  
Atlanta GA 30303

**RE: Hampton Inn & Suites, Gulf Breeze**

Winter Environmental is pleased to provide you with our proposal to demolish the vacant two story motel building located at 51 Gulf Breeze Parkway, Gulf Breeze, Florida. Our scope of work includes demolition and removal of the entire 2 story building including slab, footers and sidewalks around the building. Our price to provide this work is: **\$56,750.00**

Assumptions/Clarifications/Considerations

- Footers to be removed down to 2 feet below grade. Deeper footers will be an additional charge.
- Trees and shrubs immediately adjacent to the building will be removed with the demolition.
- No erosion control is included.
- Utility cutting and capping to be done by local utility companies. We will communicate with the utility companies to provide this work.
- No backfill is included.
- Adjacent asphalt parking lot will remain but some damage may occur.
- All salvage is property of contractor.
- Florida DEP notification for demolition and demolition permit is included.
- No asbestos or hazardous materials removal is included.

Should you have any questions, please contact me at 404-965-2305

Sincerely,



Tim Egan  
Winter Environmental  
A division of The Winter Construction Company

main: 404.588.3300  
fax: 404.223.6251  
3350 Green Pointe Parkway  
Suite 200  
Norcross, Georgia 30092

**COMMUNITY REDEVELOPMENT AGENCY  
BOARD OF DIRECTORS**

**SEPTEMBER 5, 2012**  
**WEDNESDAY, 6:30 PM**  
**COUNCIL CHAMBERS**

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

- A. Discussion and Action Regarding Invoice No. 151704 from VHB Miller Sellen in the Amount of \$34,093.47
- B. Discussion and Action Regarding Approval of Expenditure of \$6,688 for Sidewalk at Wayside Park East and Circular Sidewalk Around the Sculpture

**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.**



# City of Gulf Breeze

## Memorandum

**To:** Mayor and City Council

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

**Date:** 8/30/2012

**Subject:** Sidewalk at Wayside Park

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In order to improve on the walk ability of Wayside Park and to improve access to the southern end of the east side of the park, we are proposing that 210 linear feet of sidewalk be installed linking the new sculpture with the existing walkpath. We also propose that a circular sidewalk be installed around the sculpture.

This plan was prepared by David Alsop of Sam Marshall Architects who has been assisting the City on this project.

We submitted this scope of work to Hewes Construction for pricing. (Hewes presently has crews working on the Rec Center) The total cost is \$6,688.00.

This project could be funded from the CRA.

### **RECOMMENDATION:**

**THAT THE CITY COUNCIL MEET ON WEDNESDAY, SEPTEMBER 5, 2012 AS THE BOARD OF DIRECTORS OF THE COMMUNITY REDEVELOPMENT AGENCY AND APPROVE THE EXPENDITURE OF \$6,688.00 FOR 210 LINEAR FEET OF SIDEWALK IN WAYSIDE PARK EAST AS WELL AS A CIRCULAR SIDEWALK AROUND THE SCULPTURE AND AUTHORIZE HEWES CONSTRUCTION TO COMPLETE THE WORK.**



# City of Gulf Breeze

## MEMORANDUM

**TO:** Edwin A. Eddy, City Manager  
**FROM:**  David J. Szymanski, Assistant City Manager  
**DATE:** August 21, 2012  
**SUBJECT:** City of Gulf Breeze Master Planning Invoice

On May 9, 2011, the City Council directed staff to draft a Request for Proposal for a Master Planning consultant for the City and Hwy 98. On November 7, 2011 the City Council selected VHB Miller Sellen for the Master Plan Project and directed staff to negotiate scope of work and a contract. An agreed upon contract was signed by the Mayor in February 2012.

We have received Invoice No: 151704 for professional services from July 8, 2012 to August 4, 2012. in the amount of \$34,093.47. This is the sixth payment against this \$329,500 contract. YTD we have spent \$160,444.31. The following actions have been taken against contract tasks:

### Task 3 – Revitalization Alternatives

Post charrette clean-up of alternative drawings.

Takeoffs (land area calculations) to determine development program (residential units, non-residential use and square feet) for each catalyst site.

Coordination with economics consultant to calculate data needed for stabilized financial analysis.

Review tax assessor data to determine assed value of each parcel in catalyst site.

Draft transportation infrastructure costs and impacts.

### Task -4 – Market Analysis

Gibbs Planning Group retail analysis and participation at design charrette.

It is recommended that Council approve payment. This project is funded by the Community Redevelopment Agency.

Reminder that on September 6<sup>th</sup> at 5:30 pm the Master Plan Steering Committee meets at City Hall. They will be reviewing the design charrette results, including the three potential land use alternatives, potential infrastructure improvements and costs, and development potential at the identified catalyst sites. Metrics will be provided to help evaluate the different alternatives (fiscal impacts, traffic impacts, cost of infrastructure, etc.). At the end of the meeting, the Steering Committee will select a preferred alternative plan that will become the basis for the final draft Master Plan. This plan will be presented at the third and final public workshop in the fall.

**RECOMMENDATION: That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Wednesday, September 5, 2012 and approve payment of Invoice No. 151704 for \$34,093.47 to VHB Miller Sellen.**



**VHB MillerSellen**

101 Walnut Street, PO Box 9151, Watertown, MA 02471  
617.924.1770 • FAX 617.924.2286

# Invoice

Invoice No: 0151704  
August 08, 2012

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

VHB Project # 61691.00

Gulf Breeze Master Plan

**Professional Services from July 08, 2012 to August 04, 2012**

Task 00000 Reimbursables  
Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Context Report	25,000.00	94.00	23,500.00	23,500.00	0.00
Public Participation Process	105,000.00	77.00	80,850.00	80,850.00	0.00
Revitalization Alternatives	75,000.00	36.00	27,000.00	11,250.00	15,750.00
Market Analysis	54,500.00	50.75	27,658.75	12,644.00	15,014.75
Master Plan Preparation	55,000.00	0.00	0.00	0.00	0.00
<b>Total Fee</b>	<b>314,500.00</b>		<b>159,008.75</b>	<b>128,244.00</b>	<b>30,764.75</b>
	<b>Total Fee</b>			<b>30,764.75</b>	

**Reimbursable Expenses**

Postage & Delivery	2.50
Travel & Lodging	3,245.31
Mileage	26.65
Meals	44.67
Printing	9.59
<b>Total Reimbursables</b>	<b>3,328.72</b>

**Total this Task \$34,093.47**

**Total this Invoice \$34,093.47**

**Billings to Date**

	Current	Prior	Total
Fee	30,764.75	128,244.00	159,008.75
Labor	0.00	7,362.50	7,362.50
Consultant	0.00	4,677.36	4,677.36
Expense	3,328.72	20,160.45	23,489.17
<b>Totals</b>	<b>34,093.47</b>	<b>160,444.31</b>	<b>194,537.78</b>

**Outstanding Invoices**

Number	Date	Balance
0150546	7/12/2012	77,168.84

**Payment Due Upon Receipt.**

*Original copy*

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Project	61691.00	City of Gulf Breeze/Master Plan/Santa Ro	Invoice	0151704
	<b>Total</b>			<b>77,168.84</b>

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**Payment Due Upon Receipt.**

*Original copy*



# *City of Gulf Breeze*

**TO:** Edwin A. Eddy, City Manager  
**FROM:** Thomas E. Lambert, Assistant Director of Public Services  
**DATE:** August 22, 2012  
**RE:** SSRUS Economic Recovery

A handwritten signature in blue ink, likely belonging to Thomas E. Lambert, is positioned to the right of the header information.

The City Council asked about the effects on SSRUS customers from the economic downturn and the loss of taps fees as a revenue source. The attached graph shows the 2001 through 2012 rates and the average bill for a water and sewer customer. The overall increase averages 4.79% per year. This is higher than the 2.25% Southern Region CPI for the same period.

Because the cost of living increased at the same time that SSRUS lost over \$1 million in taps fees, if you subtract the CPI from the average rate increase, you realize that the City only had to increase rates 2.54% per year to recover from the loss of tap fees.

This average increase took place more in the later years, with the single largest jump in 2007. The graph also shows that from 2001 through 2006 the SSRUS customers experienced less than a 1% increase per year, which was much less than the CPI for that time period.

# SSRUS Average Customer Bill

Over the 11 year period the average increase per year is 4.79%.

