

**GULF BREEZE CITY COUNCIL
EXECUTIVE MEETING AGENDA**

**JULY 29, 2015
WEDNESDAY, 6:30 P.M.
COUNCIL CHAMBERS**

A. **ROLL CALL**

B. **PROCLAMATIONS AND PRESENTATIONS**

1. A proclamation designating Gulf Breeze as a “Purple Heart City in the State of Florida.”

C. **RESOLUTION AND ORDINANCES**

None

D. **ACTION AGENDA ITEMS**

1. Approval of a special event application by Coastline Calvary Chapel to hold their annual fall festival at the Community Center on Saturday, October 24, 2015 from 2 p.m. – 6 p.m.
2. Approval to authorize Net Connections, LLC. of Birmingham, Alabama, to construct four (4) new softball backstops at their quoted price of \$26,500.
3. Approval of “Market in the Breeze” to be located in the front parking lot of the Community Center beginning on August 18th and continuing every Tuesday evening from 4:00 p.m. to 8:00 p.m.
4. Approval of purchase and installation of Ecosystem Reef Structures for an amount not to exceed \$430,000 from Walter Marine of Orange Beach, Alabama, as part of the U.S. Army Corps of Engineers grant.
5. Approval of invoice 314211 from Galloway/Johnson/Tompkins/Burr and Smith in the amount of \$751.00 for professional services in connection with the Peters/Reese lawsuit
6. Authorization for staff and the City Attorney to negotiate a lease agreement for Tiger Point Golf Club with Integrity Golf.

E. **DISCUSSION ITEMS:**

1. Amendment of Section 21-28 of Article II, of Chapter 21, of the Code of Ordinances regarding the official zoning map of the City.
2. Private attorney-client session confined to settlement negotiations or strategy sessions related to litigation expenditures in connection with a worker's compensation litigation brought against the City by Christopher Lanzetta.

F. **NEW ITEMS**

G. **INFORMATION ITEMS**

H. **PUBLIC FORUM**

I. **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. If you are a person with a disability who needs accommodation in order to participate in a public hearing you are entitled to the provision of certain assistance. Please contact the City Clerk's office at (850) 934-5115 or at 1070 Shoreline Drive, Gulf Breeze at least one (1) week prior to the date of the public hearing.



City of Gulf Breeze

PROCLAMATION

WHEREAS, the Purple Heart is the oldest military decoration still in present use and was initially created by George Washington in 1782 as the "Badge of Military Merit"; and,

WHEREAS, the Purple Heart was the first American service award made available for the common soldier and is awarded to any member of the United States Armed Services who is wounded or killed in combat with a declared enemy of the United States; and,

WHEREAS, the organization, composed exclusively of Purple Heart recipients, now known as the "Military Order of the Purple Heart" was formed in 1932 for the protection and mutual interest of all who have received the decoration. The Military Order of the Purple Heart is the only veterans' service organization composed strictly of "combat-wounded" veterans; and,

WHEREAS, the mission of the Military Order of the Purple Heart, chartered by an Act of Congress, is to foster an environment of goodwill among the combat-wounded veteran members and their families; to promote patriotism; to support related legislative initiatives; and, most importantly, to make sure we never forget the sacrifices made by those so decorated; and,

WHEREAS, the local Military Order of the Purple Heart, Sharon Lane Chapter 566, is named honoring First Lieutenant Sharon Lane, the only Army nurse killed June 8, 1969, in the service of her country in Vietnam as a direct result of enemy fire; and,

WHEREAS, the City of Gulf Breeze falls within the purview of Chapter 566 of the Military Order of the Purple Heart and wishes to pledge its strong support for this noble organization and for those who put their lives at risk in service of their county and their fellow citizens.

NOW, THEREFORE, I, Matt E. Dannheisser, Mayor of the City of Gulf Breeze, on behalf of the City Council, proclaim that that honor and gratitude be bestowed upon the Military Order of the Purple Heart, Sharon Lane Chapter 566, in recognizing the City of Gulf Breeze as a "Purple Heart City in the State of Florida."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Gulf Breeze, Santa Rosa County, Florida, to be affixed this 3rd day of August, 2015.

Stephanie D. Lucas, City Clerk

Matt E. Dannheisser, Mayor



Gulf Breeze Police Department

To: Edwin Eddy, City Manager

From: Richard Hawthorne, Deputy Chief *RA*

Ref: Special Event Application

Date: July 7, 2015

Coastline Calvary Chapel has submitted an application for their yearly fall Festival. The Festival will be held once again at the Community Center and will have carnival games, skate contest, basketball tournament and concessions. The event will be on Saturday October 24, 2015 from 2pm -6pm. Estimated 400 – 500 persons will be in attendance throughout the day. Calvary Chapel has had the event for several years and it has always been very successful with no impact to law enforcement.

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

06-30-'15 10:13 FROM- Gulf Breeze Police

1-850-934-5127

T-343 P0002/0005 F-196



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 Special Event

Packet Includes:

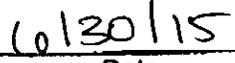
1. Copy of Requirements to conduct special events.
2. Application to conduct special events.

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


Date

06-30-'15 10:13 FROM- Gulf Breeze Police 1-850-934-5127 T-343 P0003/0005 F-196



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.

Special Event Application

Page 2

311 FAIRPOINT DRIVE • GULF BREEZE, FLORIDA 32561 • (850) 934-5121 • FAX (850) 934-5127

06-30-'15 10:13 FROM- Gulf Breeze Police

1-850-934-5127

T-343 P0004/0005 F-196

- (i) Assurance of indemnification and insurance coverage. The applicant shall agree to indemnify and hold harmless the City, its servants agents and employees for any and all claims caused by or arising out of the activities permitted. The applicant shall provide certification of an appropriate policy of insurance to protect the City from liability which might arise from the special event. The policy occurrence limits shall not be less than \$1,000,000. A Copy of the policy shall be submitted at the time of application.
- (j) Sponsors shall be required to submit a detailed map illustrating the location of the event and the streets which may be affected by the event. Per City Council action, no event will be allowed on U.S. Highway 98.
- (k) Such other information as the Chief of Police and/or the City Manager may deem necessary in order to provide for traffic control, street and property maintenance and the protection of the public health, safety and welfare.
- (l) Event sponsors will be responsible for cleanup of the event site and/or route. Failure by the sponsor to cleanup the site will result in the city doing the cleanup and billing the sponsor for the actual cost.


 Applicant's Signature 6/30/15
 Date


 Police Department's Approval 7-7-15
 Date

06-30-'15 10:13 FROM- Gulf Breeze Police

1-850-934-5127

T-343 P0005/0005 F-196

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

06/30/15
Date Submitted

1. ORGANIZATION BEING REPRESENTED:

Name Coastline Calvary Chapel
Address 1122 Oriole Beach Blvd Gulf Breeze, FL 32563

2. PERSON REQUESTING PERMIT:

Name Leah B. Taylor
Address 1122 Oriole Beach Blvd Gulf Breeze, FL 32563
Phone (850) 932-8197

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

Name Leah B. Taylor
Address 1122 Oriole Beach Rd. Gulf Breeze, FL 32563
Phone (850) 932-8197

4. DATE, HOURS AND LOCATION OF EVENT:

October 24 Set up: 7:30 AM - 2:00 PM
Event: 2:00 PM - 6:00 PM
Tear Down: 6:00 PM - 8:00 PM

5. GENERAL DESCRIPTION OF ACTIVITIES, ESTIMATED ATTENDANCE, NUMBER AND TYPE OF VEHICLES, IF ANY. IF A FUND RAISING EVENT, INDICATE PROPOSED USE OF FUNDS:

Family Fall Fest offering carnival games, skate contest, Basketball contest, food, raffles, & free bouncy houses. Estimated attendance is 400 people.

Leah Taylor
Applicant's Signature/Date

[Signature] 7-7-15
Police Department's Approval/Date

City Manager's Approval/Date



City of Gulf Breeze

DEPARTMENT OF PARKS AND RECREATION

To: Edwin A. Eddy, City Manager
From: Ron Pulley, Director of Parks & Recreation
Subject: Softball Field Backstop Replacement
Date: July 22, 2015

In January of 2015, Council authorized solicitation of bids for the replacement of the backstops and netting on the four softball fields at Shoreline Park. The estimated costs for this project was \$60,000.

Bids were received from two firms...

| | Backstops | Netting Replacement |
|---|-----------|---------------------|
| 1. Net Connections, LLC, Birmingham, AL | \$26,500 | \$29,900 |
| 2. John Brown Electric, Gulf Breeze, FL | \$44,370 | \$23,273 |

Recognizing that the backstop construction could not be accomplished prior to the start of the 2015 softball season, Council authorized immediate replacement of the netting at a cost of \$23,273, by John Brown Electric. This part of the project has been completed and paid.

Now that softball/baseball season has concluded, we would like to proceed with the backstop replacement. Net Connections has confirmed that they remain committed to their bid of \$26,500.

If approved, this would bring the total project cost to \$49,773, a savings of \$10,227 when compared to the original estimate of \$60,000.

In September of 2014, Council authorized a carryover of \$36,000 surplus funds from the previous fiscal years Parks & Recreation budget to support the netting and backstop replacement. The remaining \$13,773 necessary to complete the project is available from current fiscal year operational savings.

Recommendation

That Council authorize Net Connections, LLC of Birmingham, AL to construct 4 new softball backstops at their quoted price of \$26,500.



City of Gulf Breeze

Office of City Manager

MEMORANDUM

To: Mayor and City Council
From:  Edwin A. Eddy, City Manager
Date: July 24, 2015
Subject: Market in the Breeze

On June 20, 2015, the City held an impromptu Open Market outside of the Community Center prior to Films on the Fields. With very little advance notice, approximately 9 – 10 vendors participated. The vendors were excited about having a location in the City and were anxious to schedule more markets.

We were contacted by Dan Dugan who was instrumental in organizing the Market on the Beach. He is interested in starting a "Market in the Breeze" on every Tuesday, beginning August 18th, from 4:00 p.m. to 8:00 p.m. We would like to allow them to hold the Market in Community Center front parking lot but advised during sporting events, they may be asked to relocate to another area of park. Mr. Dugan will charge vendors \$10.00 per night in return for organizing the Market, set up and take down, and answering phone calls. The number of vendors will initially be limited to fifty.

RECOMMENDATION:

THAT THE CITY COUNCIL APPROVE MARKET IN THE BREEZE BEING LOCATED IN THE FRONT PARKING LOT OF THE COMMUNITY CENTER BEGINNING ON AUGUST 18TH AND CONTINUING EVERY TUESDAY EVENING FROM 4:00 P.M. TO 8:00 P.M.



City of Gulf Breeze

Office of City Manager

MEMORANDUM

To: Mayor and City Council
From:  Edwin A. Eddy, City Manager
Date: July 24, 2015
Subject: Deadman's Island Restoration and Protection Project

The City Council approved a grant of \$1,000,000 from the Army Corps of Engineers for the protection and restoration of Deadman's Island. (See a copy of the Council memo attached.)

The project basically consists of the removal of ineffective breakwater units and replacement with structures that have proven to work in this application.

The supplier of the original units to be replaced (Coastal Environments) has agreed to remove the existing structures. This activity will serve as part of the City's match for the overall grant.

The next step is for the City to purchase Ecosystems Reef Structures from distributor Walter Marine as a sole source product/provider as specified in the grant for a cost not to exceed \$430,000. (This price also includes installation.) This amount will be reimbursed per the grant.

RECOMMENDATION:

THAT THE CITY COUNCIL APPROVE THE PURCHASE AND INSTALLATION OF ECOSYSTEM REEF STRUCTURES FOR AN AMOUNT NOT TO EXCEED \$430,000 FROM WALTER MARINE OF ORANGE BEACH, ALABAMA, AS PART OF THE U.S. ARMY CORPS OF ENGINEERS GRANT.

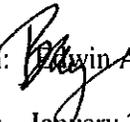


City of Gulf Breeze

Office of City Manager

MEMORANDUM

To: Mayor and City Council

From:  Edwin A. Eddy, City Manager

Date: January 23, 2015

Subject: Acceptance of U.S. Army Corps of Engineers Grant – Deadman's Island

We have been advised by Heather Reed of Ecological Consulting Services that the grant the City applied for from the Army Corps of Engineers, to further stabilize Deadman's Island, has been approved. This new grant funded project which totals \$1,000,000 will "update" and improve upon the work accomplished in 2009 to slow the NE to SW erosion of the Island. Of the \$1,000,000 project, \$357,000 consists of matching funds provided by the City as follows:

| | |
|---|------------------|
| Sand moved from dredging surplus site | \$320,000 |
| Use of privately provided boats | \$ 5,000 |
| Use of Waste Water Transfer Stations, Wayside | <u>\$ 32,000</u> |
| Park Boat Ramp and City Equipment | |
| Total | \$357,000 |

This update/improvement project consists of removing a failed reef section, construction and installation of a new reef block system and stabilization of the area with surplus sand. A more detailed description is attached.

The City needs to accept the grant and agree to provide the match to qualify for this grant.

RECOMMENDATION:

THAT THE CITY COUNCIL APPROVE THE GRANT FROM THE U.S. ARMY CORPS OF ENGINEERING FOR \$1,000,000 WITH A \$357,000 MATCH FROM THE CITY FOR IMPROVEMENT OF THE REEF PROJECT AT DEADMAN'S ISLAND.

**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
109 Saint Joseph Street
Mobile, Alabama 36602**

**ESTUARY HABITAT RESTORATION PROGRAM
COOPERATIVE AGREEMENT
FOR
DEADMAN'S ISLAND ESTUARY RESTORATION PROJECT PART II
GULF BREEZE, FLORIDA**

This Cooperative Agreement (CA) is entered into this 2nd day of June 15 by and between the Department of the Army (hereinafter the "Government"), represented by the Grants Officer, U.S. Army Corps of Engineers (USACE) Mobile District and the City of Gulf Breeze (hereinafter the "Recipient"), represented by the City Manager.

1. **Cooperative Agreement Title:** Deadman's Island Restoration Project Part II
2. **Cooperative Agreement Number:** SAM-PD--02--MFM W91278-11-2-0001 mod P00001
3. **Recipient Name and Address:** The City of Gulf Breeze
1070 Shoreline Park
Gulf Breeze, FL 32561
4. **Tax ID No:** 590948304
DUNS No: 0602342830000
CAGE Code: N/A
5. **Recipient Program Manager:**
Heather Reed
Ecological Consulting Services
38 S. Blue Angel Parkway
Pensacola, Florida 32506
Telephone: 850-417-7008 or 850 346-2073 Facsimile: 850-934-5126
heather_reed@juno.com.
6. **Recipient Administrative POC:**
Steve Milford
Financial Officer
City of Gulf Breeze, FL
1070 Shoreline Park
Gulf Breeze, Florida 32561
Telephone: 850-934-5113 Facsimile: 850-934-5126
smilford@ci.gulf-breeze.fl.us.

7. Grants Officer:

Sonya D. Rodgers
Contracting Officer
109 Saint Joseph Street
Mobile, AL 36602
Telephone: 251-441-5406; Facsimile: 251-441-5765
sonya.d.rodgers@usace.army.mil.

8. Grants Officer's Technical Representative (GOTR):

Michael F. Malsom
Project Manager
109 Saint Joseph Street
Mobile, AL 36602
Telephone: 251-690-2023; Facsimile: 251-690-2727
michael.f.malsom@usace.army.mil.

9. Statement of Work: The work to be accomplished is described in the City of Gulf Breeze Proposal titled Deadman's Island Restoration Project Part II and dated May 1, 2015 incorporated herein as "Attachment A" and the Project Management Plan (PMP) incorporated herein as "Attachment B".

10. Period of Performance: Date of Award through September 30, 2021.

11. Award Amount: \$850,000.00

12. Authority: This Cooperative Agreement is authorized by the Estuary Restoration Act of 2000, Public Law 106-457, as amended (33 U.S.C. 2901). The source of USACE funds for this agreement is the Energy and Water Appropriations for the Estuary Restoration Program.

13. Accounting and Appropriation Data:

Funding in the amount of \$850,000.00 is being provided upon award.

Appropriation Code 96 3122 737

14. Administered by: U.S. Army Corps of Engineers, Mobile District, 109 Saint Joseph Street, Mobile, AL 36602

15. Terms and Conditions: This Cooperative Agreement is subject to the specific terms and conditions set forth in this document, including the attachments as listed below.

a. Attachment A, the Project Proposal for the Deadman's Island Estuary Restoration Project Part II, containing the scope of work; and the final monitoring plan (Attachment E) approved in accordance with the Project Management Plan (Attachment B) are attached and made a part hereof.

b. Attachment B, the Project Management Plan containing additional information regarding responsibilities and schedules of work and payment is attached hereto and made part hereof.

c. Attachment C containing standard terms and conditions of this Cooperative Agreement is attached hereto and made part hereof.

d. Attachment D containing certifications and representations is attached hereto and made a part hereof.

e. Attachment E, the approved monitoring plan will be attached hereto and made a part hereof upon approval in accordance with the Project Management Plan.

f. Attachment F, the approved Operations and Maintenance Manual will be attached hereto and made a part hereof upon approval in accordance with the Project Management Plan.

g. Attachment G, Documentation of Required Real Estate will be attached hereto and made a part hereof upon approval in accordance with the Standard Conditions.

h. Notwithstanding the Recipient's technical and cost proposals, the Government's obligation to the Recipient is restricted to the funding stated in Paragraph 11.

i. Replacement of key personnel shall require a two-week prior notification, if possible, to the Grants Officer in Paragraph 7. If a two week notification is not possible, notification of replacement of any personnel is required as soon as the situation arises. Replacement personnel shall possess not less than an equivalent education/experience level than the originally proposed individual.

16. Reporting Requirements: Reporting requirements are pursuant to the requirements in Attachment B and Sections 7 and 8 of General Terms and Conditions (Attachment C). Final performance reports are due within 60 calendar days of the expiration of the period of performance, or completion of the final post construction monitoring, whichever occurs first.

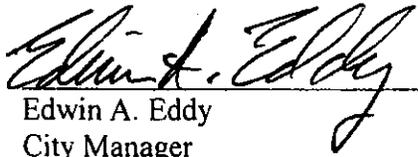
17. Payments: Payments will be made pursuant to the schedule in the Project Management Plan and Section 1 of Attachment C. Payments will be made by Electronic Funds Transfer (EFT).

Standard Form 271 shall reference the Cooperative Agreement number in Paragraph 2. Submit original SF 271s to the Administration Office listed in Paragraph 14 under the original agreement. Submit copies to the Grants Officer listed in Paragraph 7 by electronic submittal.

The Administration Office (Represented by the PD_EC Project Manager) will review the SF 271 and notify the Grants Officer of the amount requested by the Recipient. Within five (5) work days of notification of the Recipient's payment request, the Grants Officer will make payment recommendations to the Administration Office based on the Recipient's progress to-date.

18. Government Participation: The Government's technical contribution towards this effort will include technical management, responsibility for any Federal environmental compliance documents, review and approval of planning and design documents and construction, and overall supervision. The Administration Office will coordinate with the Grants Officer regarding any changes in scope, schedule or cost.

FOR THE RECIPIENT:


Edwin A. Eddy
City Manager
Gulf Breeze, FL

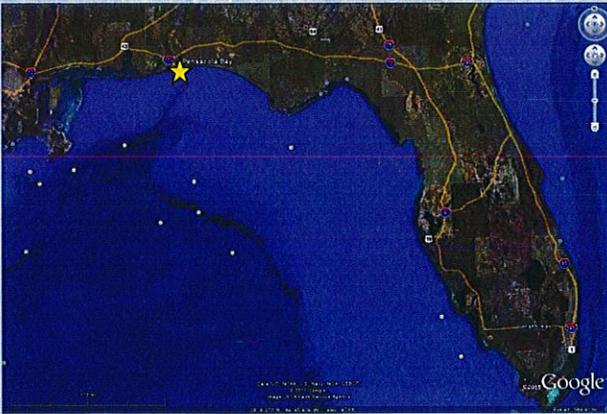
DATE: 6-2-2015

FOR THE UNITED STATES OF AMERICA:


Sonya D. Rodgers
Grants Officer
U.S. Army Corps of Engineers,
Mobile District

DATE: 7-14-2015

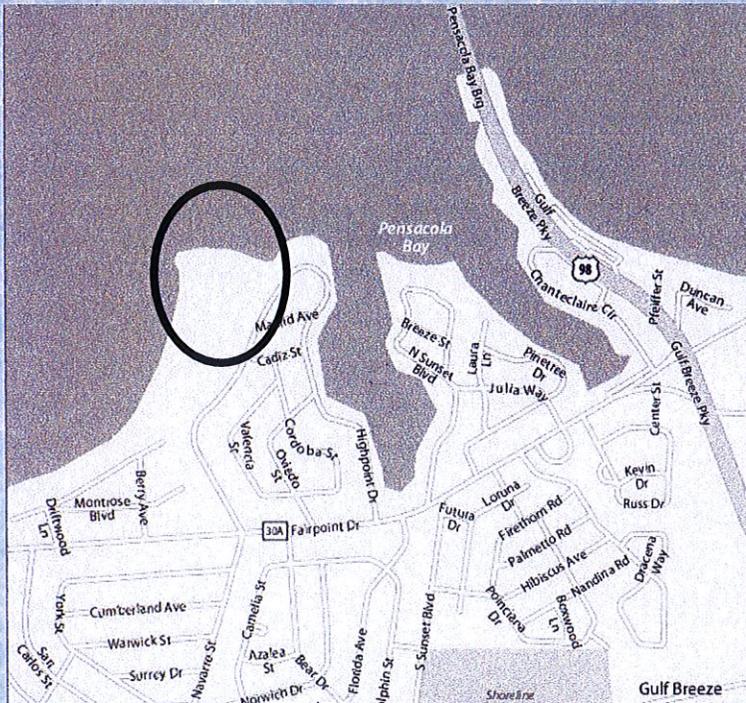
Vicinity Map showing location of Deadman's Island, Gulf Breeze, Florida
Appendix - Vicinity Map



Florida – Panhandle



Gulf Breeze, Florida – Pensacola Bay

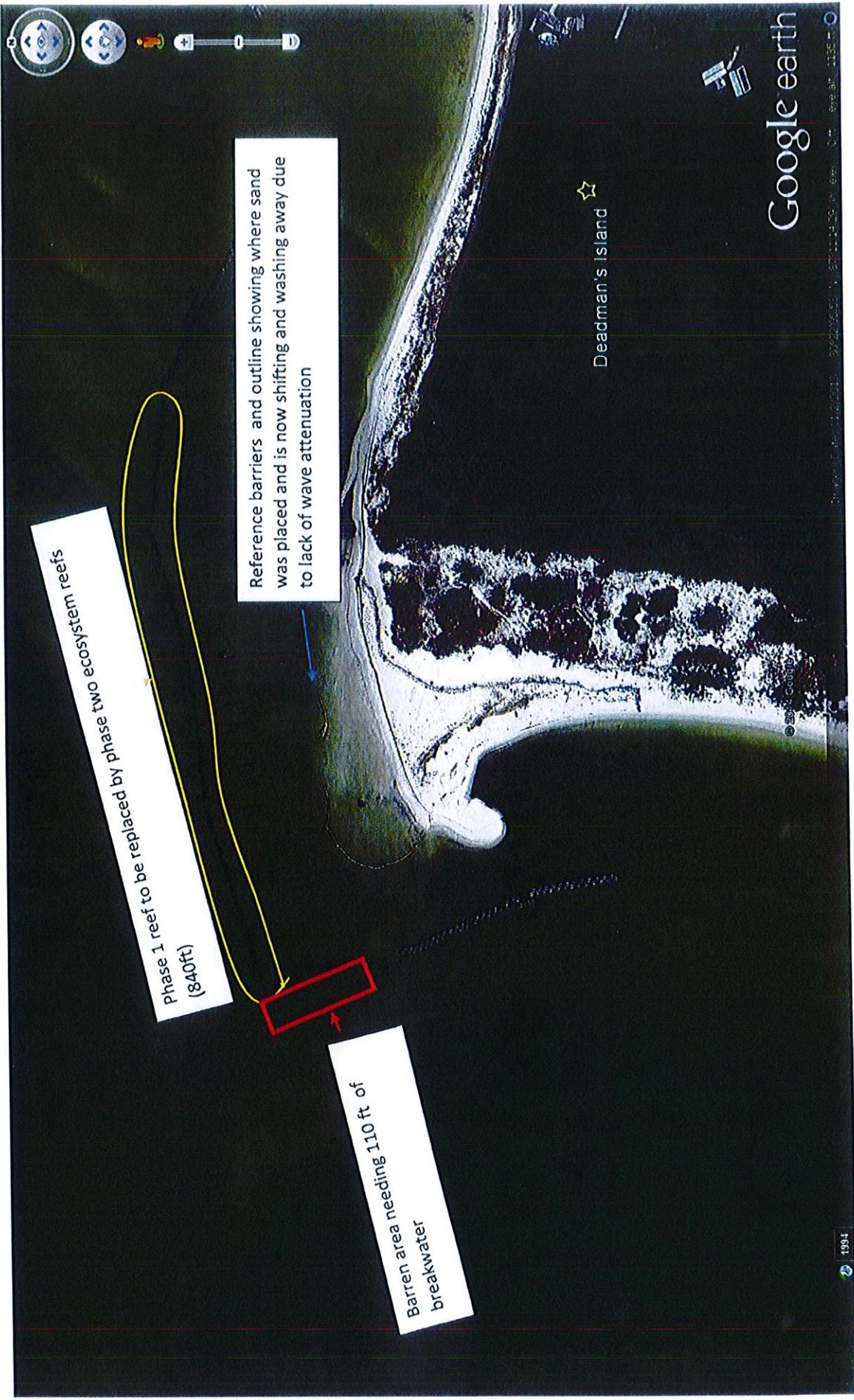


Deadman's Island Restoration Project ,
Gulf Breeze, Florida



http://cfpub.epa.gov/surf/huc.cfm?huc_code=03140105





Phase 1 reef to be replaced by phase two ecosystem reefs (840ft)

Reference barriers and outline showing where sand was placed and is now shifting and washing away due to lack of wave attenuation

Barren area needing 110 ft of breakwater

Deadman's Island

Google earth



City of Gulf Breeze

OFFICE OF THE CITY CLERK

MEMORANDUM

To: Edwin A. Eddy, City Manager

From: Leslie Guyer, City Clerk

Date: July 23, 2015

Subject: Invoice Payment to Galloway/Johnson/Tompkins/Burr and Smith (GJTBS)

On September 15, 2014, the City Council approved the use of Galloway/Johnson Law Firm (GJTBS) for the Catawba Street Right-of-Way litigation.

We have received Invoice No. 314211 in the amount of \$751.00 for professional services through June 30, 2015 from GJTBS.

RECOMMENDATION:

THAT THE CITY COUNCIL APPROVE PAYMENT OF INVOICE NO. 314211 IN THE AMOUNT OF \$751.00 TO GJTBS.



GALLOWAY
JOHNSON
TOMPKINS
BURR AND
SMITH

701 Poydras Street, 40th Floor
New Orleans, LA 70139
Telephone: (504) 525-6802
Fax: (504) 525-2456
<http://www.gjtbs.com>
Federal Tax I.D. No.: 72-1089568

Edwin A. Eddy
City of Gulf Breeze Attorney
504 N. Baylen Street
Pensacola, FL 325013904

July 15, 2015
Client: FL8352
Matter: 000003
Invoice #: 314211
Resp. Atty: BJZ
Page: 1

RE: Reese-Peters

For Professional Services Rendered Through June 30, 2015

| | |
|------------------------|-------------------|
| Total Services | \$751.00 |
| Total Current Charges | \$751.00 |
| Previous Balance | \$1,669.48 |
| PAY THIS AMOUNT | \$3,171.48 |

Wire Instructions

Bank Name: Capital One Bank
Address: 313 Carondelet Street, New Orleans, LA 70130
Acct No.: 812301764
ABA No.: 065000090
Swift Code: HIBKUS44
For Account of: Galloway, Johnson, Tompkins, Burr and Smith

Due Upon Receipt. Please include the invoice number on all remittance. Thank you.



GALLIWAY
JOHNSON
TOMPKINS
BURR AND
SMITH

701 Poydras Street, 40th Floor
New Orleans, LA 70139
Telephone: (504) 525-6802
Fax: (504) 525-2456
<http://www.gjtbs.com>
Federal Tax I.D. No.: 72-1089568

Edwin A. Eddy
City of Gulf Breeze Attorney
504 N. Baylen Street
Pensacola, FL 325013904

July 15, 2015
Client: FL8352
Matter: 000003
Invoice #: 314211
Resp Atty: BJZ
Page: 1

RE: Reese-Peters

For Professional Services Rendered Through June 30, 2015

SERVICES

| Date | Person | Description of Services | Hours | Rate | Amount |
|-----------------------------|--------|--|-------|----------|----------|
| 06/15/2015 | MG | Supplemental Motion Summary Judgment regarding additional arguments and exhibits. | 0.90 | \$250.00 | \$225.00 |
| 06/15/2015 | BJZ | Supplemented the motion for summary judgment regarding the plaintiffs ownership of disputed property and basis for ruling. | 1.70 | \$195.00 | \$331.50 |
| 06/15/2015 | BJZ | Evaluated recent case decisions on admissibility of parol evidence for interpretation of deeds and whether the plaintiff's deed presents a patent or latent ambiguity. | 0.90 | \$195.00 | \$175.50 |
| 06/16/2015 | JFT | Analyze file for status of the case. | 0.20 | \$95.00 | \$19.00 |
| Total Professional Services | | | 3.70 | | \$751.00 |

PERSONS/CHARGES

| Person | Hours | Rate | Amount |
|-------------------------|-------|----------|----------|
| MG J. Michael Grimley | 0.90 | \$250.00 | \$225.00 |
| BJZ Benjamin J. Zimmern | 2.60 | \$195.00 | \$507.00 |
| JFT Jamie F. Thurman | 0.20 | \$95.00 | \$19.00 |

Total Services \$751.00
Total Current Charges \$751.00
Previous Balance \$1,669.48

TOTAL DUE

\$2,420.48

July 15, 2015
Client: FL8352
Matter: 000003
Invoice #: 314211
Resp Atty: BJZ
Page: 2

Billing Summary

| | Original Invoice | Subsequent Invoices | Total | Payment Received |
|---------------|------------------|---------------------|--------------------|--------------------|
| Services | \$751.00 | \$31,589.50 | \$32,340.50 | \$30,118.00 |
| Disbursements | \$0.00 | \$790.39 | \$790.39 | \$592.41 |
| Total | \$751.00 | \$32,379.89 | \$33,130.89 | \$30,710.41 |

Wire Instructions

Bank Name: Capital One Bank
Address: 313 Carondelet Street, New Orleans, LA 70130
Acct No.: 812301764
ABA No.: 065000090
Swift Code: HIBKUS44
For Account of: Galloway, Johnson, Tompkins, Burr and Smitt

Due Upon Receipt. Please include the invoice number on all remittance. Thank you.



GALLOWAY
JOHNSON
TOMPKINS
BURR AND
SMITH

Texas ■ Louisiana ■ Missouri ■ Mississippi ■ Alabama ■ Florida ■ Georgia

J. MICHAEL GRIMLEY, JR.
Director
Licensed in Florida and Louisiana
mgrimley@gjtbs.com

118 E. Garden Street
Pensacola, Florida 32502
Tel: 850-436-7000
Fax: 850-436-7099
www.gjtbs.com

July 16, 2015
Electronic Mail

City of Gulf Breeze
Post Office Box 640
Gulf Breeze, FL 32562

Re: John Reese, Peter Peters and Mitzi Peters v. City of Gulf Breeze
Case No.: 2013 CA 000838
Our File No.: FL8352-3

Dear Mr. Eddy:

We have enclosed our invoice for professional services rendered and costs incurred in handling the above referenced matter for the period through June 30, 2015. This invoice is provided for your review only. We have sufficient funds in trust to pay the bill.

With best regards, I am,

Cordially,

/c/ J. Michael Grimley

J. Michael Grimley

JMG/dsj
Enclosure (GJTBS #314211)



City of Gulf Breeze

Office of City Manager

MEMORANDUM

To: Mayor and City Council
From:  Edwin A. Eddy, City Manager
Date: July 24, 2015
Subject: Operations of Tiger Point Golf Course

The City Council directed staff and the City Attorney to work with Private Club Associates (PCA) on a management agreement for the operation of Tiger Point Golf and Country Club. The management agreement requires the City to fund all expenses (both operational and capital) and pay the cost of the management firm. Costs over budget or revenue shortfalls would be the City's responsibility. Equipment failure or property maintenance expenses would be the City's responsibility. As we have discussed on several occasions, there is another option: leasing the facility.

We discussed leasing with Integrity Golf of Orlando. Integrity has approximately 30 courses under lease or management agreements and owns others. Integrity has 1500 employees. They are interested in immediately leasing Tiger Point.

There are several notable differences between hiring a firm to manage the course and leasing. Integrity is willing to be responsible for all operational and capital costs based on a ten year lease. We believe, based on comparing the same projected costs and revenues, the City and its rate payers would realize fewer financial losses and greater return from a lease.

In preliminary discussions of a lease, concerns were raised by the City regarding improvement of the property, continuous effluent disposal that meets the needs of the utility, potential leases or business relationships with other individuals, termination of the lease and increases in revenue based on dramatic increases in overall golf revenue.

Integrity has expressed a willingness to work with the City on each of these matters. Based on these early discussions, we are confident the City and Integrity can arrive at a mutually beneficial lease agreement.

RECOMMENDATION: THAT THE CITY COUNCIL DIRECT STAFF AND THE CITY ATTORNEY TO NEGOTIATE A LEASE AGREEMENT WITH INTEGRITY GOLF.

City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Curt Carver, Deputy City Manager

Date: 7/24/2015

Subject: Zoning Map

As you know, we have discovered a conflict between our planning and zoning administration efforts. The City has been operating for over a decade with a zoning map that is consistent with the zoning classifications found in the Land Use and Zoning Code (Chapter 21) in the City Code. Last November, the City approved an amendment to the Comprehensive Plan and a new Future Land Use Map. We also passed amendments to the Land Use Code to implement the Comprehensive Plan. The Future Land Use Map uses land use designations that are not consistent with past zoning administration or the district classifications delineated in Chapter 21. This was not unexpected.

What was missed was the provisions of Section 21-28 which provides that the Future Land Use Map is the Official Zoning Map of the City. This apparently was put into place in 1992, but has not been the practice for some time. As a result, this conflict should be corrected by amending the text of 21-28 to adopt a zoning map that is consistent with the rest of Chapter 21. Such an amendment is enclosed.

This is in draft form and has not been approved by the City Attorney as to form. It is simply a sample of what such an ordinance would contain. I ask that this issue be placed on the agenda for the July 29th Executive Committee Meeting for discussion. I should have an approved form by that meeting for City Council to discuss that could subsequently be considered by them at their meeting on August 3rd, where it would be a first reading.

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

Enclosure

ORDINANCE ___-15

AN ORDINANCE AMENDING SECTION 21-28 OF ARTICLE II. OF CHAPTER 21, OF THE CODE OF ORDINANCES REGARDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; 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 of the City of Gulf Breeze has determined that it in the best interest of the City of Gulf Breeze to amend its procedures for the disposal of surplus real and property owned by the City in the most efficient and cost-effective manner.

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

SECTION 1.

Section 21-28 of the Code of Ordinances is hereby deleted in its entirety.

SECTION 2.

In place of the deletion provided for in Section 1 of this Ordinance, Article II. Chapter 21 of the Code of Ordinances is hereby amended as follows:

Sec. 21-28. Official Zoning Map.

The City hereby adopts as the official zoning map of the city, together with the designated districts shown thereon, the map attached hereto as Exhibit A and dated August 17, 2015. Said official zoning map shall be made a part of this land development code and may be amended from time to time by the City Council.

SECTION 3. – 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 4. - 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 5. - 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 6. - EFFECTIVE DATE

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

PASSED ON THE FIRST READING ON THE ____ DAY OF JULY, 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

EXHIBIT A
CITY OF GULF BREEZE
OFFICIAL ZONING MAP