

**GULF BREEZE CITY COUNCIL  
EXECUTIVE MEETING AGENDA**

**APRIL 15, 2015  
WEDNESDAY, 6:30 P.M.  
COUNCIL CHAMBERS**

**ACTION AGENDA ITEMS:**

- A. Discussion and Action Regarding Special Event Application for “Grillin in the Breeze” to be held on Saturday, May 16, 2015.
- B. Discussion and Action Regarding Ordinance 03-15 Amending Sections of the Land Use and Zoning Code and Land Development Code.
- C. Discussion and Action Regarding Ordinance Amending Section 3-4 of the Municipal Code of Ordinances – Distance Requirement from Churches and Schools for Restaurants.
- D. Discussion and Action Regarding Operational Services for Water System at Gulf Island National Seashore.
- E. Discussion and Action Regarding AED’s for Shoreline Park and Tiger Point.
- F. Discussion and Action Regarding Endorsement of Maintenance of Traffic Working Group Report.
- G. Discussion and Action Regarding Declaration of Surplus Property – 2001 Dodge Truck.
- H. Discussion and Action Regarding Appointment of Committee for After School Program.
- I. Discussion and Action Regarding 1997 B Loan Program.
- J. Discussion and Action Regarding Presentation of Annual Audit by Saltmarsh Cleaveland & Gund.
- K. New Items
- L. Information Items
- M. Public Forum
- N. 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 recognition from the Chair.**



## ***Gulf Breeze Police Department***

**311 Fairpoint Drive  
Gulf Breeze, FL 32561**

**Office 850-934-5121  
Fax 850-934-5127**

To: Edwin Eddy, City Manager

From: Rick Hawthorne, Deputy Chief *ek*

Ref: Special Event Application

Date: April 7, 2015

Chris Bloomberg of Bloomberg Consulting has submitted an application for a BBQ event. The event is called "Grillin in the Breeze" and it will be a BBQ grilling competition. The event is a fund raiser for Take Stock in Children and will be held Saturday May 16, 2015 from 11am to 3pm. The event staff will use the facilities beginning on May 15 during the afternoon hours for setup. Sunday May 17, 2015 will be used as a rain makeup date.

The event will move to the access road next to the Community Center instead of down at Shoreline South. Ron Pulley and the staff are aware of the event. There are no other events going on in the park on this date.

This is the second year of the event. I spoke to Chris Bloomberg about the event last year and how much was donated to the charity. He advised that they actually lost money because of the cost to set up the event (website, advertising) and the short period of time that they had once they decided to have the event. Mr. Bloomberg did advise that any money that they raise for Take Stock in Children will be matched by the State of Florida. He believes that this year they will hopefully profit at least \$5,000.

**RECOMMENDATION: That the City Council approve the application**



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**311 Fairpoint Drive  
Gulf Breeze, FL 32561**

**Chief Robert Randle  
Deputy Chief Rick Hawthorne**

**Office 850-934-5121  
Fax 850-934-5127**

### **City of Gulf Breeze Special Event**

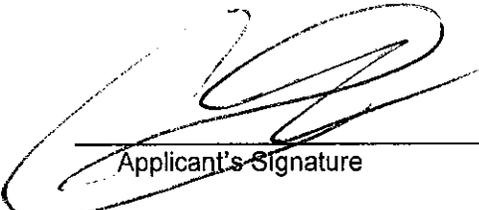
#### **Packet Includes:**

1. Copy of Requirements to conduct special events.
2. Application to conduct special events.

The above documents must be signed, dated and returned to:

The Gulf Breeze Police Department  
311 Fairpoint Drive  
Gulf Breeze, FL 32561

At least (30) days prior to the special event

  
\_\_\_\_\_  
Applicant's Signature                      4/6/15  
Date  
*CHRIS BLOOMFIELD*



## ***Gulf Breeze Police Department***

***311 Fairpoint Drive  
Gulf Breeze, FL 32561***

***Chief Robert Randle  
Deputy Chief Rick Hawthorne***

***Office 850-934-5121  
Fax 850-934-5127***

### **City of Gulf Breeze**

#### **REQUIREMENTS TO CONDUCT SPECIAL EVENT ON CITY PROPERTY OR IN THE CITY OF GULF BREEZE**

Applicant must provide the following information at least 30 days prior to the Special Event:

- (a) The name, address and telephone number of the person requesting the permit.
- (b) The name and address of the organization or group he or she is representing.
- (c) The name, address and the telephone number of the person(s) who will act as chairman of the Special Event and be responsible for the conduct thereof.
- (d) The purpose of the event, a general description of the activities to take place, the estimated number of persons to participate or otherwise attend, and the number and types of vehicles (if any) to participate.
- (e) The date the event is to be conducted and the hours it will commence and terminate.
- (f) The specific location(s) where the event is to take place.
- (g) Sponsors of the Special Events will be responsible for all costs incurred by the city in providing required public safety personnel. Cost for public safety personnel will include FICA, retirement and overtime. We will attempt to use auxiliary and part-time officers to keep the expense down, but should we have to utilize full-time personnel, the cost will increase considerably.
- (h) Assurance that the applicant will conform to the necessary fire prevention rules, regulations and guidelines.



APPLICATION TO CONDUCT SPECIAL EVENT ON  
CITY PROPERTY OR RIGHT-OF-WAY

4/6/15  
Date Submitted

1. ORGANIZATION BEING REPRESENTED:

Name CHRIS BLOOMBERG FOR BLOOMBERG CONSULTING  
Address 3416 GULF BREEZE PKWY; GULF BREEZE, FL 32563

2. PERSON REQUESTING PERMIT:

Name CHRIS BLOOMBERG  
Address SAME AS ABOVE  
Phone 850-341-8585

3. PERSON ACTING AS CHAIRMAN AND RESPONSIBLE FOR CONDUCT THEREOF:

Name SAME AS ABOVE  
Address "  
Phone "

4. DATE, HOURS AND LOCATION OF EVENT:

MAY 16, 2015 FROM 11am-3pm NEXT TO "THE REC".  
SETUP WILL BE ON MAY 15, 2015 AFTERNOON. MAY 17, 2015  
IS A RAIN-OUT DATE, BUT WOULD ONLY BE USED IN EXTREME CIRCUMSTANCES.

5. GENERAL DESCRIPTION OF ACTIVITIES, ESTIMATED ATTENDANCE, NUMBER AND TYPE OF VEHICLES, IF ANY. IF A FUND RAISING EVENT, INDICATE PROPOSED USE OF FUNDS: GRILLIN' IN THE BREEZE  
COOK-OFF TO BENEFIT TAKE STOCK IN CHILDREN. THE  
EVENT HAS BEEN APPROVED & SUPPORTED BY THE REC AND PARKING  
IS AT THEIR LOCATION. WE EXPECT 750+ PEOPLE AT THE  
COOK-OFF.

  
Applicant's Signature/Date 4/6/15

  
Police Department's Approval/Date 4-7-15

\_\_\_\_\_  
City Manager's Approval/Date

# *City of Gulf Breeze*

## Memorandum

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

**From:** Curt Carver, Deputy City Manager

**Date:** 4/8/2015

**Subject:** Zoning and LDC Amendments

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At the last City Council meeting, several questions were raised during the first reading of the draft ordinance amending the Zoning and Land Use Code and Land Development Code (LDC) in order to implement major elements of the Comprehensive Plan. These elements involve the creation of the Mixed Use Zoning District (MXD-1) and target height zones. The questions involved application of the target height zones, the required area of dwelling units and the apparent deletion of the section of the Code relating to Restricted Uses in Residential Districts.

The enclosed draft ordinance addresses some of these issues. I offer the following for clarification:

1. The apparent deletion of the old Section 21-261 was a numbering issue. The original draft language from VHB was off by one number due to the reservation of an ordinance number that had yet to be codified. This problem went partially undetected during the numerous redrafts of the document. This was my error and I apologize for the confusion it has caused. As you will see from the draft, Section 12 provides that old Section 21-261 is now 21-274. Target height zones are in Section 21-273, which was the old Section 21-260 Height Restrictions.
2. Target height zones are applicable to specific portions of the CRA. In these designated areas are parcels that are zoned R-1, R1-A and M. Accordingly, the ordinance recognizes a need to permit heights in excess of 35 feet subject to compliance with the standards established for the required special exception.
3. Section 21-252 has been revised whereby licensed assisted living facilities are exempt from the dwelling unit area requirements, thereby recognizing their unique place in the community.

While the document has evolved during the drafting and review process, it is consistent with both the recently approved amendment to the Comprehensive Plan and the recommendations from the Steering Committee. Certain recent revisions however, have created enough of a change that the City Attorney has recommended that it should have another first reading. That is reflected in the recommendation below.

Should you have any questions, please do not hesitate to contact me.

**Recommendation: That the City Council approve Ordinance 03-15 adopting amendments to Chapters 20 and 21 of the Code of Ordinances in order to implement provisions of the Comprehensive Plan on a First Reading on April 20, 2015 and schedule a public hearing on said ordinance on May 4, 2015 and approve it on a Second Reading on that date.**

Enclosures

**ORDINANCE 03-15**

**AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING SECTIONS OF THE LAND USE AND ZONING CODE AND THE LAND DEVELOPMENT CODE TO PROVIDE CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN 2035, DESIGNED TO IMPLEMENT THE CITY'S MOST LIVABLE CITY PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 2(b), Article VIII of the State Constitution provides that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the City Council adopted an amendment to the Comprehensive Plan, entitled "Comprehensive Plan 2035" by Ordinance No. ~~08-14~~ on November 17, 2014, in order to implement the City's Most Livable City Plan; and

**WHEREAS**, said amendment provides for a new land use category for mixed use development and recognizes the need to increase building heights in certain target areas; and

**WHEREAS**, said amendment recognized that certain revisions to the City's Land Use and Zoning Code and Land Development Code (Codes) would be necessary to ensure consistency with the goals and objectives of the Comprehensive Plan; and

**WHEREAS**, the Steering Committee has reviewed and recommended certain amendments to the Codes.

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

**SECTION 1.** Section 21-1 is hereby amended as follows:

**Sec. 21-26. - Districts enumerated.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future tense, words used in the singular number include the plural, and words used in the plural include the singular. The word "person" includes a firm, association, organization, partnership or corporation as well as an individual.

*Accessory building or structure* means a structure which is on the same parcel of property as a legally existing primary structure or principle use and the use of which is incidental to the use of the primary structure or principle use and contributes to the comfort, convenience or necessity of the occupants. An accessory building or structure shall include, but not be limited to, a garage, storage shed, gazebo, picnic pavilion and similar buildings or structures. The term also includes accessory buildings or structures that are temporary or portable in nature.

*Accessory use* means a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

*Alteration of building* means any change in the supporting members of a building (such as bearing walls, columns, girders) except such change as may be required for its safety; any addition to a building; any change in use from that of one district classification to another; and any change of a building from one location to another.

*Building* includes the word "structure" and means any structure having a roof and intended for the shelter, housing or enclosure of persons, animals or chattels.

*Condominium* means a residential unit located within a multifamily building; such unit is individually owned without individual having title to the land on which the building is located.

*Dwelling* means a building, or a portion thereof, designed, arranged or used exclusively as the permanent living quarters for one or more persons as a single housekeeping unit.

*Family* means one or more persons occupying a dwelling unit and living as a single housekeeping unit.

*Fence* means a structure of any kind, except vegetation or plant life, erected for the purpose of enclosing a portion of land, or to divide a piece of land into distinct portions, or to separate two contiguous estates. A fence as defined above shall not include a structure erected along the exterior boundaries of any R-ES, R-1-AA, R-1-A or R-1 zoning district where those exterior boundaries border on a C-1 district or U.S. Highway 98 or Florida State Highway 399, so long as the structure does not exceed eight feet in height and is constructed of brick and/or cedar, juniper, cypress or redwood boards, is not electrified in any manner whatsoever, and is otherwise compatible aesthetically with the local environment and is approved by the designated development approval authority. If the structure does not conform to the above description, the structure shall be considered a fence and shall be subject to all of the ordinances and regulations regarding the constructions of fences.

*Gasoline service station* means a building or lot where gasoline or other flammable and combustible liquids used as motor fuels are stored and subsequently dispensed from fixed, approved dispensing equipment into the fuel tanks or motor

vehicles by either service station attendants or by the owners of the motor vehicles or by persons other than the service station attendants. A gasoline service station shall also include a building or lot where gasoline, oil and greases are supplied and dispensed to the motor vehicular trade and where battery, tire, vehicular repair or other similar services are supplied.

*Grade* means a reference plane representing the average of finished ground level adjoining the building at all exterior walls.

*Group development* means two or more principal buildings devoted to a common or similar use constructed on a single plot of ground which constitute an integrated industrial, commercial or apartment project.

*Height* as applied to a building or structure, means the vertical distance from grade or minimum base floor elevation as defined by the National Flood Insurance Program to the highest point of the finished roof surface or top of structure; height of a building in stories does not include basements and cellars, except as specifically provided otherwise.

*Height*, as applied to a story, means the vertical distance from top to top of two successive finished floor surfaces.

*Height*, as applied to a wall, means the vertical distance to the top measured from the foundation wall, or from a girder or other intermediate support of such wall.

*Home occupation* means any occupation or profession carried on by a member of a family residing on the premises.

*Lot* includes the words "plot" or "parcel" and means a portion or parcel of land devoted to a common use or occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same.

*Lot, through* means interior lot having frontage on two streets other than a corner lot.

*Lot, width* means the distance between side lot lines measured at the setback line.

*Map* means the official zoning map.

*Mobile home* means any vehicle or similar portable structure designed for occupancy. This term shall include trailers.

*Multifamily dwellings* means a building or portion thereof used or designed as residences for two or more families having independent living facilities for each family.

*Nonconforming use* means a nonconformity that occurs when property, including buildings, structures and/or site improvements thereupon, is used for a purpose or in a manner that is in violation of and/or not in conformity with this Land Development Code.

*Off-street parking* means privately owned parking or standing space for motor vehicles lying outside the public right-of-way.

*Open space* means vegetated nonuse areas in public parks and other areas, including landscaped buffer zones.

*Peddler* means any individual, corporation, partnership, joint venture, sole proprietorship, business or person who shall sell, or offer for sale, or attempt to sell, to the general public, any manufactured or natural products, food, plants or any other items within the City limits from a motor vehicle, trailer, open air display or any structure not permanently attached to the ground. Excluded from this definition is ~~a city-licensed, franchised vendor who operates solely on the Gulf Breeze Fishing Pier~~; any school or civic groups which hold special event sales when same are done on a temporary basis; or any businesses which display a portion of their merchandise outside of a wholly enclosed building when that building is used for most business transactions.

*Portable storage unit* means any container designed for the storage of personal property that is typically rented to owners or occupants of property for their temporary use, and which customarily is delivered and removed by truck.

*Setback* means the clearance from the property line to the nearest projection of a structure, including roof overhangs.

*Sign, business* means an attached or freestanding structure on which is announced the business use of a structure or the name of the operator of a business, located upon the same lot as the business.

*Sign, outdoor advertising* means an attached or freestanding structure for the purpose of conveying information, knowledge or ideas to the public.

*Story* means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

*Street* means a public or private thoroughfare which affords the principal means of access to abutting property.

*Street, arterial* means a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed and high mobility importance. In addition, all United States numbered highways shall be arterials.

*Street, collector* means a route providing service which is of relatively moderate traffic volume, moderately average trip length, and moderately average operating speed. These routes also collect and distribute traffic between local roads or arterial roads and serve as linkage between land and mobility access needs.

*Street, local* means a route providing service which is of relatively low average traffic volume, low average trip length or minimal through traffic movements, and high land access for abutting property.

*Structural value* means the present-day value of the building, structure and/or site improvement. The value of the building, structure and/or site improvement as reflected in the most recent Santa Rosa County Property Appraiser valuation shall be deemed to be its present-day value. Where the value of a building, structure or site improvement was not determined by the most recent Santa Rosa County Property Appraiser valuation, or it cannot be derived therefrom, the present-day cost of replacing the building, structure or site improvement shall be deemed to be its structural value.

*Structure* means anything constructed, located or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground.

*Swimming pool* means any constructed pool structure over 18 inches in depth used for swimming or bathing.

*Temporary structure* means any form of shelter or covering, including a tent, pavilion, canopy or awning, that is for the shelter, housing or enclosure of persons, animals or chattels and which is used or to be used on a temporary basis in that it does not require more or less permanent location on the ground, or attachment to something having more or less permanent location on the ground.

*Townhouse* means a one-family, typically multistory dwelling within a minimum group of three attached units and a maximum of eight attached units, each having individual lot ownership.

*Target height zone* means an overlay district in which a special exception for building heights greater than 35 feet may be considered if specified design criteria and standards are met.

*Used or occupied*, as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be used or occupied."

*Yard, front* means an open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the street and the front line of the building projected to the side lot lines.

*Yard, rear* means an open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lot lines.

*Yard, side* means an open, unoccupied space on the same lot with a principal building, situated between the building and the side lines of the lot and extending from the rear line of the front yard to the front line of the rear yard.

*Zoning district (land use district)* means a district, as identified on the official zoning map that has specific requirements regarding the use of land and the location of structures.

**SECTION 2.** Section 21-26 of the Code of Ordinances is hereby amended as follows:

**Sec. 21-26. - Districts enumerated.**

For the purpose of this Land Development Code, the City is divided into ~~11~~ 12 land use districts designated as follows:

R-ES	Environmentally Sensitive Residential District
R-1-AA	Single-Family Residential District
R-1-A	Single-Family Residential District
R-1	Single-Family and Multifamily Residential District
R-C	Residential Condominium District
TH	Townhouse District
C-1	Commercial District
C-2	Limited Commercial District
M	Medical District
P	Public Lands District (Parks, Playgrounds, Schools)
CNS	Conservation District
<u>MXD-1</u>	<u>Mixed Use District</u>

**SECTION 3.** Section 21-29 of the Code of Ordinances is hereby amended as follows:

**Sec. 21-29. - Use requirements by district.**

The allowable uses of land and requirements for structures within each of the land use districts are contained within divisions 2-12 of this article and include:

- (1) Residential: R-ES, R-1-AA, R-1-A, R-1, R-C, TH.
- (2) Commercial: C-1, C-2.
- (3) Medical: M.
- (4) Mixed Use: MXD-1.
- (45) Public lands: P.
- (56) Conservation: CNS.

**SECTION 4.** Section 21-72 (b) (6) of the Code of Ordinances is hereby amended as follows:

(6) Any fence that utilizes a gate or similar device to restrict access to the driveway shall be equipped with a rapid entry system as specified in Section 21-265 ~~21-278~~.

**SECTION 5.** Section 21-82 (a) of the Code of Ordinances is hereby amended as follows:

**Sec. 21-82. - Height, area of buildings.**

(a) In the R-1-A district, single-family residences shall not exceed 35 feet in height above the minimum base floor elevation as defined by the National Flood Insurance Program unless provided for in Section 21-2734 - Target height zones.

(b) The minimum ground floor space area of a one-story dwelling hereinafter constructed in an R-1-A district shall be at least 1,000 square feet, exclusive of garages, carports and open porches. Two-story dwellings hereinafter built in an R-1-A district must have a ground floor space of at least 800 square feet exclusive of carports, garages and open porches and must have a total area of at least 1,200 square feet, including the lower and upper floors unless provided for in Section 21-2734 - Target height zones.

**SECTION 6.** Sections 21-97 is hereby amended by deleting it in its entirety and inserting the following in place of said deletion:

**Sec. 21-97. – Height, area of buildings.**

In R-1 districts, single-family and multiple-family residences shall have a minimum square foot area of not less than 800 square feet of floor space exclusive of stairways and public halls per family unit therein. Building height shall not exceed 35 feet in height above the minimum base floor elevation as defined by the National Flood Insurance Program, unless provided for in Section 21-2734 – Target height zones.

**SECTION 7.** Section 21-162 of the Code of Ordinances is hereby amended as follows ~~by deleting it in its entirety and inserting the following in place of said deletion:~~

**Sec. 21-162. – Height of buildings.**

In the C-1 district, building height shall not exceed a total height of 35 feet, unless provided for in Section 21-2734 - Target height zones.

**SECTION 8.** Section 21-194 of the Code of Ordinances is hereby amended as follows:

**Sec. 21-194. – Height of buildings.**

In the M district, building height shall not exceed a total height of 35 feet, unless provided for in Section 21-2734 – Target Height zones.

**SECTION 9.** Article II. DISTRICT REGULATIONS of Chapter 21 of the Code of Ordinances is hereby amended by adding the following:

**DIVISION 15 MXD-1 MIXED USE DISTRICT**

**Sec. 21-246. – Intent.**

The MXD-1 district is intended to implement the City’s *Most Livable City Plan* and Comprehensive Plan 2035, by providing for medium to high-density development with a mix of uses within an appropriate area. These uses will be mixed throughout the district, as well as in individual developments. Residential, retail and office uses may be mixed either vertically or horizontally in a building within the MXD-1 district.

**Sec. 21-247 – Permitted, prohibited uses.**

- (a) *Permitted Uses.* Land and buildings within the MXD-1 mixed use district shall be used only for the following purposes:
  - (1) Restaurants, cafes, and other food and beverage providers.
  - (2) Business and professional offices, and any other uses allowed in the C-2 district.
  - (3) Hotels, motels and other lodging facilities.
  - (4) Educational uses.
  - (5) Medical clinics (including nursing homes as defined in section 21-191).
  - (6) Churches, religious institutions, private or parochial schools and fraternal organizations.
  - (7) Municipal, county, state, federal and public buildings.
  - (8) Retail shops.
  - (9) Multi-family residential, including townhouses, condominiums and apartments, and accessory uses.
- (b) *Prohibited Uses.* Any use that is prohibited in the CDB Overlay district, Section 21-243(b), shall be prohibited in any MXD-1 district.
- (c) *Uses allowed as a special exception.* A single use development on a parcel of 2½ or fewer acres shall require a special exception, as described in Sections 20-41 through 20-146 of this code.

**Sec. 21-248. - Height of buildings.**

In the MXD-1 district building height shall not exceed a total height of 35 feet, unless provided for in Section 21-274 – Target height zones.

**Sec. 21-249. - Setback requirements.**

- (a) Front setbacks shall be consistent with the applicable criteria of Chapter 26, Community Redevelopment Area Design Standards, as amended.
- (b) When abutting land is zoned R-ES, R-1, R-1-A, R-1-AA, P, M or TH:
  - (1) The building setbacks shall be not less than 30 feet.
  - (2) A landscaped buffer of not less than 15 feet in width or masonry wall of not less than 8 feet in height shall be established and/or installed along the entire length of and contiguous to the property line.

**Sec. 21-250. - Parking.**

The total required parking for a mixed-use development shall be the total of the required parking for each separate use in such a development, according to the requirements in Chapter 24, Division 3 of this Code, unless the developer provides a shared parking study during the development review process that demonstrates that the adjacent land uses have significantly different peak parking characteristics that vary by time of day. The applicant must demonstrate that the parking occupancy for adjacent uses does not exceed 100% of the total spaces within the parking lot during the weekday daytime, weekday evening, weekend daytime and weekend evening time periods.

**Sec. 21-251. - Density.**

- (a) The minimum density for residential uses in the MXD-1 district shall be 11 dwelling units per acre. The maximum density for residential uses in the MXD-1 district shall be 40 dwelling units per acre. No more than 75% of the total floor area of development within the MXD-1 district may be used for residential use, unless the parcel is located within a Subarea District as designated on the Future Land Use Map, consistent with Future Land Use Element Policy 1.10.4 of the Gulf Breeze Comprehensive Plan.
- (b) The minimum intensity for non-residential uses in the MXD-1 district shall be 0.25 F.A.R. The maximum intensity for non-residential uses in the MXD-1 district shall be 3.0 F.A.R. No more than 75% of the total floor area of development within the MXD-1 district may be used for residential use, unless the parcel is located within a Subarea District as designated on the Future Land Use Map, consistent with Future Land Use Element Policy 1.10.4 of the Gulf Breeze Comprehensive Plan.
- (c) The development yield for residential and non-residential uses shall be determined by multiplying the maximum allowable density or F.A.R. by the acreage of land identified for either residential or non-residential uses.

**Sec. 21-252. – Areas of dwelling units.**

The minimum floor area of any individual dwelling unit in the MXD-1 district shall be 800 square feet. The overall average floor area for a dwelling unit, for the entire development, shall not be less than 1000 square feet, except for licensed assisted living facilities ~~or age-restricted facilities.~~ In the case of Licensed assisted living facilities are exempt from these minimum area requirements ~~or age-restricted facilities, a lesser minimum floor area may be considered by special exception.~~

**Sec. 21-253. – Design review process.**

Developments in the MXD-1 district shall adhere to the review process specified in Section 21-244 of this Code.

**Sec. 21-254. – Design guidelines.**

Developments in the MXD-1 district shall adhere to the design guidelines specified in Section 21-245 of this Code.

**Sec. 21-255 – Sec. 21-259. Reserved.**

**SECTION 10.** Section 21-257 of the Code of Ordinances is hereby amended by deleting it in its entirety.

**SECTION 11.** Chapter 21 of the Code of Ordinances is hereby amended by renumbering the following Sections as outlined in the following table:

<b>Section Title</b>	<b>Old Section</b>	<b>New Section</b>
Manufactured home, mobile homes and modular homes	21-246	21-260
Location of group homes and foster care facilities	21-247	21-261
Cumulative residential provisions	21-248	21-262
Exceptions to height limits	21-249	21-263
Reduction of lot area	21-250	21-264
Street Frontage	21-251	21-265
Front yard exceptions	21-252	21-266
Minimum yards and open spaces	21-253	21-267
Yard, parking, open space to service one building	21-254	21-268
Electrified and barbed wire fences prohibited	21-255	21-269
Setback, fencing requirements for swimming pools	21-256	21-270
Satellite dishes-Requirements and restrictions	21-258	21-271
Same-Permit, plans required	21-259	21-272
Height restrictions	21-260	21-273
Restricted uses in residential districts	21-261	21-274
Exterior lighting	21-262	21-275
Underground utility requirements	21-263	21-276
Use of temporary structures for nonresidential purposes	21-264	21-277

Rapid entry system	21-265	21-278
Portable storage units	21-266	21-279
Reserved	21-267	21-280
Vacant lot and construction site maintenance	21-268	21-281
Reserved	21-269:21-280	21-282:21-294
Intent	21-281	21-295
Review Process	21-282	21-296
Planned unit development types	21-283	21-297
Minimum area requirements	21-284	21-298
Reserved	21-285:21-290	21-299:21-304
Intent and purpose	21-291	21-305
Definitions	21-292	21-306
Registration for placing or maintaining...	21-293	21-307
Notice of transfer, sale or assignment in public rights...	21-294	21-308
Placement or maintenance of a communications....	21-295	21-309
Suspension of permits	21-296	21-310
Appeals	21-297	21-311
Involuntary termination of registration	21-298	21-312
Existing communications facilities in public right...	21-299	21-313
Insurance	21-300	21-314
Indemnification	21-301	21-315
Construction bond	21-302	21-316
Security fund	21-303	21-317
Enforcement remedies	21-304	21-318
Abandonment of a communications facility	21-305	21-319
Force majeure	21-306	21-320
Reservation of rights and remedies	21-307	21-321
Reserved	21-308:21-349	21-322:21-349

**SECTION 12.** The newly renumbered Section 21-2734 (formerly Section 21-2601) of the Code of Ordinances is hereby amended by deleting it in its entirety and inserting the following in place of said deletion:

**Sec. 21-2734. - Target height zones.**

Except as otherwise provided herein, the maximum height limit within the City of Gulf Breeze shall be 35 feet. Such height shall be measured from grade.

*(a) Purpose and Intent.*

The purpose of target height zones is to allow increased height in designated areas of the City of Gulf Breeze in order to promote redevelopment and revitalization in the CRA.

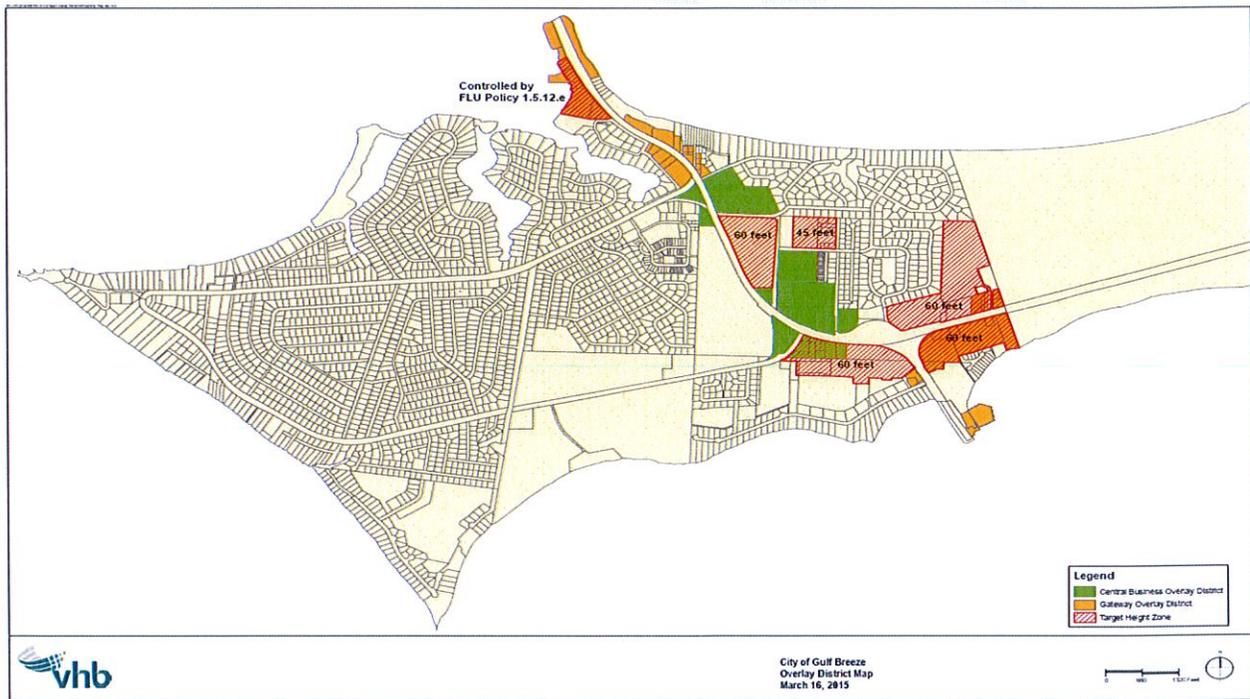
This Section is intended to provide design criteria and standards for the review and approval process to address impacts of increased building heights.

(b) Applicability.

The provisions of this Section apply only where a building height of greater than 35 feet is proposed upon a parcel.

Target height zones are depicted on the City's Overlay District Map. The City's Overlay District Map indicates the maximum building height for each of the aforementioned target height zones. Target height zone standards establish a process by which additional building heights may be considered by special exception in established target height zones. The underlying zoning district standards shall continue to apply, unless provided for in this section.

**Overlay District Map**



(c) Application Review and Approval Procedure.

Any proposed development where a building height of greater than 35 feet is requested shall be considered a special exception, and a level three development, and shall adhere to the level three development process described in Sections 20-41 through 20-80 of this Code, with the additional review and approval procedure described herein.

(1) *Pre-Application Meeting.* No application for a special exception for buildings greater than 35 feet shall be determined to be complete by the City Manager or designee, as indicated in Section 20-43, until the applicant has attended a pre-application meeting, described in Section 20-167 of this Code.

a. The purpose of the pre-application meeting is for the applicant to meet with City staff to review the proposed special exception and discuss potential issues, concerns and questions to be addressed by the applicant.

b. Upon request for a pre-application meeting, the City Manager, or designee, shall schedule a pre-application meeting with the applicant and appropriate City staff.

(d) *Setback requirements.*

For any parcel in a target height zone upon which a building is proposed to exceed 35 feet in height and which parcel abuts or is within 50 feet of property zoned R-1, R-1A or R-1AA, the following setback standards shall apply.

(1) Any portion of a building that is greater than 35 feet must provide additional setback from any residential property outside the target height zone, in the amount of 1¼ feet of setback for every 1 foot of total building height.

a. The additional setback required by subsection (d) (1) above, may contain landscaping, parking, stormwater retention areas or buildings or sections of buildings that do not exceed 35 feet in height.

(2) Buildings in target height zones that do not abut residential property, are not required to provide the additional setback described in subsection (d) (1) above, and shall adhere to the underlying zoning district setback requirements.

(3) Buildings, or portions of buildings, that are 35 feet in height or less, shall provide setbacks as required by the underlying zoning district.

(4) Buildings in the Harbourtown target height zone shall not be required to adhere to the additional setbacks for adjacent residential property.

(e) *Design criteria.*

- (1) Proposed development located within a target height zone where a building height of greater than 35 feet is requested shall adhere to the City's adopted Community Redevelopment Plan and urban design guidelines described in chapter 26 of this Code.
- (2) For all proposed development where a building of greater than 35 feet in height is requested, City staff, the Architectural review Board and City Council shall require design criteria to mitigate the visual impact. The special exception will not be granted unless it is demonstrated to the satisfaction of the City Council that adverse visual impacts of the proposed development will be substantially mitigated through implementation of the required design criteria. These design criteria include, but are not limited to:
  - a. Enhanced landscape buffering that exceed minimum standards described in subsection (g) below;
  - b. Variable buffers, combining land and landscaping to achieve adequate separation of uses, appropriate open space, reduction of potential noise, light and glare, and screening of physical features of a proposed development;
  - c. Variable setbacks, based upon degree of difference in proposed scale, mass or height, as described in subsection (d) (1) above;
  - d. Transitions of building scale, massing or height to reduce monotonous design; and
  - e. Other innovative site design features that strive to achieve compatibility and mitigate potential negative impacts.
- (f) City staff, the Architectural Review Board, and/or City Council may request that the applicant provide visual studies, elevations, renderings, other studies deemed appropriate, that demonstrate the proposed methods of mitigation described in this section.
- (g) *Buffering.* For proposed development where a building height of greater than 35 feet is requested and which parcel abuts or is within 50 feet of property zoned R-1, R-1A or R-1AA, the following buffering standards shall apply in addition to the landscaping and buffering standards in the CRA district standards, Section 26-13. Where there is a conflict between the two sections, the more restrictive standards shall apply.
- (1) *Location of Buffer:* The buffer shall be located at the perimeter of the zoning lot where required. Buffer shall extend to the zoning lot line or the right-of-way line, except where easements, covenants, or natural features may require the buffer to be set back from the property line. Buffer areas shall be served by automatic irrigation systems to promote growth.

(2) Required Buffer: No less than a 15 foot vegetated buffer or 8 foot high masonry wall shall be provided for proposed mixed use multi-story development adjacent to existing single family residential development. The required vegetation shall consist of a minimum 33 shrubs/100 linear feet planted within the first 5 feet of the required buffer, and 4 canopy trees/100 linear feet planted within the second 5 feet of the required buffer.

(3) Plant Sizes at installation

- i. Canopy Trees: 3.5" DBH, 14' overall height with 8' spread, 65 gallon container.
- ii. Shrub/Evergreen Screen: 30" minimum at installation to create 42"–60" high by 36" wide hedge or continuous screen with 90 percent opacity at the height of the screen within one year of planting. 3 gallon container.
- iii. The applicant shall submit a landscape maintenance plan that establishes a program for ongoing landscape maintenance and irrigation to prevent the visual screen from degrading over time and thereby ensuring that the required 90 percent opacity is maintained for the life of the project. The plan will identify periodic inspection dates for code enforcement and compliance review.

**SECTION 13.** The newly renumbered Section 21-297 (formerly Section 21-283) of the Code of Ordinances is hereby amended as follows:

**Sec. 21-297. - Planned unit development types.**

Planned unit developments may be classified either as residential, commercial or mixed use PUD. A residential PUD is a development exclusively devoted to residential uses. These uses may occur as single-family and/or multifamily uses. A commercial PUD is a development exclusively devoted to a variety of commercial activities, including public and medical uses. A mixed use PUD is a development that incorporates both residential and commercial (including public and/or medical) uses. Districts in which PUD's may be approved are listed below:

Type	Districts in which permitted
Residential	R-1-AA, R-1-A, R-ES, R-1, TH, R-C
Commercial	C-1, C-2, M, P
Mixed use	R-1-A, R-1, R-C, TH, C-1, C-2, M, P, <u>MXD-1</u>

**SECTION 14.** Section 20-42 of the Code of Ordinances is hereby amended as follows:

**Sec. 20-42. - Approval authority for various development levels.**

The authority for approval of the various development levels is established as follows:

<i>Type of development</i>	<i>Approval authority</i>
<b>(1) Level one development:</b>	
a. Development Order	City Manager or designee
b. Special Exception	Board of Adjustment
c. Variance	Board of Adjustment
d. Development Order Appeal	Development Review Board*
<b>(2) Level two development:</b>	
a. Development Order	Development Review Board
b. Special Exception	Board of Adjustment
c. Variance	Board of Adjustment
d. Development Order Appeal	City Council*
<b>(3) Level three (3) development:</b>	
a. Development Order	City Council
b. Variances for Level Three Developments set forth in subsections 20-41 (c)(2)-(4)	City Council
c. All Other Variances	Board of Adjustment
d. Special exceptions	<del>Board of Adjustment</del> <u>City Council</u>
e. Development Order Appeal	Circuit court

\*Note—Decisions regarding appeals shall be final. Further action shall be filed with the circuit court of the county.

**SECTION 15.** Section 20-67 of the Code of Ordinances is hereby amended as follows:

**Sec. 20-67. - Duties.**

The Architectural Review Board for the City shall have the following duties related to application and administration of the applicable sections of the Land Development Code and the design guidelines:

- (1) Receive presentations by owners/developers and City staff of projects which meet the applicability requirements found in chapter 26 of the Municipal Code of Ordinances and the City's adopted design guidelines. Make recommendations regarding these projects to the Development Review Board and the City Council.
- (2) Make recommendations to the City Council regarding changes to the City's urban design guidelines as well as the Municipal Code of Ordinances which are deemed by the Architectural Review Board to have an impact on or facilitate the process for development or redevelopment projects in the community redevelopment area.
- (3) The Architectural Review Board may also make recommendations to the City Council relative to public improvement projects within the community redevelopment area.
- (4) The chair of the Architectural Review Board will serve as a nonvoting ex officio member of the development Review Board for the purpose of presenting findings of the Architectural Review Board to the Development Review Board (DRB). The chair of the Development Review Board shall also serve as nonvoting ex officio member of the Architectural Review Board.
- (5) Receive staff recommendations regarding approval or denial of applications for special exceptions for increased building height in target height zones.
- (6) Review all proposed special exceptions for increased building height in target height zones.
- (7) Refer special exceptions for increased building height in target height zones to the City Council with recommendation for approval or denial.

**SECTION 16. – 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 17. – CODIFICATION**

The provisions of this ordinance shall become and be made a part of the Code of Laws and ordinances of the City of Gulf Breeze. The sections of this ordinance may be renumbered or

re-lettered to accomplish such, and the word "Ordinances" may be changed to "Section", "Article", or any other appropriate word.

**SECTION 18. - 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 19. - EFFECTIVE DATE**

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

PASSED ON THE FIRST READING ON THE \_\_\_\_ DAY OF APRIL, 2015.

ADVERTISED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

PASSED ON THE SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2015

BY: \_\_\_\_\_  
MATT DANNHEISSER, MAYOR

ATTEST:

\_\_\_\_\_  
LESLIE GUYER, CITY CLERK



# City of Gulf Breeze

Office of City Manager

## MEMORANDUM

To : Mayor and City Council

From :  Edwin A. Eddy, City Manager

Date : April 8, 2015

Subject: Ordinance Amending Section 3-4 of the Municipal Code of Ordinances –  
Distance Requirement from Churches and Schools for Restaurants

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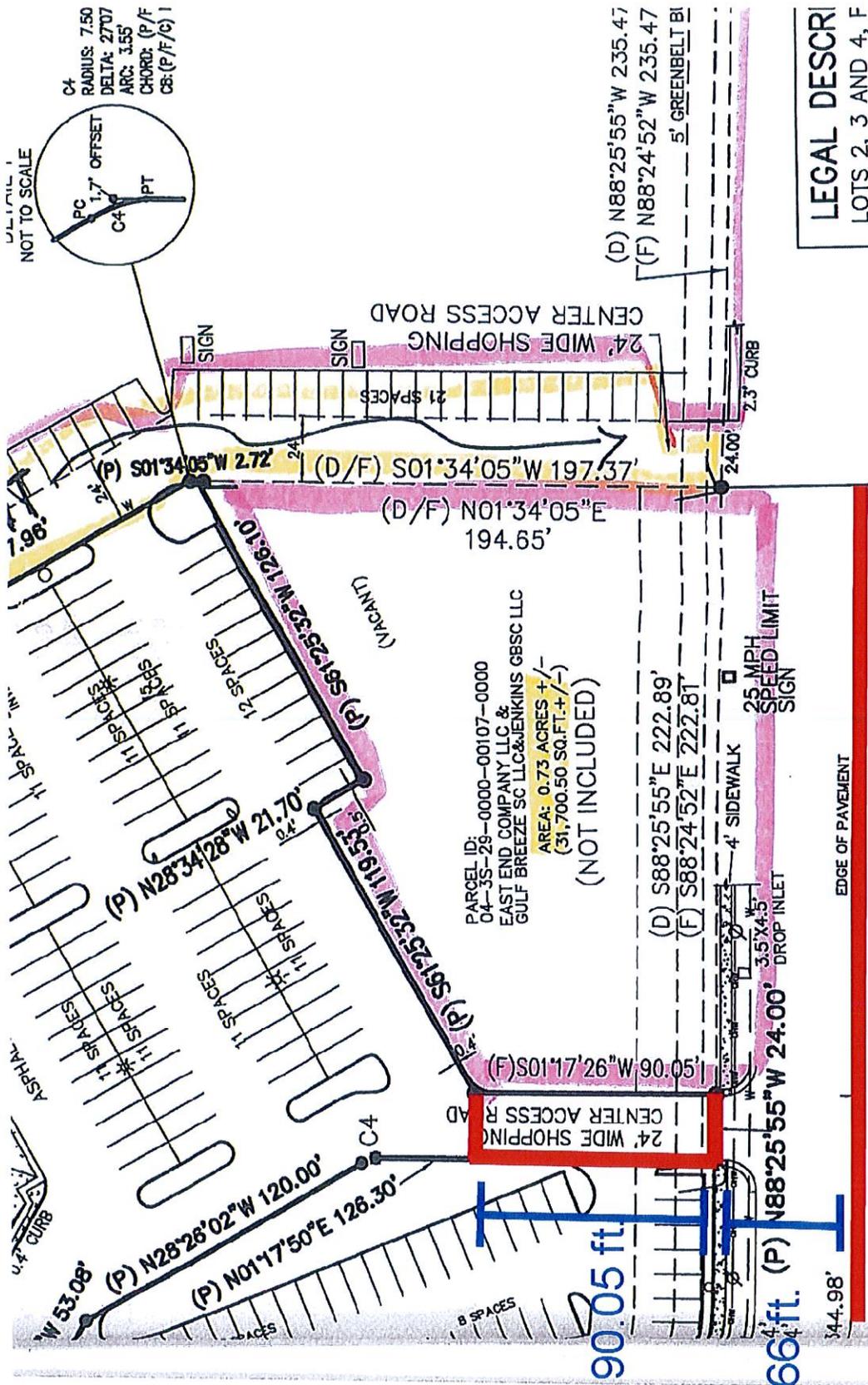
Section 3-4 of the Code of Ordinances requires restaurants that have the proper licensing to sell alcohol must be more than 150 feet from a Church or School. (See Copy Attached) A problem arises when the distance requirements are met from a school or church property except for the existence of a driveway or parking lot which serves a unified group of stores. (i.e. a shopping center) The attached sketches illustrate the problem.

In the sketch marked “A” the distance from the school property (baseball fields) to the actual footprint of the space that could be occupied by a restaurant is well in excess of the required 150 feet, however, there is a driveway that must be considered part of the shopping center parcel.

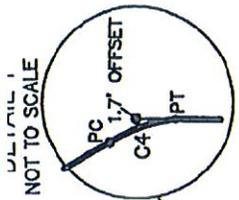
Staff has devised two ways to approach the problem. The first is to require a variance to be granted if the foot print of the licensed establishment is more than 150 feet from school or church property. The second approach is to establish an exemption in the Code with requirements to be met for the exemption.

### RECOMMENDATION:

**THAT THE CITY COUNCIL DIRECT STAFF TO PREPARE AN ORDINANCE TO AMEND SECTION 3-4 OF THE CODE, DISTANCE REQUIREMENTS FROM CHURCHES AND SCHOOLS TO ALLOW A VARIANCE TO BE GRANTED AND HAVE THE ORDINANCE READY FOR THE APRIL 20<sup>TH</sup> REGULAR MEETING FOR FIRST READING.**



C4 RADIUS: 7.50  
 DELTA: 2707  
 ARC: 355'  
 CHORD: (P/F)  
 CB: (P/F/C) 1



ORIGINAL  
 NOT TO SCALE

PARCEL ID:  
 04-3S-29-0000-00107-0000  
 EAST END COMPANY LLC &  
 GULF BREEZE SC LLC & JENKINS CBSC LLC  
 AREA: 0.73 ACRES +/-  
 (31,700.50 SQ.FT. +/-)  
 (NOT INCLUDED)

**LEGAL DESCR**  
 LOTS 2, 3 AND 4, F  
 THE MAP OR PLAT  
 THROUGH 67, INCL  
 FLORIDA.  
 TOGETHER WITH EA  
 EASEMENT WITH CC  
 RECORDED ON 08/  
 CONSENT AND JOIN  
 OFFICIAL RECORDS

**JACKSON TRAIL 66' R/W**  
**Baseball Fields**

ROAD IN GOOD CONDITION  
 ED LIMIT 25 MPH

TOTAL AREA OF LOTS 2, 3 AND 4:



90.05 ft

66 ft.

144.98'

EDGE OF PAVEMENT

25 MPH  
SPEED LIMIT  
SIGN

4' SIDEWALK

3.5' X 4.5'  
DROP INLET

24.00'

2.3' CURB

24' WIDE SHOPPING  
CENTER ACCESS ROAD

SIGN

SIGN

(D) N88°25'55"W 235.47

(F) N88°24'52"W 235.47

5' GREENBELT BI

(D/F) S01°34'05"W 197.37'  
 (D/F) N01°34'05"E 194.65'

(P) S01°34'05"W 2.72'

(P) S81°25'32"W 128.10'

(P) N28°34'28"W 21.70'

(P) S81°25'32"W 119.53'

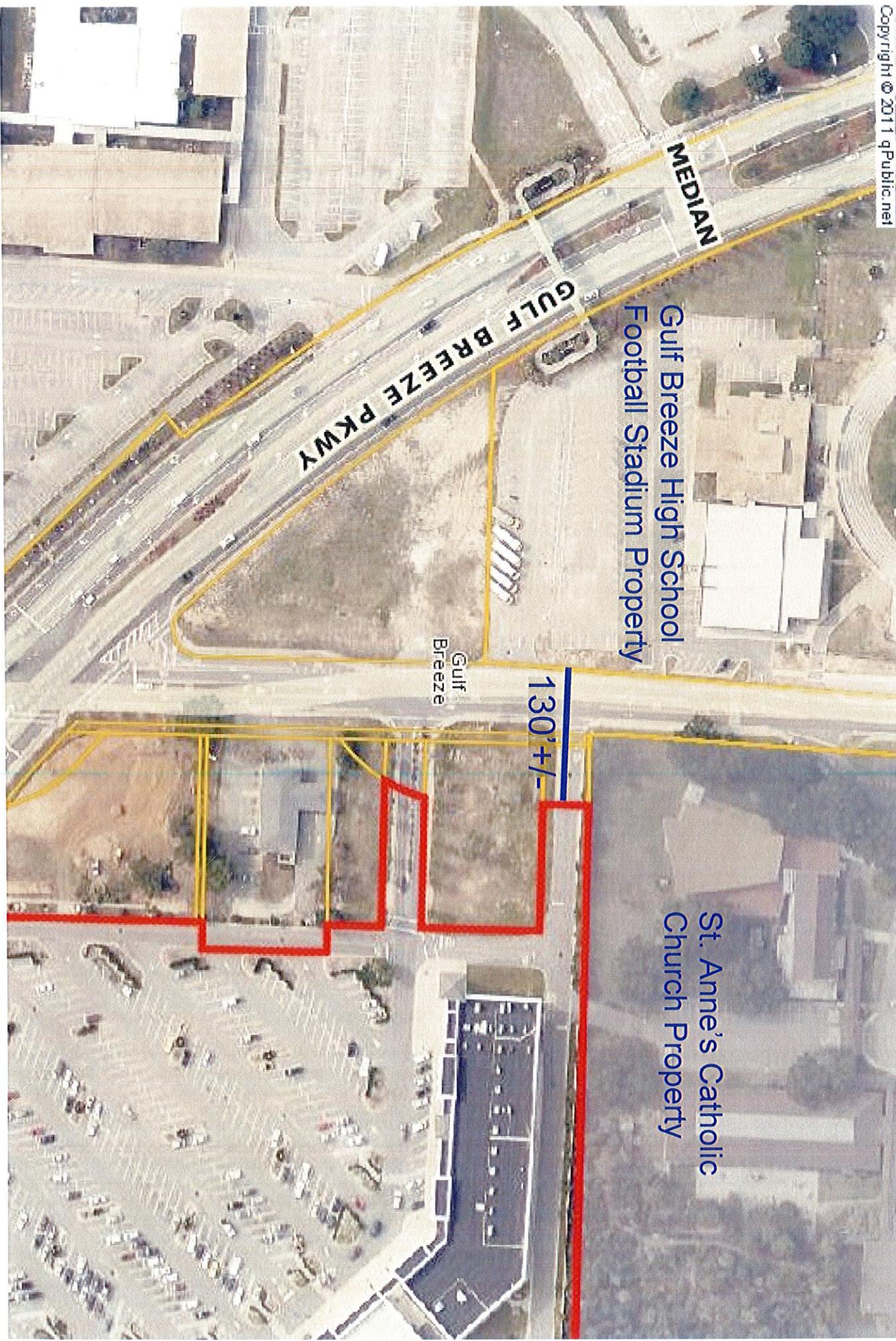
(F) S01°17'26"W 90.05'

(D) S88°25'55"E 222.89'

(F) S88°24'52"E 222.87'

(P) N28°26'02"W 120.00'

(P) N01°17'50"E 128.30'



Gulf Breeze High School  
Football Stadium Property

Gulf  
Breeze

St. Anne's Catholic  
Church Property

130'+/-

Sec. 3-4. - Distance requirements from churches and schools.

- (a) A certificate of compliance as required in section 3-3 shall not be issued for any business or establishment that desires to sell or serve alcoholic beverages in the city if the location of such business or establishment is within 2,500 feet of any existing church or public school unless, in the case of a church, the governing body of such church consents in writing to the issuance of a certificate of compliance. The distances set forth in this section shall be determined by measuring from the closest point on the property line of the grounds upon which the business or establishment is located to the closest point on the property line of the grounds upon which the church or school is located.
- (b) The following businesses or establishments shall be exempt from the requirements of subsection (a) to the extent set forth below:
  - (1) A business or establishment which has a restaurant license authorized under F.S. (2005) § 561.20(2)(a)4, shall be exempt from the distance requirements of subsection (a) and shall be allowed to sell liquor, beer, and wine for on-premises consumption to the extent permitted in its license; provided, however, no such business or establishment shall sell or serve liquor if it is located within 150 feet of a church or public school;
  - (2) A business or establishment which has a license authorized under F.S. (2005) § 563.02(1)(a), shall be exempt from the distance requirements of subsection (a) and shall be allowed to sell beer and wine, but not liquor, for off-premises consumption only;
  - (3) A restaurant does not hold a license authorized pursuant to F.S. (2005) § 561.20(2)(a)4, but which is equipped to serve at least 35 persons full-course meals at tables at one time and which derives at least 51 percent of its gross revenues from the sale of food and nonalcoholic beverages shall be exempt from the separation requirements set forth in subsection (a) and shall be allowed to sell beer and wine, but not liquor, for on-premises consumption; and
  - (4) A bona fide nonprofit civic organization which has a license authorized under F.S. (2005) § 561.422, shall be exempt from the distance requirements of subsection (a) and shall be allowed to sell alcoholic beverages to the extent permitted in its license.
- (c) In addition to all other requirements of this chapter, no restaurant which pursuant to subsection (b) qualifies for an exemption to the separation requirements set forth in subsection (a) shall sell or serve any alcoholic beverages after the time it has discontinued serving meals.
- (d) Whenever a business or establishment has been permitted pursuant to this chapter to sell liquor, beer, or wine and, thereafter, a church or public school is established within a distance otherwise prohibited by this section of the place of the business, the establishment of such church or school shall not cause the revocation of the license or permission of such business and shall not prevent the subsequent renewal of any such license or permission.
- (e) The City Council may grant a written variance from the requirements listed in Sec. 3-4(b)(3) using the following criteria:
  - (1) The business or establishment is located in a unified group of stores, such as a named shopping center complex.
  - (2) The parcel or the sum of the parcels on which the unified group of stores are located exceeds 2.5 acres.
  - (3) The footprint of the business or establishment is located more than 150 from the property line of a church or school.

(Ord. No. 06-05, § 2, 10-17-05)

Sec. 3-4. - Distance requirements from churches and schools.

- (a) A certificate of compliance as required in section 3-3 shall not be issued for any business or establishment that desires to sell or serve alcoholic beverages in the city if the location of such business or establishment is within 2,500 feet of any existing church or public school unless, in the case of a church, the governing body of such church consents in writing to the issuance of a certificate of compliance. The distances set forth in this section shall be determined by measuring from the closest point on the property line of the grounds upon which the business or establishment is located to the closest point on the property line of the grounds upon which the church or school is located.
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  - (2) A business or establishment which has a restaurant license authorized under F.S. (2005) § 561.20(2)(a)4, shall be exempt from the distance requirements of subsection (a) and shall be allowed to sell liquor, beer, and wine for on-premises consumption to the extent permitted in its license; provided: (1) the business or establishment is located in a unified group of stores, such as a named shopping center complex; and, (2) the parcel or the sum of the parcels on which the unified group of stores are located exceeds 2.5 acres; and, (3) the footprint of the business or establishment is located more than 150 from the property line of a church or school.
  - (3) A business or establishment which has a license authorized under F.S. (2005) § 563.02(1)(a), shall be exempt from the distance requirements of subsection (a) and shall be allowed to sell beer and wine, but not liquor, for off-premises consumption only;
  - (4) A restaurant does not hold a license authorized pursuant to F.S. (2005) § 561.20(2)(a)4, but which is equipped to serve at least 35 persons full-course meals at tables at one time and which derives at least 51 percent of its gross revenues from the sale of food and nonalcoholic beverages shall be exempt from the separation requirements set forth in subsection (a) and shall be allowed to sell beer and wine, but not liquor, for on-premises consumption; and
  - (5) A bona fide nonprofit civic organization which has a license authorized under F.S. (2005) § 561.422, shall be exempt from the distance requirements of subsection (a) and shall be allowed to sell alcoholic beverages to the extent permitted in its license.
- (c) In addition to all other requirements of this chapter, no restaurant which pursuant to subsection (b) qualifies for an exemption to the separation requirements set forth in subsection (a) shall sell or serve any alcoholic beverages after the time it has discontinued serving meals.
- (d) Whenever a business or establishment has been permitted pursuant to this chapter to sell liquor, beer, or wine and, thereafter, a church or public school is established within a distance otherwise prohibited by this section of the place of the business, the establishment of such church or school shall not cause the revocation of the license or permission of such business and shall not prevent the subsequent renewal of any such license or permission.

(Ord. No. 06-05 § 2. 10-17-05)



# City of Gulf Breeze

TO: Edwin A. Eddy, City Manager

FROM: Vernon L. Prather, Director of Public Services

DATE: March 16, 2015

RE: Operational Services for Water System at Gulf Island National Seashore

The Gulf Island National Seashore (GINS) operates a small water plant and distribution system located at Ft. Pickens. (375 max. population and 51 connections). Park Staff has approached the City about performing operational services for their water system as obtaining and retaining certified water operators has been an on-going problem.

City Staff has previously assisted with the operation of this facility for several years when they did not have certified operators on staff. Once they acquired certified personnel, we filled in during times of vacation and staff absences.

The proposed duties and services performed would consist of the following functions:

Our certified staff would perform those functions normally associated with water operations including:

- routine water testing
- line flushing
- distribution valve and fire hydrant exercising
- water plant operation, daily recording of maintenance activities
- DEP reporting and inspections
- ordering of required supplies
- record and report the ECUA sewage meter
- Perform Backflow Prevention Testing
- 24 hour/7 days/week emergency call out service

The cost of supplies, lab fees, or cost of repairs is not included in the above. These services can be performed/coordinated but would be the responsibility of GINS for payment or reimbursement to the City.

Due to Seasonal and highly variable nature of Park operations we believe that a cost structure with a minimum and maximum fee structure should be considered. This is a small water system with several unique operating characteristics. Our plan is to work with Park staff to implement system improvements over time to lower the cost of operation.

In order to dedicate City staff to this endeavor we propose a minimum monthly fee of \$3,000. The minimum fee includes man hours to perform Planning, Administration, DEP reporting, etc. These type of work tasks are required regardless of the hours, physically required to operate the water system. This minimum fee includes three (3) non-consecutive day 3 hour (on site) visits to the water system each week. All mileage and travel time are also covered. The minimum 3 days a week schedule is a requirement of DEP.

I anticipate that there will be times during the year that there will be the need for additional man hours to operate the water system.

For those months that exceed the minimum fee (3 day) work requirements, our fee structure will be to charge \$17.60 mileage charge per additional day trip, and \$33.40 for each additional man hour incurred.

Our fee to provide operator services: 6 hours each day M-F for a total of 30 hours per week is \$5,600. Our travel time is 30 minutes each way, so we would be on site for 5 hours. This fee is not to exceed \$5,600 monthly. The maximum fee is in recognition of the small size of the water system and formulates a cost structure that is acceptable to GINS. The only exception to the maximum fee would be force majeure such as recovery after a major storm etc.

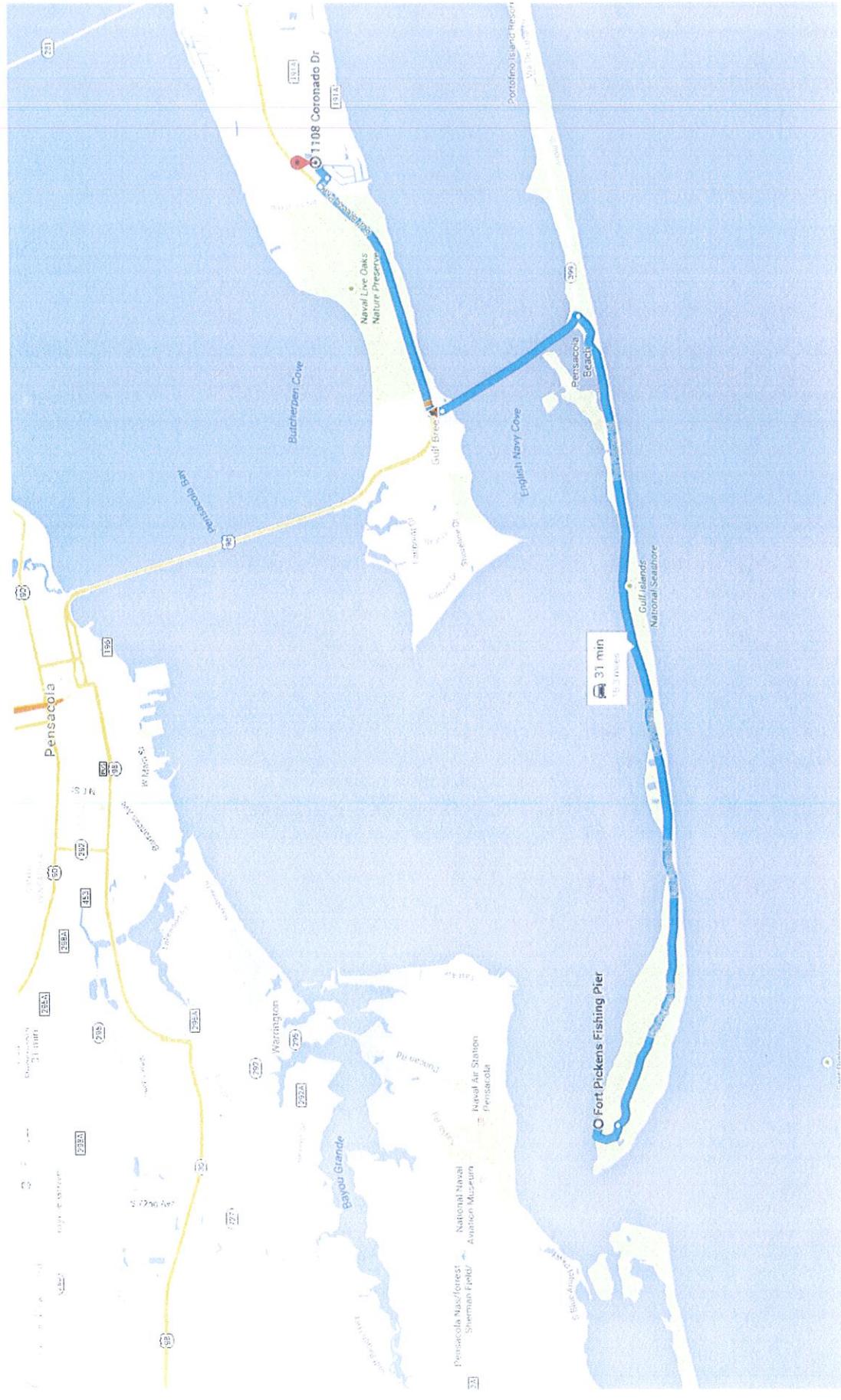
In order to recover our costs associated for the proposed activity, our fee to provide a certified operator with vehicle and normally used tools and testing devices is:

\$3,000 minimum monthly fee, plus \$33.40 per man hour over 52 hours per month, (52 man hours are included in the \$3,000 base fee). \$17.60 mileage for each trip not covered in the base fee. These incremental amounts are charged as needed up to the:

\$5,600 maximum monthly fee.

**Recommendation: City Council authorize Staff to proceed with developing contractual agreement for water system operations with GINS as described above.**

Fort Pickens Fishing Pier to 1108 Coronado Dr, Gulf Breeze, FL 32563 - Google Maps



Map data ©2015 Google 1 mi



FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

NORTHWEST DISTRICT  
160 W GOVERNMENT STREET, SUITE 308  
PENSACOLA, FLORIDA 32502-5740

RICK SCOTT  
GOVERNOR

CARLOS LOPEZ-CANTERA  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

October 3, 2014

Mr. Steve Luppert  
Facilities Manager  
Gulf Islands National Seashore  
1400 Fort Pickens Road,  
Gulf Breeze, Florida 32561  
steve\_luppert@nps.gov

Re: Gulf Islands National Seashore  
PWS ID No. 1170319

Dear Mr. Luppert:

Department personnel conducted a sanitary survey of the above-referenced facility on September 4, 2014.

Based on the information provided during the inspection, the system was determined to be in compliance with Department's rules and regulations. A copy of the inspection report is attached for your records.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. If you have any questions, please contact me at (850) 595-0632 or [karianne.pezdirtz@dep.state.fl.us](mailto:karianne.pezdirtz@dep.state.fl.us).

Sincerely,

Karianne Pezdirtz  
Environmental Specialist

c: Andy Fernandes ([andy\\_fernandes@nps.gov](mailto:andy_fernandes@nps.gov))  
Marcel Goss ([marcel.goss@dep.state.fl.us](mailto:marcel.goss@dep.state.fl.us))

SANITARY SURVEY REPORT - Small Systems - Chlorination / <350 population

SURVEY	Water system: <u>GULF ISLANDS NATIONAL SEASHORE (FT. PICKENS)</u>	System PWS #: <u>1170319</u>	Date of survey: <u>9/4/2014</u>
	Inspector name: <u>KARIANNE PEZDERTZ &amp; MARCEL GOSS</u>	Person(s) contacted: <u>ANDY FERNANDES</u>	
SYSTEM	System type: <u>NTNC</u>	Population: <u>up to 375</u>	Connections: <u>51</u>
	Design capacity: <u>583,200</u>	Storage capacity: <u>18,000</u>	
	System address: <u>1400 FT. PICKENS RD., BLDG. 5</u>	City: <u>GULF BREEZE</u>	State: <u>FL</u> Zip: <u>32561</u>
System phone: <u>850-934-2627</u>	Cell: <u>850-232-3636</u>		
Fax number: <u>850-916-3018</u>	Email: <u>Steve.Luppert@nps.gov (Facilities Manager)</u>		
OWNER	Owner name: <u>NATIONAL PARK SERVICE, U.S. DEPT. OF INTERIOR - R. W. JENKINS</u>	Owner title: <u>CHIEF, FACILITIES MAINT.</u>	
	Owner address: <u>1801 GULF BREEZE PARKWAY</u>	City: <u>GULF BREEZE</u>	State: <u>FL</u> Zip: <u>32561</u>
	Owner phone: <u>850-934-2626</u>	Cell: <u>n/a</u>	
	Fax number: <u>850-916-3018</u>	Email: <u>R_W_Jenkins@nps.gov</u>	
OPERATOR	Operator required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "No", Operator sections not applicable)	Operator class & cert. number: <u>C-11965</u>	
	Operator name: <u>ANDY FERNANDES; BRENDA TAYLOR (B-4547) IS BACKUP</u>	Phone: <u>850-232-5887</u>	
	Fax number: <u>850-916-3018</u>	Email: <u>Andy.Fernandes@nps.gov</u>	

SOURCE - WELL INFORMATION	Well Name and/or FL Unique Well ID	Well 1	Well 2	
	Well head sealed? (Pad/conduit/openings)	Yes	Yes	
	Well casing 12" above grade?	Yes	Yes	
	Casing vent compliant? (installed, screened)	Yes	Yes	
	Check valve compliant? (installed/no leak)	Yes	Yes	
	Tap Compliant? (Smooth/12" high/precheck)	Yes	Yes	
	Flow measurable? (if applicable, GPM@psi)	Yes	Yes	
	Flow meter accuracy checked?	Yes <sup>1</sup>	Yes <sup>1</sup>	
	Well capacity > maximum day?	Yes	Yes	
	Setbacks compliant? (hazard type and distance)	Yes	Yes	
TREATMENT	Name of plant & type of chlorination		Plant 1 / Hypo <sup>2</sup>	
	O & M log compliant?	Yes		
	O & M manual compliant?	Yes		
	Cl storage compliant? (no organics/acid/sun)	Yes		
	Chlorinator flow proportionate?	Yes		
	Treated sample tap provided?	Yes		
	HYPO CL	Cl solution strength?	~12%	
		Solution tank compliant? (covered/etc)	Yes	
		Antisiphon protection compliant?	Yes	
	GAS CL	Safety: (Gloves/Apron/Eyewash/etc)	Yes <sup>3</sup>	
Cl room compliant? (separate/ventilation)		N/A		
Scales compliant? (installed/functional)		N/A		
AERATE	Safety: (SCBA/Gloves/Ammonia)	N/A		
	Choose type: "X" box below if not compliant			
	<input type="checkbox"/> Screen <input type="checkbox"/> Tray <input type="checkbox"/> Lid <input type="checkbox"/> Bypass <input type="checkbox"/> Drain <input type="checkbox"/> Algae Free <input type="checkbox"/> Compliant			
DISTRIBUTION	Flushing performed quarterly?	Yes		
	Valve maintenance compliant?	Yes		
	Distribution PSI compliant? (> 20 PSI)	Yes		
	Chlorine residual above minimum?	Yes		
STORAGE FACILITIES	Storage type used: <input checked="" type="checkbox"/> Hydro (x2) <input type="checkbox"/> Ground <input type="checkbox"/> Elevated <input type="checkbox"/> Bladder <input type="checkbox"/> N/A			
	Inspections compliant? (annual/5yr)	Yes		
	Washouts compliant? (every 5 yrs)	See Recommendations		
	Storage capacity compliant? (3/4 max)	Yes		
	HYDRO APPURTENANCES: "X" box below if not compliant			
	<input type="checkbox"/> PRV <input type="checkbox"/> Gauge <input type="checkbox"/> Sight glass <input type="checkbox"/> Bypass <input type="checkbox"/> Drain <input checked="" type="checkbox"/> Compliant			
	GROUND/ELEVATED APPURTENANCES: "X" box below if not compliant			
	<input type="checkbox"/> Hatch <input type="checkbox"/> Vent <input type="checkbox"/> Overflow <input type="checkbox"/> Drain <input type="checkbox"/> Bypass <input type="checkbox"/> Compliant			
	PUMPS/CONTROLS	Manual or automatic controls?	Automatic	
		On/Off pressure of pumps?	Unknown	
HSP		High Service Pumps functional?	N/A	
	HSP capacity compliant?	N/A		
MONITORING	Chlorine test kit compliant?	Yes		
	Chlorine grab sampling compliant?	Yes		
	Bacti sampling compliant?	Yes		
	Chemical sampling compliant?	Yes		
	Lead/copper sampling compliant? (C,P)	Yes		
	DBP monitoring compliant? (C,P)	Yes		
MANAGERIAL	MONITORING PLANS: "X" box below if not compliant			
	<input checked="" type="checkbox"/> Bacteriological <input type="checkbox"/> Disinfection By-Products (C,P) <input type="checkbox"/> Lead & Copper (C,P)			
	NSF: "X" box below if not compliant			
	<input type="checkbox"/> Treatment Chemicals/Components <input type="checkbox"/> Storage <input type="checkbox"/> Pipe <input type="checkbox"/> New Meters			
	Cross Connections Controlled?	Yes		
OPERATOR	Record keeping compliant?	See Recommendations		
	Security measures compliant?	Yes		
	Plant category and type?	Cat V / Class D		
	Plant checked 5 days/week? (owner/rep)	Yes		
Operator visits compliant?	Yes			
MORs submittal compliant?	Yes			

FIELD SAMPLING RESULTS	Plant Cl (mg/L) /pH	1.84/7.8	Distribution Cl (mg/L) /pH	Campground (end of distribution) 1.04/7.56
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TECHNICAL ASSISTANCE PROVIDERS (TAP) RECOMMENDED?  Yes (see enclosed TAP information)  No TAP recommended at this time

COMMENTS: <sup>1</sup>Flow meters were last checked for accuracy in 2012 (Well #1: 5.3%; Well #2: -3.8%)  
<sup>2</sup>Two chlorine tanks and pumps for redundancy  
<sup>3</sup>Eyewash was not functional the day of the survey but has since been repaired.

**AREAS OF CONCERN**

No areas of concern were noted during the survey.

**REMARKS AND RECOMMENDATIONS**

**Bacteriological Sampling Plan (FAC Rule 62-550.518)**

All public water systems must maintain a written bacteriological sampling plan that addresses location, timing, frequency and rotation period. Please use the attached bacteriological sampling plan template to create a plan specific to your system. This plan will be reviewed during your next compliance inspection.

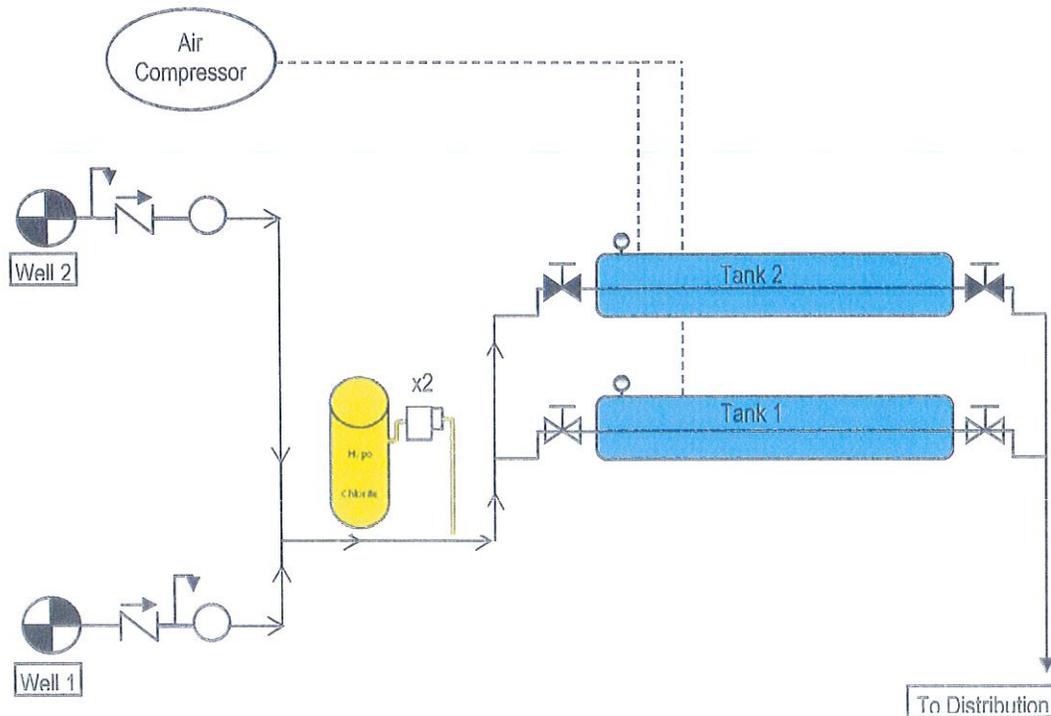
**Backflow Testing Records**

Backflow testing records are currently being kept at the GINS Headquarters and were not available for review. It is recommended that the most current year's testing records be kept onsite so that they can be reviewed during inspections.

**Washout Due for 10,000 Gallon Hydropneumatic Storage Tank**

The 10,000 gallon hydropneumatic storage tank was inspected, but minor repairs were noted as being needed. The washout will be done once the repairs are completed.

**SYSTEM SCHEMATIC**



MAPS OR DIRECTIONS TO SYSTEM (text and/or graphics)



From the Chappie James building, go east on Main Street/ Bayfront Parkway. Cross the Three Mile Bridge into Gulf Breeze, and then go across the Bob Sikes Bridge to Pensacola Beach. Turn right onto Ft. Pickens Rd. and follow the road until you get to Ft. Pickens entrance, and then follow the road to the fort. The water system is located near the fort, which is 7 miles from the entrance.

DIGITAL PHOTOS



Well 1



Chlorination



Well 2 casing vent



10,000 gallon hydro-pneumatic storage tank – needs repairs & washout

INSPECTOR'S SIGNATURE Karianne Reynolds

DATE: October 3, 2014

REVIEWED BY [Signature]

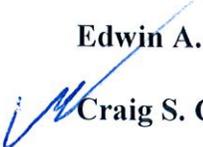
DATE: October 3, 2014



# City of Gulf Breeze

## MEMORANDUM

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

**FROM:**  Craig S. Carmichael, Director of Community Services / Fire Chief

**DATE:** April 1, 2015

**SUBJECT:** AED'S FOR SHORELINE PARK AND TIGER POINT

As per your direction, I looked into placing public access AED's at Shoreline Park North and Tiger Point. Since the devices are prescription based, they must fall under the guise of a licensed medical doctor; therefore, they must be placed in a semi-controlled location where there is some type of monitoring and accountability. With this in mind, staff has deduced that the best locations would be at the two concession stands and the community center at Shoreline Park North and in the lobby of the clubhouse at Tiger Point.

Like the AED that is in the hallway of City Hall, the devices would be placed in a metal cabinet that would be affixed to the wall. The cabinet would have a local unsupervised alarm that would sound when opened. The per unit cost for the described setup is approximately \$1,400.00 per location. This unit cost is based on Florida State Term Contract pricing.



Philips HeartStart AED  
Cabinet w/ Alarm  
Carry Case  
Response Pack  
Wall Sign  
Sticker  
Check Tag





# City of Gulf Breeze

Office of City Manager

## MEMORANDUM

To : Mayor and City Council

From :  Edwin A. Eddy, City Manager

Date : April 8, 2015

Subject: Endorsement of Maintenance of Traffic Working Group Report

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Attached please find a copy of the report produced by the MOT Working Group. This report was presented to the Florida Department of Transportation Planning Organization on April 8<sup>th</sup>. The members of the MOT Working Group are Mayor Matt Dannheisser, Pensacola City Councilman Brian Spencer, Escambia County Commissioner Grover Robinson and Santa Rosa County Commissioner Lane Lynchard.

In order to have the report fully presented to the TPO as an action item at its June meeting, it may be helpful to have the Gulf Breeze City Council approve and endorse the report.

### RECOMMENDATION:

**THAT THE CITY COUNCIL ENDORSE THE REPORT OF THE MAINTENANCE OF TRAFFIC WORKING GROUP RELATIVE TO AN MOT PLAN FOR THE PENSACOLA BAY BRIDGE REPLACEMENT PROJECT.**



# City of Gulf Breeze

Office of City Manager

## MEMORANDUM

To : Members of the Florida/Alabama TPO

From :  Edwin A. Eddy, City Manager

Date : April 6, 2015

Subject: Final Report, Maintenance of Traffic Working Group

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Attached, please find a copy of the final report from the MOT Working Group for your review in advance of the April 8<sup>th</sup> TPO meeting. This report is the result of a series of four meetings among Escambia County Commissioner Grover Robinson, Santa Rosa County Commissioner Lane Lynchard, Pensacola City Councilman Brian Spencer and City of Gulf Breeze Mayor Matt Dannheisser. Staff from Escambia County, Santa Rosa County and the City of Gulf Breeze also attended the meetings.

Councilman Spencer plans to present the recommendation at the TPO meeting.

Please call me if you have any questions.

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# Maintenance of Traffic (MOT) Plan Recommendations

## Pensacola Bay Bridge Reconstruction

PREPARED FOR

Maintenance of Traffic (MOT) Plan  
Working Group  
(City of Pensacola, Escambia County,  
City of Gulf Breeze, Santa Rosa County)

PREPARED BY



225 E. Robinson Street  
Suite 300  
Orlando, Florida 32801  
407.839.4006

April 1, 2015



### **Introduction**

Reconstruction of the Pensacola Bay Bridge, spanning from the City of Pensacola in Escambia County to the City of Gulf Breeze in Santa Rosa County, will have a significant impact on regional mobility. The bridge is approximately three (3) miles in length and was built in 1960. The bridge is currently "Structurally Deficient", which does not pose an immediate threat to the motoring public, but does require the Florida Department of Transportation (FDOT) to plan for a replacement bridge within the next 3 to 5 years. When completed, the new bridge is anticipated to include separated parallel structures. Each structure will have with three travel lanes and a multi-use path for non-vehicular traffic.

It was recognized by the affected jurisdictions that the bridge construction would result in traffic delays and congestion. Therefore, the Florida-Alabama Transportation Planning Organization (TPO) convened a Working Group to identify recommendations for a Maintenance of Traffic (MOT) Plan. The Working Group consisted of representatives from the following affected jurisdictions:

- City of Pensacola
- Escambia County
- City of Gulf Breeze
- Santa Rosa County

The MOT Plan Recommendations, created with local knowledge and developed collaboratively by the affected jurisdictions, are presented in this report. The Working Group recommends that the TPO adopts the contents of this report and works with FDOT to incorporate these recommendations into the Design/Build bid package.

### **Maintenance of Traffic Plan Recommendations**

1. Maintain existing design speed (45 MPH optimal) through transitions at both Pensacola and Gulf Breeze landings.
2. No construction activity permitted adjacent to existing or temporary approach between 5AM and 9 PM all days.
3. Position medium tow vehicles of both sides of new structure between 6 AM and 11 PM for quick clearance of incidents. Supplement with standby FDOT Road Ranger service to assist with minor incidents.
4. Implement an augmented Intelligent Transportation Systems (ITS) plan including real-time travel monitoring system and coordinated motorist



notification system to allow motorists to make informed decisions about route guidance. Attempt to integrate existing agency resources into the ITS. Evaluate the feasibility of maintaining the ITS after construction is completed.

- (A) Attempt to optimize traffic signal timing coordination along US 98 through Gulf Breeze and Pensacola. Conduct periodic evaluations of traffic signal timing along US 98 and make adjustments to signal timing as appropriate.
- 5. Provide a designated contractor employee off-site parking location and employee shuttle to minimize on-site parking at bridge landings. The Contractor shall identify its anticipated employee parking needs and will coordinate with local governments to identify possible unused off-site parking spaces adjacent to the bridge landings at low cost/no cost to the contractor, subject to an agreed upon maximum.
- 6. Provide a plan to stage materials away from the construction site designed to avoid traffic conflicts to the extent practical, including the use of barges and Port of Pensacola property.
- 7. Schedule bi-monthly (or as needed) contractor progress meetings with technical staff of each of the affected jurisdictions. The group should meet promptly upon recognition of a problem. The contractor shall act upon the problem as soon as practicable.

### **Conceptual Recommendations for Construction Staging**

This approach is intended as a general staging plan. Given that the structures will be extended beyond existing landfalls and up to eight feet higher than the existing bridge, the actual interface between new and existing pavement, may require a series of sub-stages that have been difficult to define in this preliminary review. This is primarily true on the Pensacola side where the roadway curvature and the need for three lane approach to 17<sup>th</sup> Street for capacity reasons, may require additional time to construct, or reliance on temporary pavement near 17<sup>th</sup> Street.

- Stage 1-A – Construct the new westerly structure (final southbound corridor), but without the barrier separating the shared use path from the right shoulder. This would also include the final surface roadway connecting the bridge to the existing roadway tie-in. Substage 1-B includes the placement of a precast concrete barrier in center of the structure to allow two-way travel on the new structure. Substage 1-C builds the transitional temporary pavement to shift existing northbound traffic to the new southbound structure alignment. Two lanes per direction would be provided, matching that provided on the existing bridge.



- Stage 2 – Demolish the existing bridge and construct the new northbound structure in its final configuration, including any final surface roadway on the northbound side of to the existing roadway tie-in.
- Stage 3 – After completion of the northbound structure and opening it to three lanes of northbound traffic, shift southbound traffic to the easterly side of the new southbound structure (lanes previously occupied by the temporary northbound lanes), and construct the barrier between the final right shoulder and shared use path.

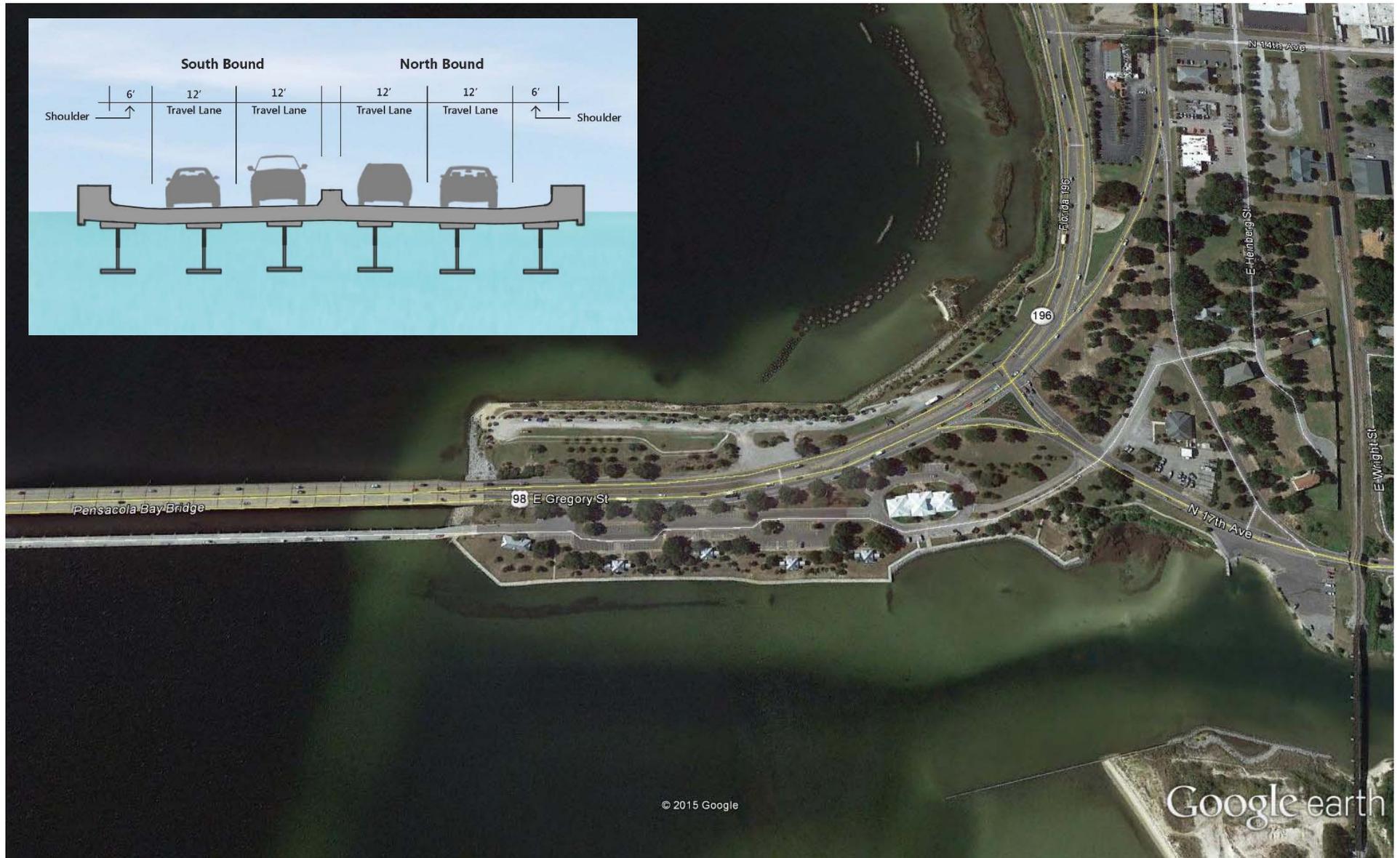
Graphics depicting the three stages for both the Pensacola and Gulf Breeze landings are included in Attachment 1.



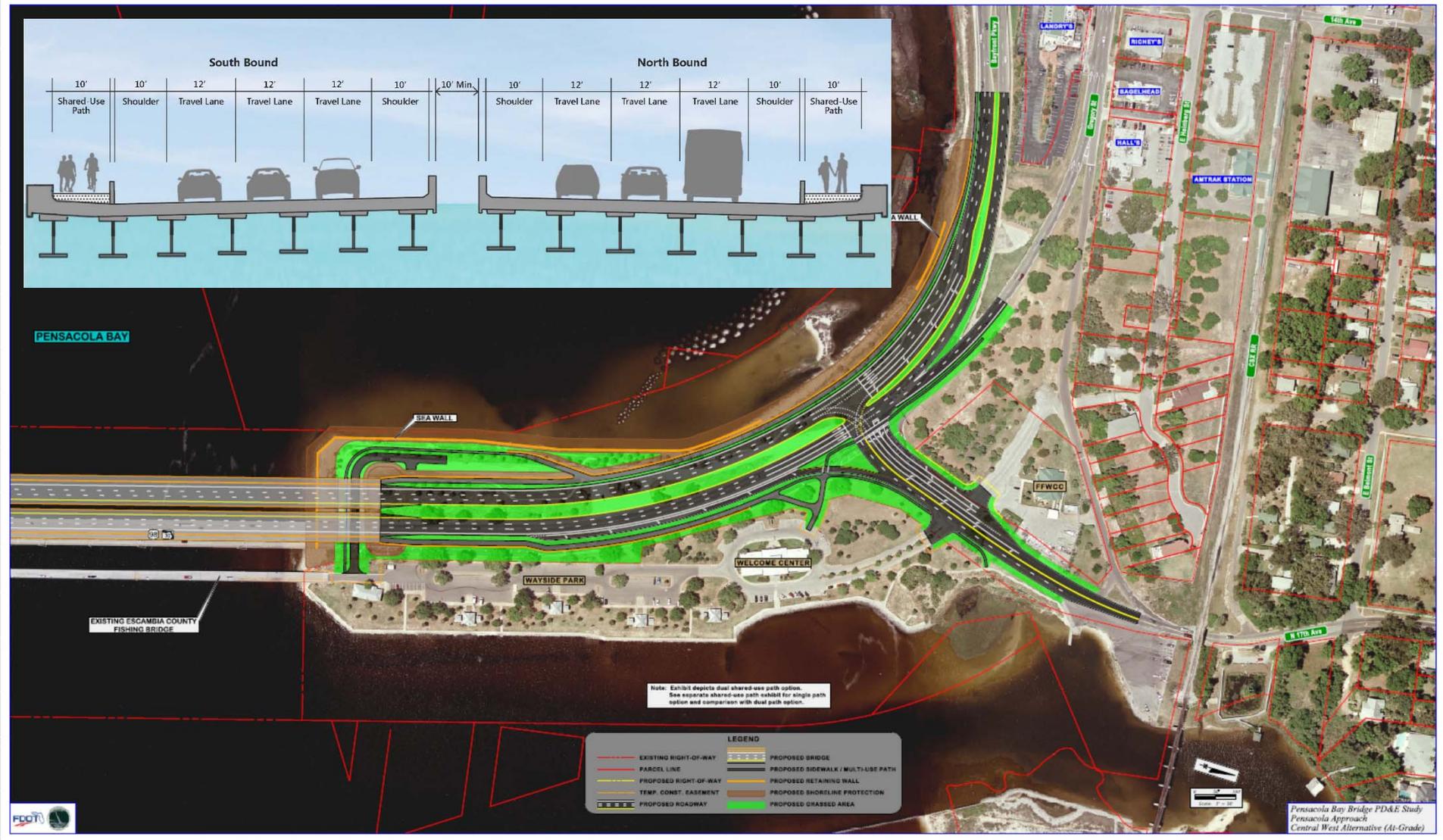
**Attachment 1**

**Conceptual Recommendations for Construction Staging**

# Pensacola Landing: Existing Conditions



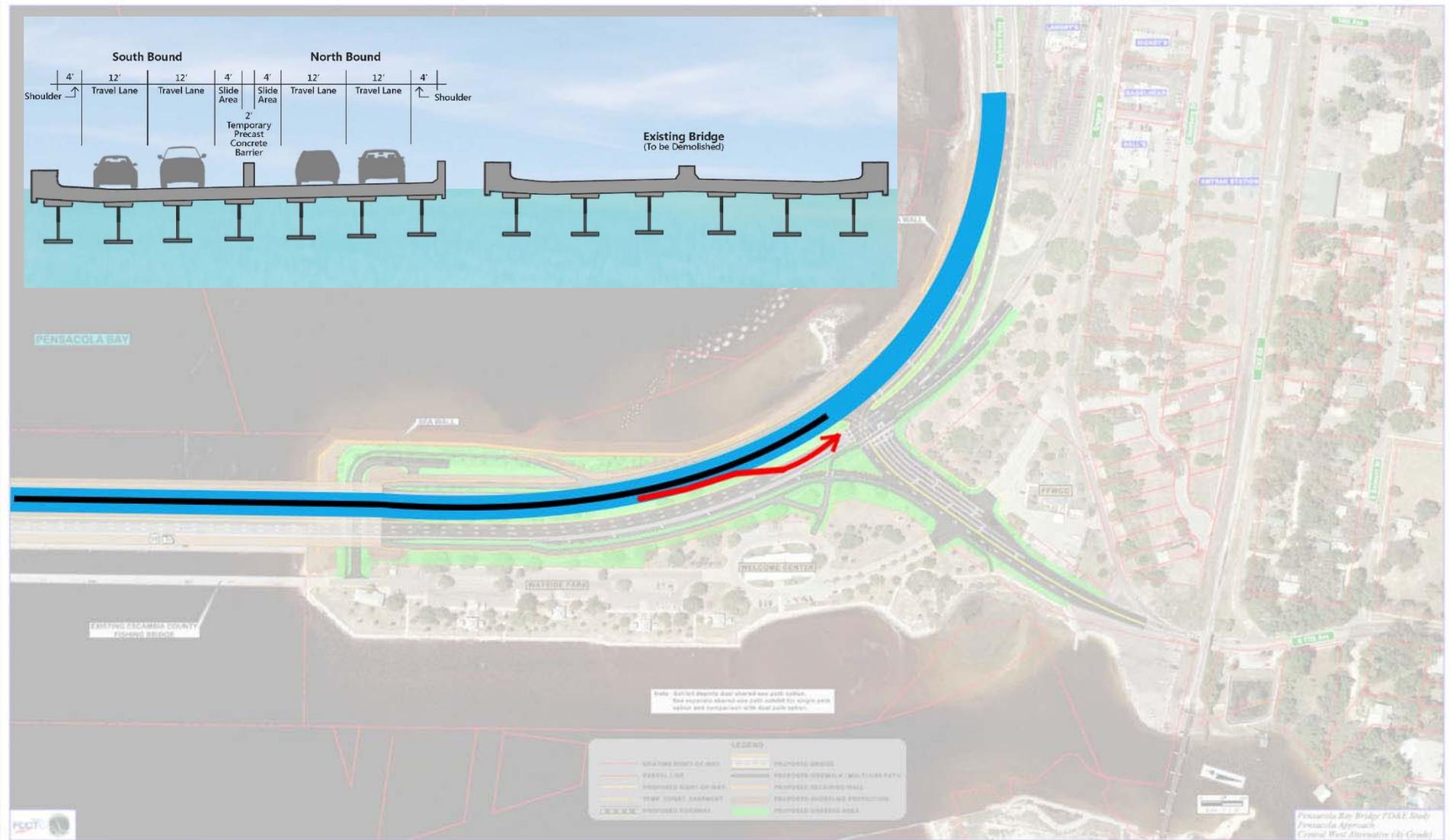
# Proposed Final Conditions





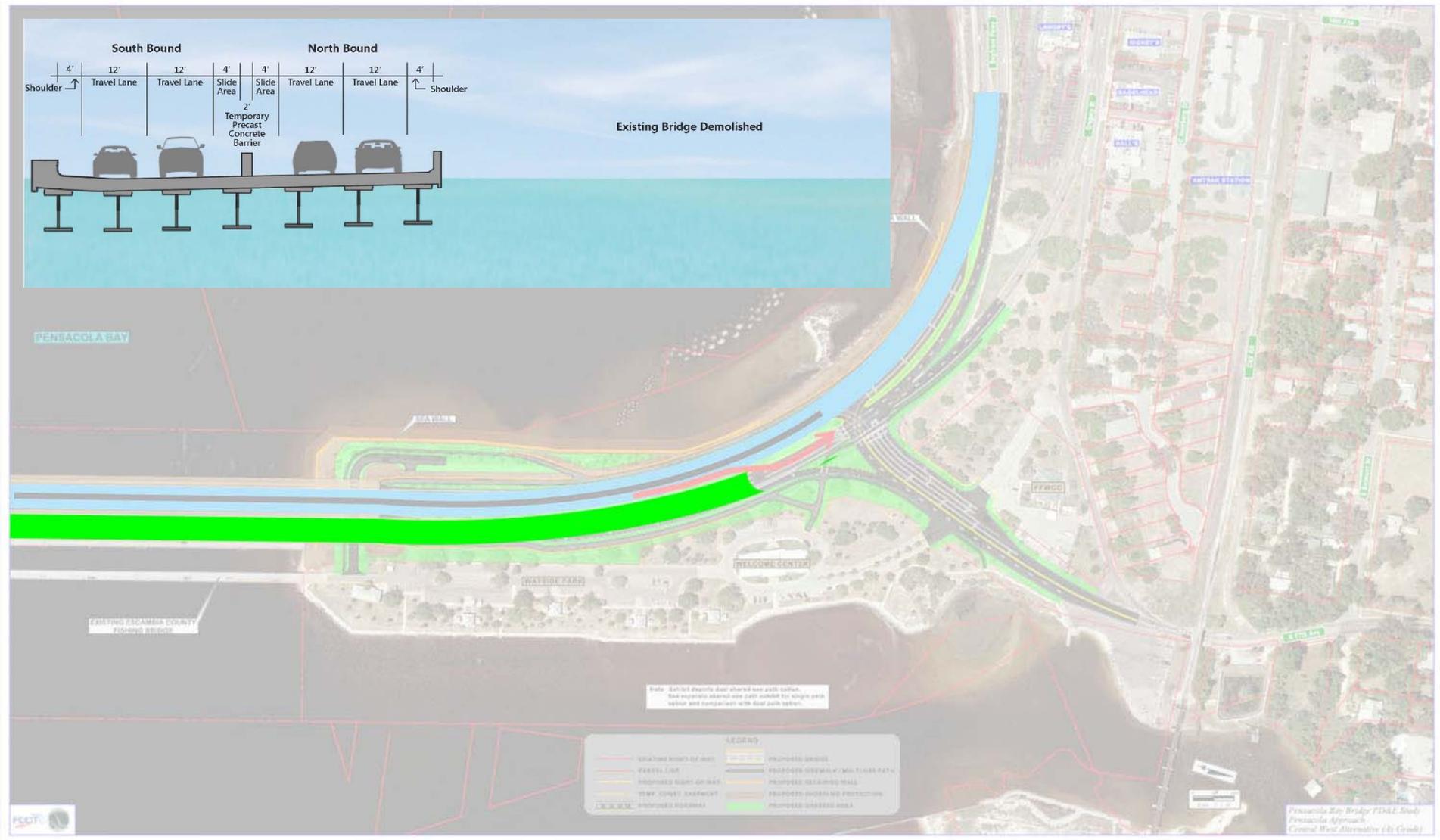


# Pensacola Stage 1-C



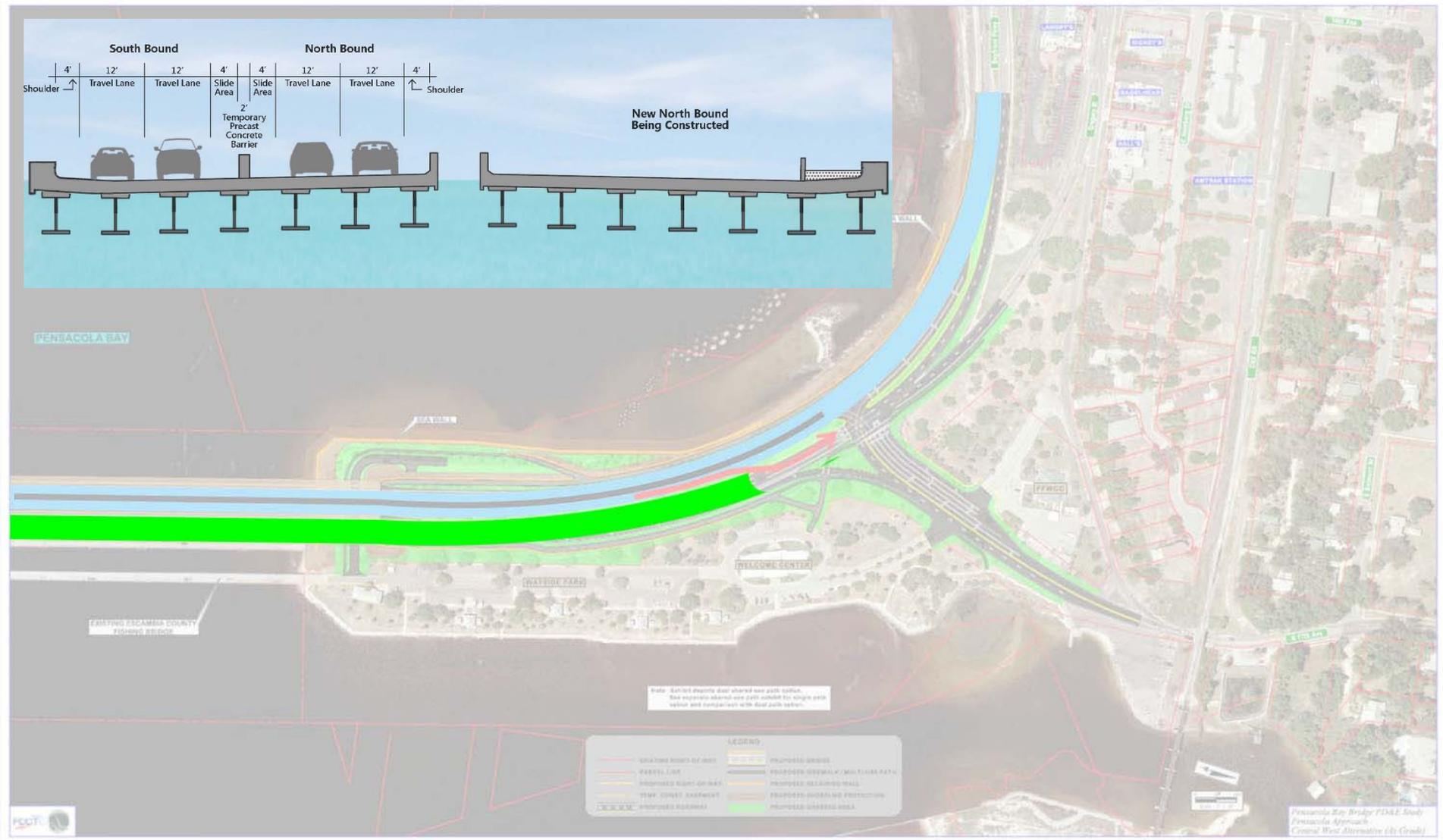
- Construct new southbound structure and roadway surface (no barrier for shared use path)
- Install precast concrete barrier in center of new southbound structure for two-way traffic
- Shift northbound traffic from new southbound structure (maintain 35 mph design speed)

# Pensacola Stage 2-A



- Demolish existing bridge

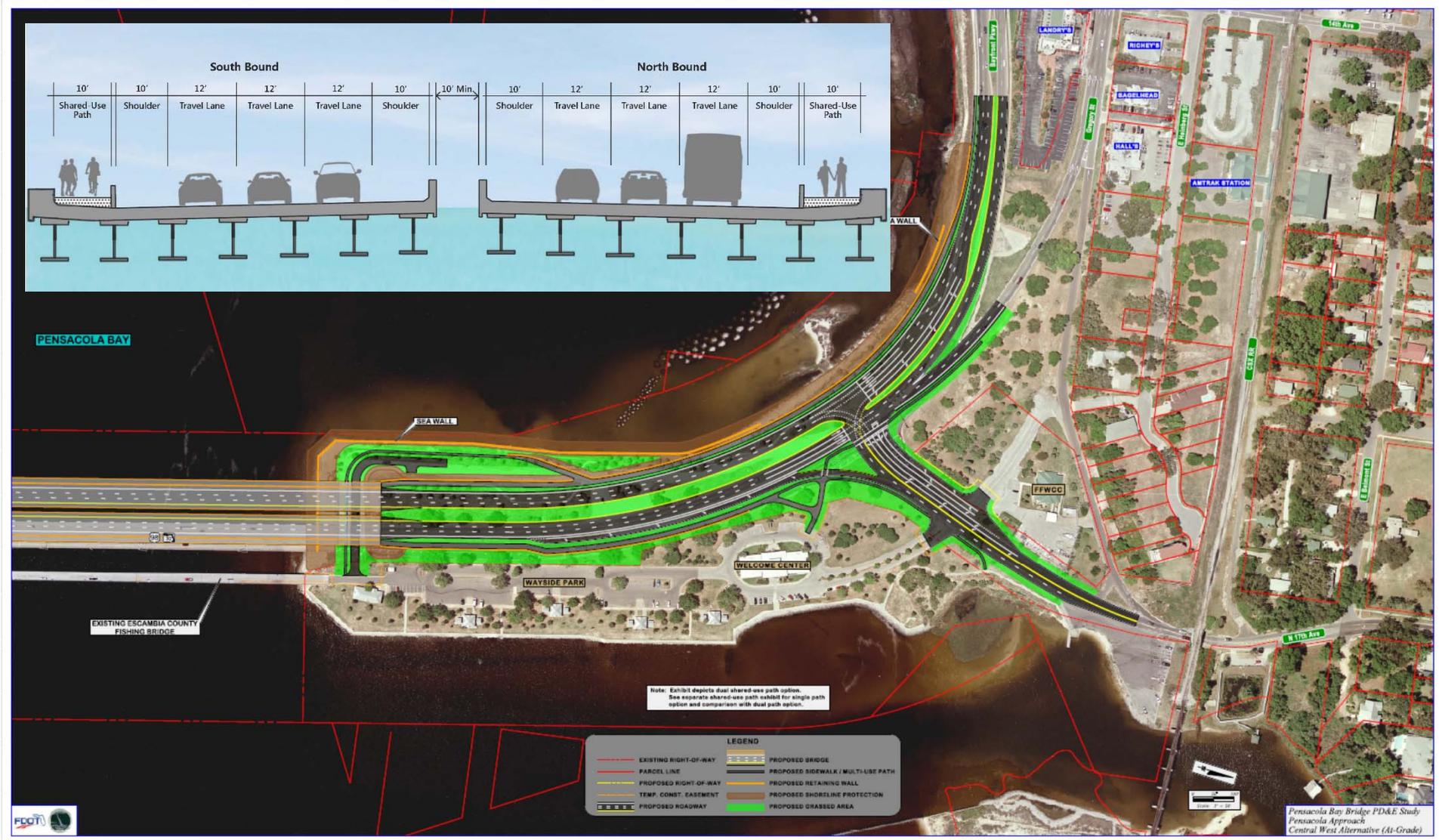
# Pensacola Stage 2-B



- Demolish existing bridge
- Construct new northbound structure and final northbound roadway surface

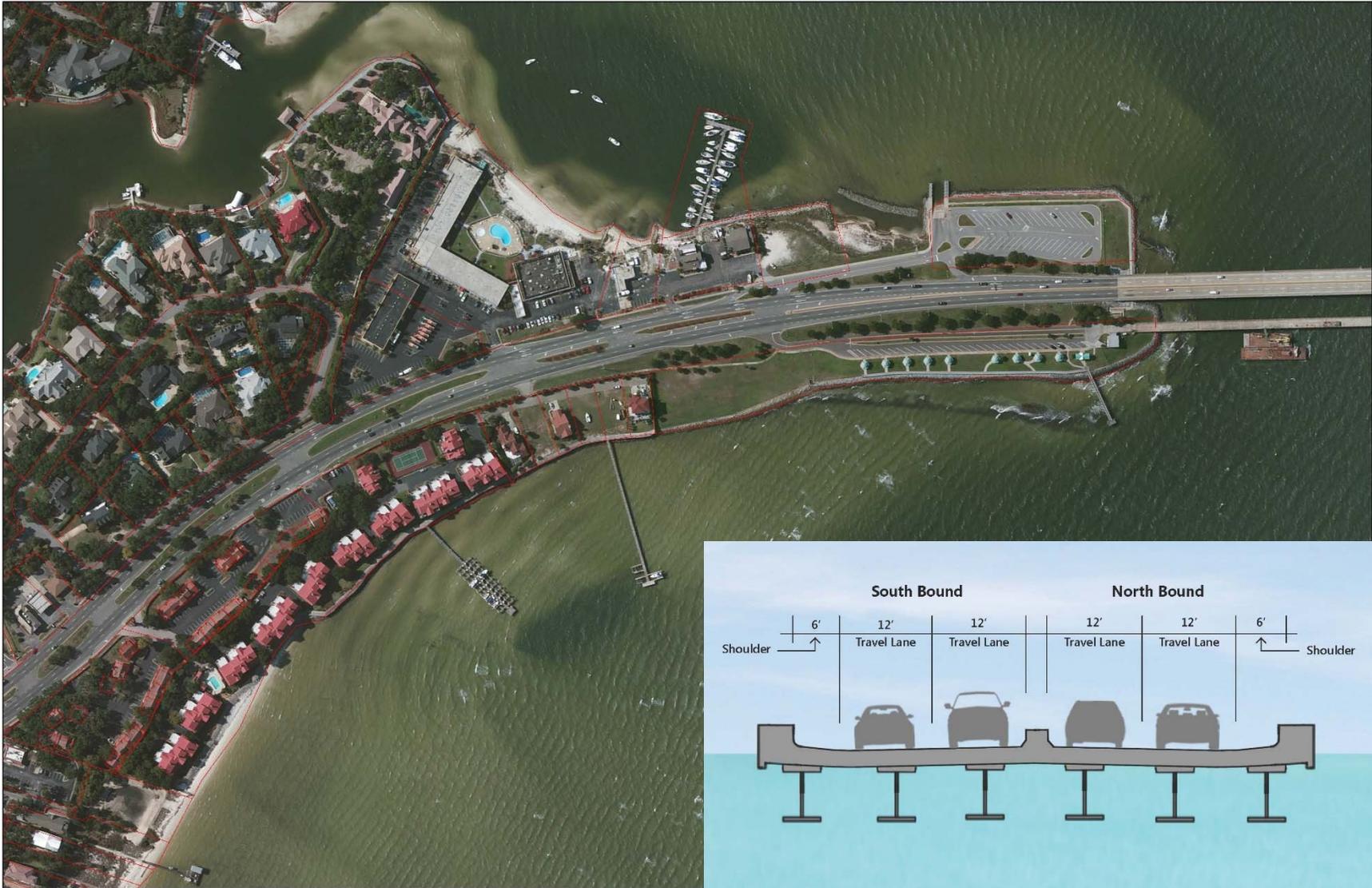


# Pensacola Stage 3-B



- Northbound structure completed
- Shift southbound traffic to occupy three lanes
- Construct barrier between southbound right shoulder and shared use path

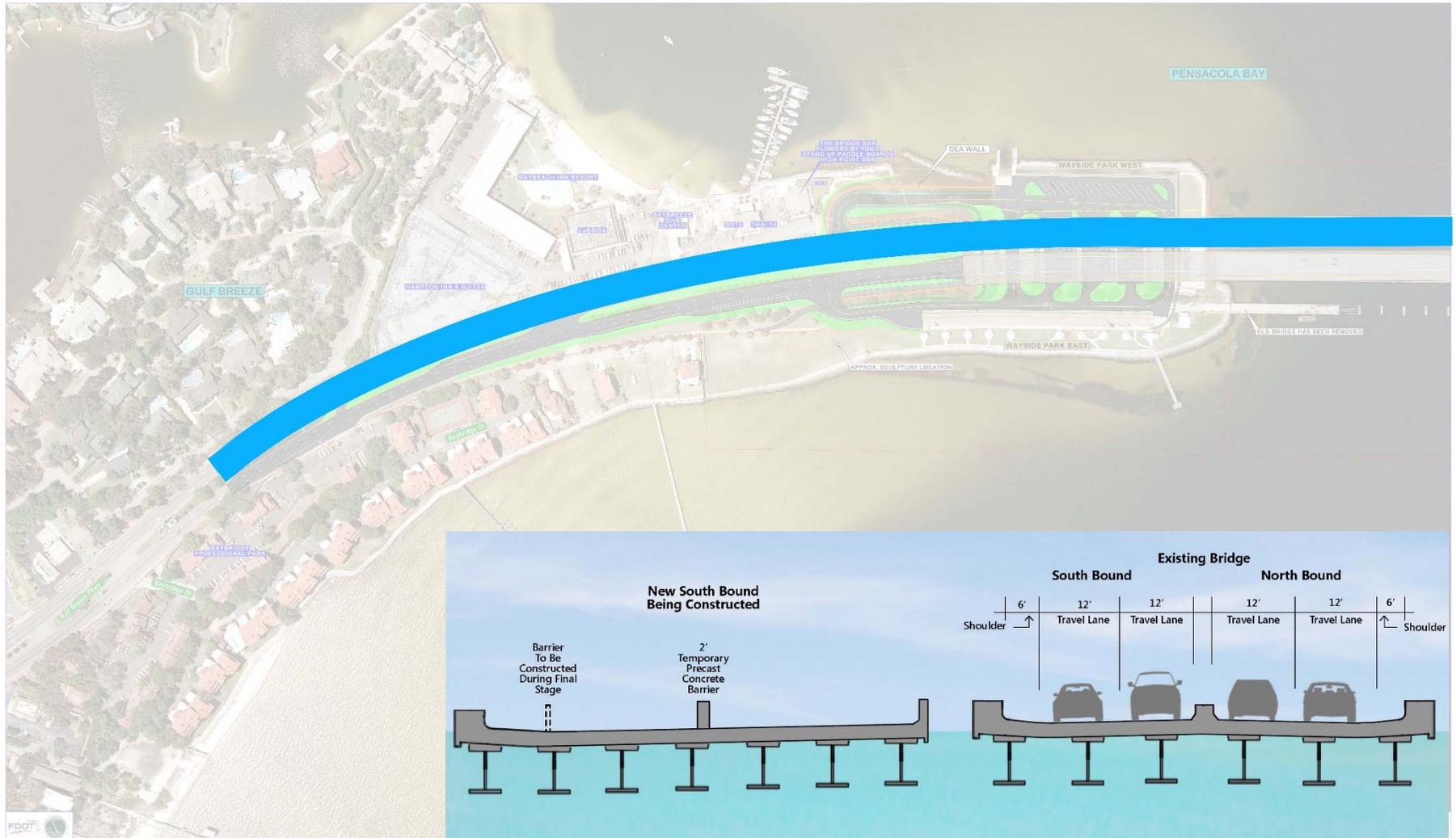
# Gulf Breeze Landing: Existing Conditions



# Proposed Final Conditions

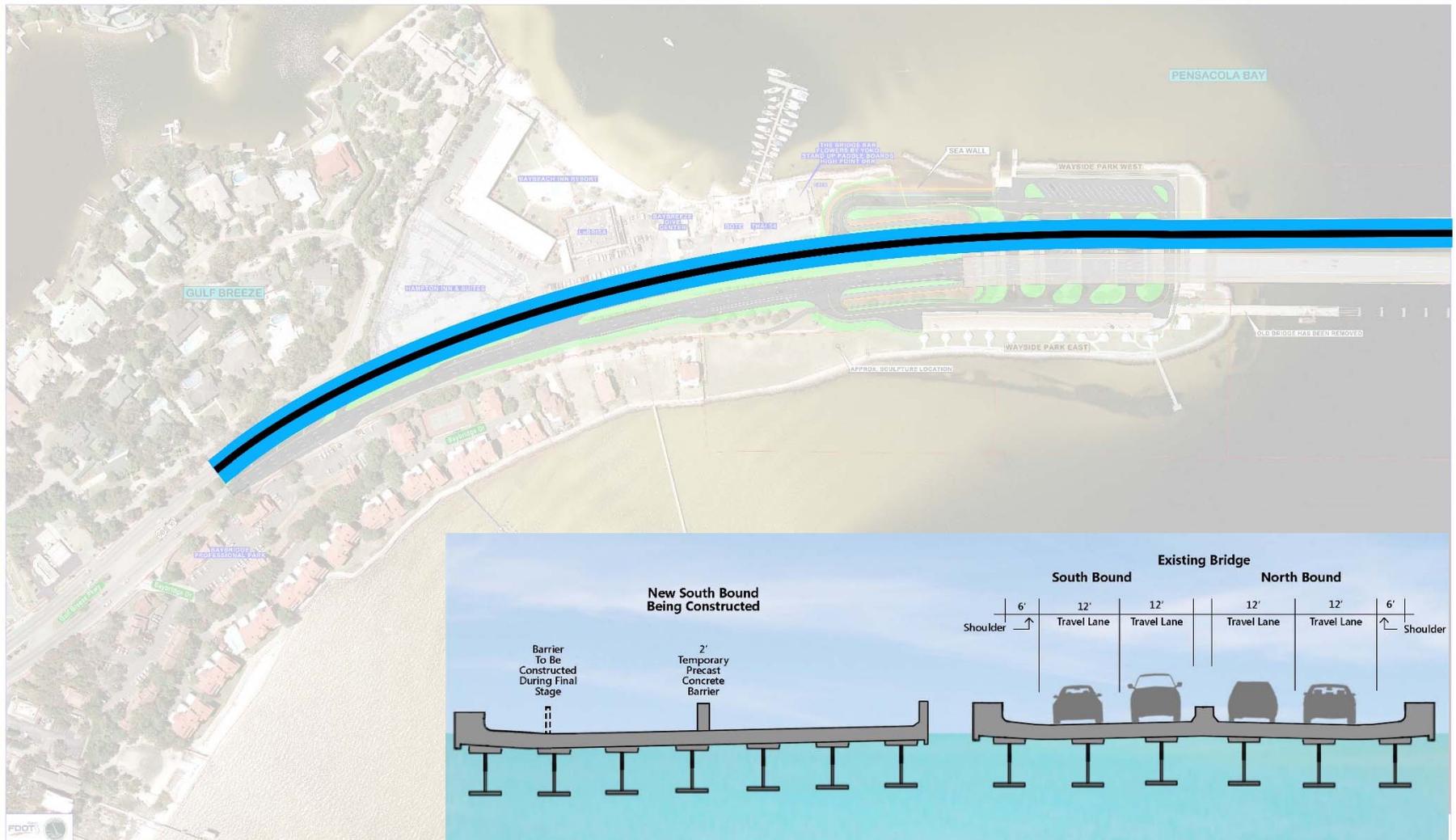


# Gulf Breeze Stage 1-A



- Construct new southbound structure and roadway surface (no barrier for shared use path)

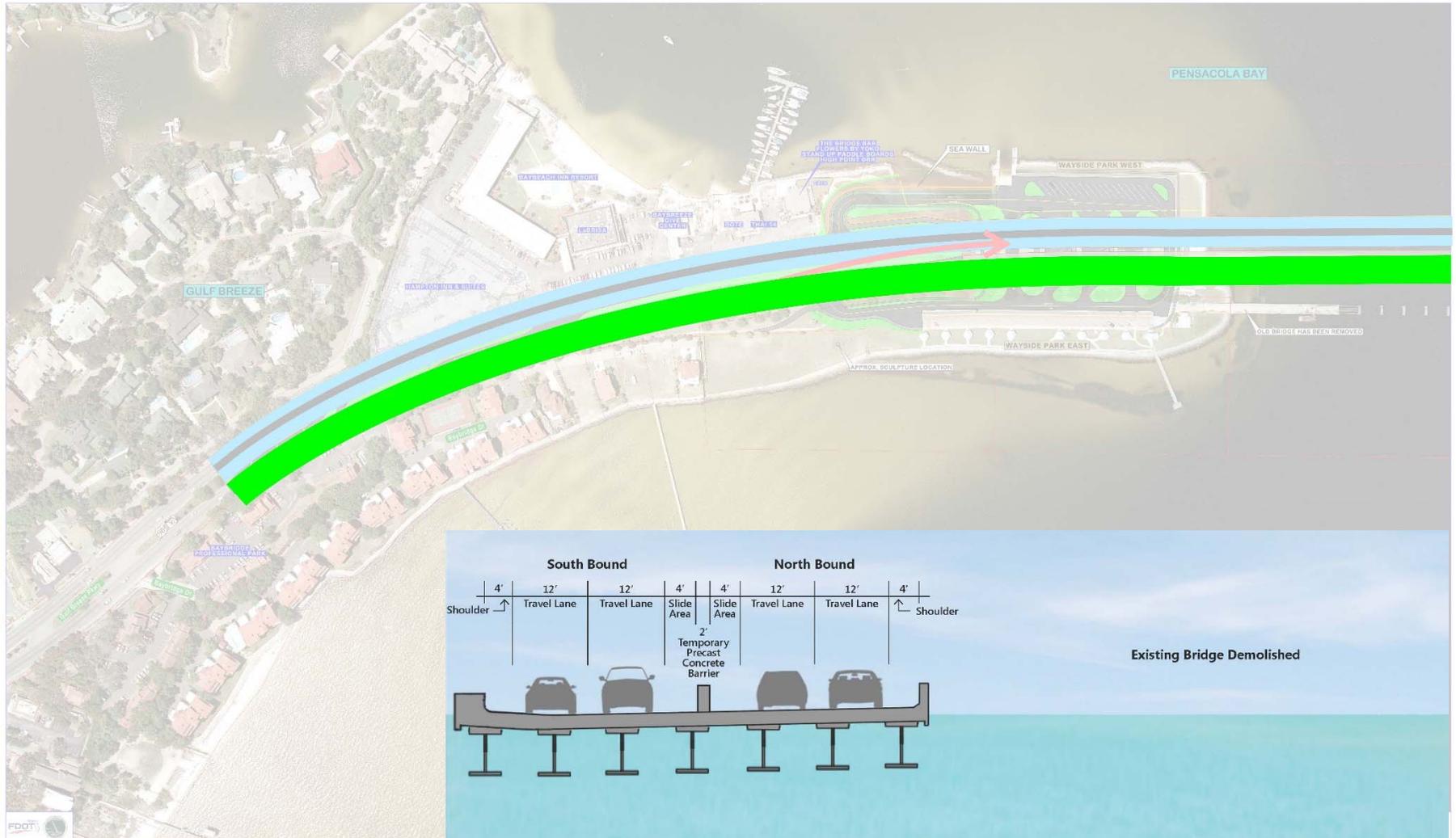
# Gulf Breeze Stage 1-B



- Construct new southbound structure and roadway surface (no barrier for shared use path)
- Install precast concrete barrier in center of new southbound structure for two-way traffic

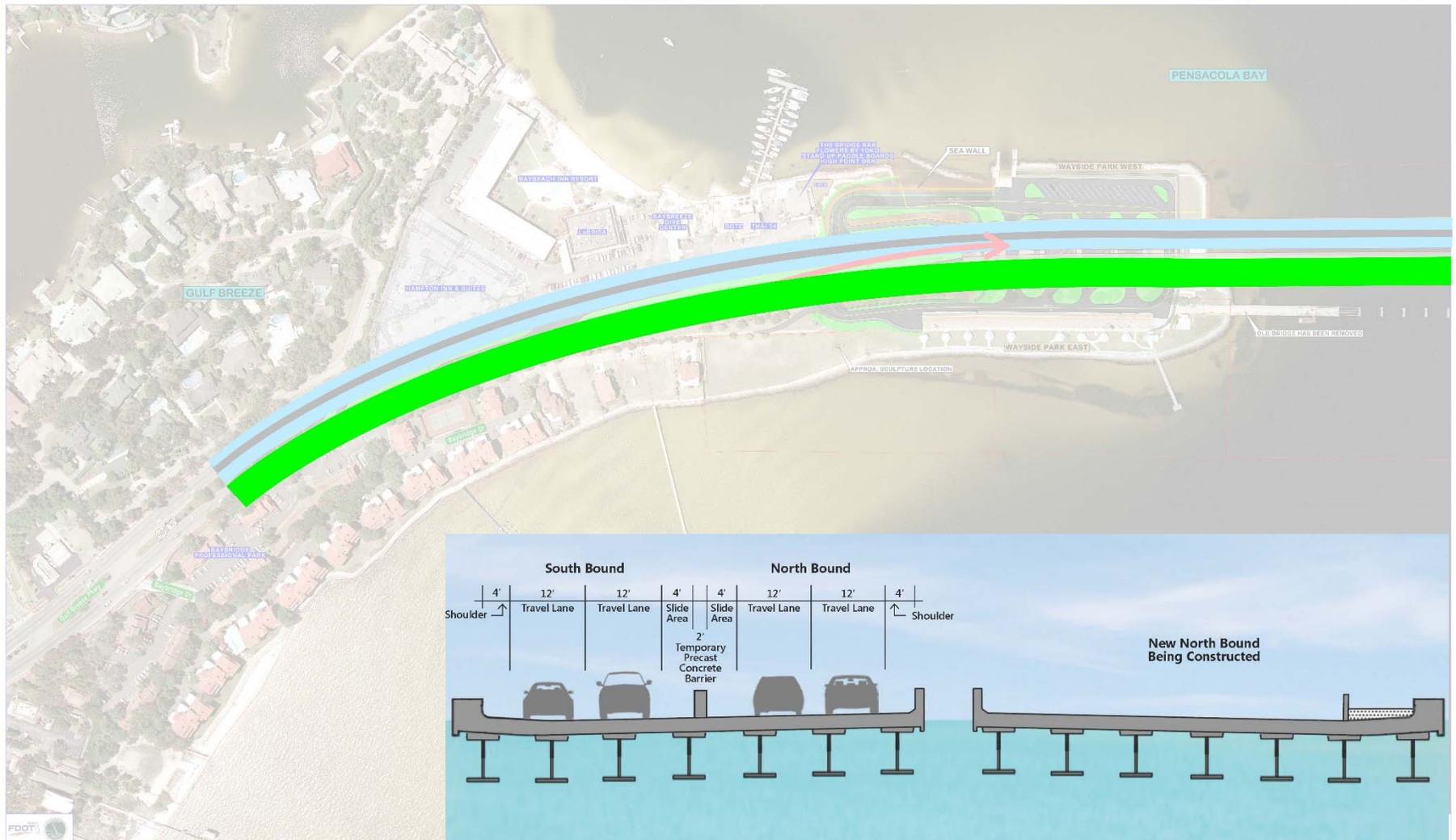


# Gulf Breeze Stage 2-A



- Demolish existing bridge

# Gulf Breeze Stage 2-B



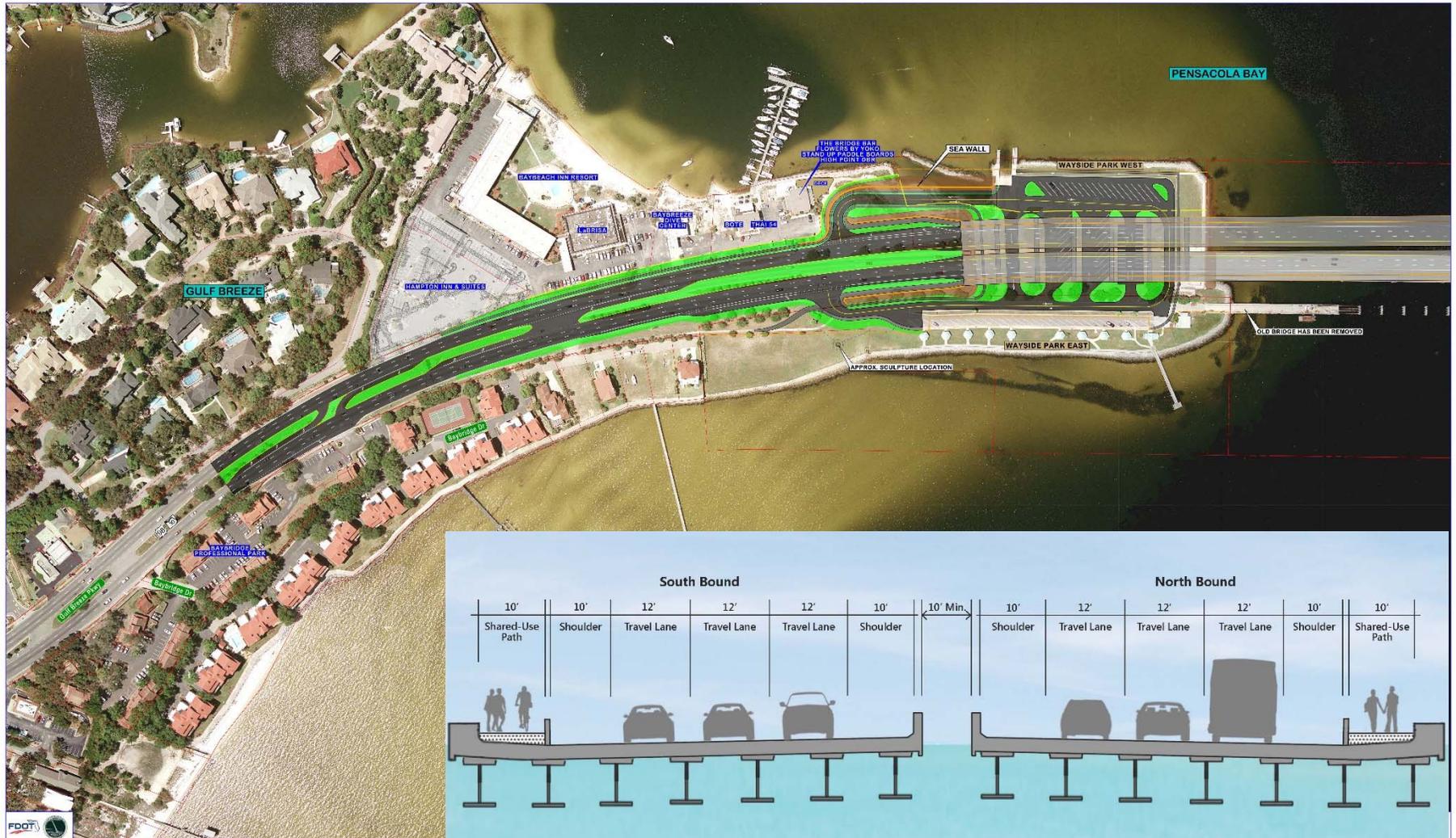
- Demolish existing bridge
- Construct new northbound structure and final northbound roadway surface

# Gulf Breeze Stage 3-A



- Northbound structure completed

# Gulf Breeze Stage 3-B



- Northbound structure completed
- Shift southbound traffic to occupy three lanes
- Construct barrier between southbound right shoulder and shared use path



# City of Gulf Breeze

Office of City Manager

## MEMORANDUM

To : Mayor and City Council

From :  Edwin A. Eddy, City Manager

Date : April 8, 2015

Subject: Surplus Truck

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At the April 6<sup>th</sup> City Council meeting, staff was directed to purchase a new F-250 Truck. We advised the Council that the new truck would replace a 2001 Dodge Truck (VIN#3B7KCC26Z91M246237) with 107,165 short trip miles. This high maintenance vehicle is no longer needed in the City fleet.

### RECOMMENDATION:

**THAT THE CITY COUNCIL DECLARE THE VEHICLE DESCRIBED ABOVE SURPLUS AND DIRECT STAFF TO DISPOSE OF THE VEHICLE IN ACCORDANCE WITH CITY POLICY.**



# City of Gulf Breeze

Office of City Manager

## MEMORANDUM

To : Mayor and City Council

From :  Edwin A. Eddy, City Manager

Date : April 8, 2015

Subject: Appointment of Committee – After School Program at Community Center

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The Council agreed to form a committee to develop an after school program at the Community Center. Council members Bookout and Fitch agreed to serve on the committee. The initial meeting to examine options will be held on Friday, April 17, 2015. It may be necessary to appoint additional individuals to the committee on April 20<sup>th</sup>.



# City of Gulf Breeze

Office of City Manager

## MEMORANDUM

To : Mayor and City Council  
From :  Edwin A. Eddy, City Manager  
Date : April 8, 2015  
Subject: 1997 B Loan Program

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Gulf Breeze Financial Services established a loan program in 1997 for a total of \$90,055.00 in order to provide bond funds for the Greater Orlando Aviation Authority. Recently, we received an invoice from U.S. Bank in the amount of \$18,011.00.

A cursory review of excerpts from the Trust Indenture, see copies attached, indicates that GBFS is the Administrator of the program and shall designate an "Authorized Officer" to receive notices, etc. and we assume authorize payment of invoices from the Trustee.

As far as we can tell, GBFS has not designated an Authorized Officer.

### RECOMMENDATION:

**THAT THE CITY COUNCIL ACTING AS THE BOARD OF GULF BREEZE FINANCIAL SERVICES DESIGNATE AN AUTHORIZED OFFICER FOR THE 1997-B LOAN PROGRAM AND DIRECT HIM TO APPROVE THE INVOICE FROM U.S. BANK IN THE AMOUNT OF \$18,011 FOR ANNUAL TRUSTEE SERVICES.**

97B

Indenture  
Definitions

ARTICLE I

DEFINITIONS AND RULES OF INTERPRETATION

**Section 1.01. Definitions.** The following words and phrases shall have the following meanings unless the context otherwise requires:

"**Accountant**" or "**Accountants**" means an independent certified public accountant or a firm of independent certified public accountants to whom the Trustee and the Bond Insurer make no objection.

"**Acquisition Fund**" means the fund by that name created pursuant to Section 5.02.

"**Act**" means Sections 163.01, et seq. and 166.01, et seq., Florida Statutes, and Chapter 61-2207, Laws of Florida, Special Acts of 1961, as from time to time amended and supplemented.

"**Additional Payments**" means, in respect of a Loan, the amounts defined as such in the Loan Agreement.

"**Administrative Fee**" means the aggregate annual amount payable to the Administrator for its services in administering the Program pursuant to a servicing agreement with the Issuer.

"**Administrator**" or "**Program Administrator**" means initially Gulf Breeze Financial Services, Inc., and any successor Administrator (including the Issuer) duly appointed by the Issuer and acting as Administrator hereunder; provided, however that the Issuer, as Administrator, may hereafter delegate to any person, firm or corporation qualified to do business in Florida as servicing agent, any of the duties and responsibilities of the Administrator hereunder, upon written notice thereof to the Trustee, and the Bond Insurer.

"**Agreement**" means a Loan Agreement.

"**Agreement Default**" or "**Loan Agreement Default**" shall have the meaning assigned in Section 5.01 of the Loan Agreement.

"**Agreement Term**" or "**Loan Agreement Term**" means the term of a Loan Agreement provided for in such Agreement.

"**Anniversary Date**" shall mean the first Business Day on or after the date which is an annual anniversary of the first day of the month of initial issuance and delivery of the Bonds.

"**Annual Administrator Fee**" means the aggregate annual amount payable to the Administrator each year equal to the sum of its quarterly Administrator fees in the amount of 0.005% per quarter on the amount of Loans outstanding, as its Administrative Fee in connection with the Program; provided that during any period when there is no Swap Agreement in effect, such fees shall be 0.0000%.

amended (the "Code"), and any lawful regulations promulgated or proposed thereunder or "private activity bonds" within the meaning of Sections 103, 141, 148 or 150 of the Code, and any lawful regulations promulgated or proposed thereunder.

**2.3. Authorized Officer.** The Administrator shall designate and maintain an Authorized Officer pursuant to the provisions of the Indenture through which it shall receive all notices, certificates, opinions, applications, and reports; provide all notices, certificates and instructions; carry out general communications; and perform the aforesaid and other duties and take such actions as may from time to time be required under the Indenture, any Loan Agreement, or this Agreement. The Administrator shall provide notice of the initial designation and any subsequent designations of its Authorized Officer to all parties as set forth in and pursuant to the provisions of the Indenture.

### **Section 3. Program Administration Services**

**3.1. Administrative Assistance.** For the benefit of the Program and/or the Issuer, the Administrator shall provide the assistance and perform the duties as follows:

- (a) monitor the status of the ratings on the Bonds;
- (b) respond to Participants' inquiries and assist Participants in complying with all continuing requirements of the Program;
- (c) assist the Issuer in preparing and providing all necessary information to the auditors for the Program, and assure that the annual audits of the Program are completed;
- (d) review all audit reports for the Program and advise the Issuer of any matters of concern in such audit reports;
- (e) acquire and provide information requested by the Trustee to enable the Trustee to comply with the continuing disclosure requirements, including the requirements of Rule 15(c)2-12 of the Securities and Exchange Commission;
- (f) provide periodic reports to the Issuer and the Bond Insurer of the status of each Loan, the status of all bond proceeds, and the status of the Bonds (including, among other things, the outstanding balance, the ratings, and any pending redemption);
- (g) review and approve all requisitions for disbursement of funds by the Trustee from the Cost of Issuance Fund and the Discretionary Fund pursuant to the Indenture; and

(h) review all reports of the Rebate Analyst and advise the Issuer of any matters of concern set forth therein.

**3.2. Other Duties.** The Administrator shall perform all duties and shall perform all acts required to be performed by the Administrator as set forth in the Indenture and any Loan Agreement. Further, the Administrator shall perform such additional duties of the Issuer as may be assigned in writing by the Issuer and approved by the Bond Insurer and Trustee.

**3.3. Program Review.** The Administrator shall receive and review an annual audit and such other information as it and the Issuer shall deem necessary from each Participant relative to the general operation of the Participant and the status of such Participant's Project. The Administrator shall further receive and review all reports filed with it by the Trustee pursuant to the provisions of the Indenture. Pursuant to the review of any reports under this paragraph, the Administrator shall notify and consult with a Participant or Participants concerning its findings from such review and the determination of any fact that may be adverse to the status of the Program under terms, conditions, or provisions of the Indenture, any of the Loan Agreements or this Agreement. However, the Administrator shall not be liable for the determination of the truth or accuracy of any information contained in the annual audits or determinations as to any fact relating to the financial status or condition of each Participant.

**3.4. Duty to Report Default.** If the Administrator has substantial reason to believe from information reviewed concerning the financial condition of any Participant, the status of any Loan or the use of the Project financed, that such Participant is or is likely to become in default of a provision of its Loan Agreement, the Administrator shall promptly notify the Issuer, the Trustee, and the Bond Insurer.

**3.5. Participant Assistance.** The Administrator shall assist with the processing of Loans. Among its duties shall be the following:

(a) consult with the officials of any potential Participant seeking a Loan and give advice and assistance to such potential Participant regarding eligibility, the application procedure, any required security, and related matters prior to the filing by such potential Participant of an application for a Loan;

(b) meet with the governing body or official(s) or appropriate committees of a potential Participant to explain the Program and the applicable procedure;

(c) receive such applications as are filed and approve the same as agent for the Issuer in cooperation with the Trustee;

(d) act as liaison between the Bond Insurer and any Participant, and assist in obtaining any additional information the Issuer may require;



# *City of Gulf Breeze*

Office of City Manager

## MEMORANDUM

To : Mayor and City Council

From :  Edwin A. Eddy, City Manager

Date : April 8, 2015

Subject: Presentation of Annual Audit

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Our Auditors, Saltmarsh Cleaveland and Gund, hope to be ready on April 20<sup>th</sup> to present the audit to you. This can be done at a workshop prior to the Regular Meeting or at the meeting itself.