

GULF BREEZE CITY COUNCIL
REGULAR MEETING AGENDA

SEPTEMBER 21, 2015
MONDAY, 6:30 P.M.
COUNCIL CHAMBERS

1. **ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF MINUTES**

September 9, 2015, Regular Council meeting
September 16, 2015, "Special" CRA meeting

3. **PROCLAMATIONS AND PRESENTATIONS**

Recognition and expression of appreciation to Sergeant Kerstan Tatro

4. **RESOLUTIONS AND ORDINANCES**

Ordinance No. 05-15 An Ordinance amending section 21-28 and section
21-1 approving a zoning map and defining mixed use
development
(SECOND READING AND PUBLIC HEARING)

Resolution No. 19-15 Approving a plan of finance for Campo Felice Senior Living
Facility and the issuance of up to \$65,000,000 in Capital Trust
Agency Bonds

PUBLIC HEARING REGARDING

Resolution No. 22-15 Establishing a Millage Rate of 1.9723

Resolution No. 23-15 Adopting a Budget for Fiscal Year 2016

Resolution No. 25-15 Supporting the Florida Department of Transportation
permanent closure of the Starbucks median crossing and
installation of a 245 foot turn lane for east bound traffic on
US Highway 98 East of Andrew Jackson Trail

5. **CONSENT AGENDA ITEMS***

- A. Approving a change order in the amount of \$29,700 to Utility Service Company for the installation of 1720 feet of 6' forcemain for the Nightingale Forcemain Project
- B. Authorizing the sole source purchase of the fill station, storage cylinders and installation from Municipal Emergency Services (MES) for an amount not to exceed \$19,999
- C. Accepting the City's annual flood plan management status report
- D. Appointment of Ben Zimmern to the Board of Adjustment and advertisement for volunteers to fill vacancies on the Development Review Board and Board of Adjustment

*These are items considered routine in nature and will be considered by one motion. If any citizen wishes to voice an opinion on one of the items, you should advise the Council immediately.

6. **ACTION AGENDA ITEMS**

- A. Approval of a workers' compensation proposal from the Florida League of Cities Municipal Insurance Trust for the period beginning October 1, 2015
- B. Approval of an interlocal agreement with Santa Rosa County, City of Milton, and the Town of Jay for the distribution of the Local Option Gas Tax

7. **NEW ITEMS**

8. **INFORMATION ITEMS**

9. **PUBLIC FORUM**

10. **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.

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA

The 1,279th Regular Meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at Gulf Breeze City Hall on Wednesday, September 9, 2015, at 6:30 p.m.

ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE:

Upon call of the roll the following Councilmembers were present: Councilwoman Renee Bookout, Councilwoman Cherry Fitch, Mayor Pro Tem Joseph Henderson, and Mayor Matt Dannheisser. Councilman David G. Landfair was not in attendance.

The City Clerk gave the invocation and led in the Pledge of Allegiance

APPROVAL OF MINUTES:

Councilwoman Fitch moved for approval of the minutes of the August 15, 2015, Special Meeting (2015 Budget Amendment); August 17, 2015, Regular Meeting; August 17, 2015 Community Redevelopment Agency Board of Directors Meeting; and August 25, 2015, Special Meeting (Group Health Insurance Renewal). Councilwoman Bookout seconded. The vote for approval was unanimous.

PRESENTATION AND PROCLAMATIONS:

None

RESOLUTIONS AND ORDINANCES:

ORDINANCE NO. 05-15	Ordinance amending section 21-28 and 21-1 of the City Code approving a zoning map and defining mixed use development (FIRST READING)
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The City Clerk read the ordinance by title. Mayor Pro Tem Henderson moved for approval of Ordinance No. 05-15 and to hold a Public Hearing and Second Reading on September 21, 2015. Councilwoman Bookout seconded. The vote for approval was unanimous.

PUBLIC HEARING:

RESOLUTION NO. 20-15:	Resolution establishing the tentative millage rate of 1.9723
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The Mayor opened the floor for public comments. No comments were made by the public. Councilwoman Bookout moved for approval of Resolution No. 20-15. Councilwoman Fitch seconded. The vote for approval was unanimous.

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA

RESOLUTION NO. 21-15: Resolution adopting a Tentative Budget for Fiscal Year
2016

The Mayor opened the floor for public comments. No comments were made by the public. Councilwoman Fitch moved for approval of Resolution No. 21-15. Mayor Pro Tem Henderson seconded. The vote for approval was unanimous.

CONSENT AGENDA ITEM(S):

- A. Approval of a special event request from Gulf Breeze High School to allow a local Buick dealer to have a test drive event on September 25, 2015, at Gulf Breeze High School to benefit various booster clubs at the High School

Reference: City Manager memo dated August 27, 2015

Recommendation: That the City Council approve the Buick Test Drive Event at the field house parking lot on Friday, September 25, 2015.

- B. Directing Staff to prepare a resolution for adoption at the September 9, 2015, Regular meeting regarding the Starbuck's permanent median closure and proposed turn lane on Highway 98

Reference: City Manager memo dated August 28, 2015

Recommendation: That the City Council direct staff to prepare a resolution for consideration and adoption at the September 9, 2015, City Council meeting.

- C. Approval of a request from the Pensacola Beach Woman's Club to host their annual fundraiser at the Community Center on March 16, 2016

Reference: Director of Parks & Recreation memo dated August 27, 2015

Recommendation: That the City Council approve the Pensacola Beach Woman's Club request to host their annual fundraiser at the Gulf Breeze Community Center on March 16, 2016.

- D. Approval of a request from Pensacola Sports Association to host the Double Bridge Run Race Expo at the Community Center on February 11 and 12, 2016

Reference: Director of Parks & Recreation memo dated August 27, 2015

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA

Recommendation: That the City Council approve the Pensacola Sports Association's request to host the Double Bridge Run Race Expo at the Community Center on February 11 and 12, 2016.

- E. Approval of a request from Innisfree Hotels for a nonbinding conceptual approval to change the Future Land Use designation for the property located at 301 Nightingale Lane from Public Institution (PI) to Commercial (C)

Reference: Director of Community Services memo dated August 27, 2015

Recommendation: That the City Council approve Innisfree's request for a nonbinding conceptual approval for a change in the future land use designation from Public Institution (PI) to Commercial (C).

- F. Directing Staff to research front yard setbacks when the property is a corner lot and authorizing possible revision to the Land Development Code

Reference: Director of Community Services memo dated August 28, 2015

Recommendation: That the City Council direct staff to study the issue and propose a possible land development code revision.

- G. Approving award of bid for payroll services/software solutions to BS&A

Reference: Director of Finance memo dated August 26, 2015

Recommendation: That the City Council instruct staff to pursue contract negotiations (or preferably, appending the existing BS&A contract), and subject to legal counsel comments if any, execute the purchasing and licensing for an initial year cost not to exceed \$61,070 and subsequent year maintenance and support fees of \$3,060; \$3,151; \$3,246; and \$3,343 sequentially.

- H. Approval of South Santa Rosa Utility Board Recommendations:

- 1) F/Y 2016 Budget Approval – Approval of the F/Y 2016 SSRUS Budget as presented to the South Santa Rosa Utility Board;

Recommendation: That the City Council approve the F/Y 2016 budget as presented to the South Santa Rosa Utility System Board.

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA

- 2) Maintenance Equipment Purchase – Approval of the purchase of two Bush Hog TD1100 finish mowers at a total cost of \$23,090 from Kingline Equipment;

Recommendation: That the City Council approve the purchase of two Bush Hog TD1100 finish mowers at a total cost of \$23,090.

- 3) Waste Water Treat Facility North Basin Rehabilitation Bid – Approval of contracts for the North Plant for (1) clean out with Greensouth Solutions, Inc., in the amount of \$55,000, and (2) rehabilitation with Cape Environmental Management, Inc., in the amount of \$370,000.

Recommendation: That the City Council approve the following contracts: North Plant clean out to Greensouth Solutions, Inc., for \$55,000 and North Plant rehabilitation to Cape Environmental Management, Inc., for \$370,000.

- I. Accepting a 5 foot wide by 100 foot long Utility Easement from John and Gail Seidler on Lot 12, Block E, Settlers Colony, and authorizing the Mayor to sign the Utility Easement on behalf of the City

Reference: Director of Public Services memo dated August 26, 2015

Recommendation: That the City Council accept the 5' wide x 100' long utility easement as granted on Lot 12, Block E, Settlers Colony and authorize the Mayor to sign on behalf of the City.

- J. Approval of the advertising schedule for a public meeting on October 5, 2015, regarding an utility rate increase as recommended by the South Santa Rosa Utility and the surcharge as recommended by the City Council

Reference: August 26, 2015

Recommendation: That the City Council approve the schedule for advertising the public meeting to present the proposed rate changes.

- K. Approving payment of an invoice from Galloway/Johnson/Tompkins/Burr and Smith in the amount of \$911.00 for legal services rendered with regards to the Catawba Street right-of-way litigation

Reference: City Clerk memo dated August 25, 2015

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA

Recommendation: That the City Council approve payment of invoice no. 316605 in the amount of \$911.00 to Galloway/Johnson/Tompkins/Burr and Smith.

Mayor Pro Tem Henderson moved for approval of Consent Agenda Items A through K. Councilwoman Fitch seconded. The vote for approval was unanimous.

**These are items considered routine in nature and will be considered by one motion. If any citizen wishes to voice an opinion on one of the items, you should advise the Council immediately.*

ACTION AGENDA ITEMS:

- A. Approval of an Agreement For Operation And Management of the Tiger Point Golf Course between the City and IGC-Tiger Point Property, LLC (Integrity Golf Company).

Reference: Deputy City Manager memo dated September 9, 2015

Ed Whalley and Michael Neumann of Integrity Golf Company, LLC, addressed the Council and answered questions.

Recommendation: That the City Council approve the Agreement for Operation and Management of Tiger Point Golf and Country Club with IGC-Tiger Point Golf Club as presented.

Councilwoman Fitch made a motion to approve staff's recommendation. Councilwoman Bookout seconded. The vote for approval was unanimous.

NEW BUSINESS: None

INFORMATION ITEMS: None

PUBLIC FORUM: Tom Naile, 112 Windsor Court, spoke as the Chairman of the South Santa Rosa Utility Board and expressed concern that the SSRUS Board had not been made aware of the proposed surcharge as discussed in Consent Item J.

ADJOURNMENT: Mayor Dannheisser adjourned the meeting at 7:00 p.m.

Stephanie D. Lucas, City Clerk

Matt E. Dannheisser, Mayor

**MINUTES OF A "SPECIAL" MEETING OF THE
COMMUNITY REDEVELOPMENT AGENCY BOARD**

A "Special" meeting of the Board of Directors for the Community Redevelopment Agency, Gulf Breeze, Florida, was convened at the Gulf Breeze City Hall Council Chambers on Wednesday, September 16, 2015, at 6:54 p.m.

The following members were present: Councilwoman Renee Bookout, Councilwoman Cherry Fitch, Mayor Pro Tem Joseph Henderson, Councilman David G. Landfair, and Mayor Matt Dannheisser.

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

PUBLIC HEARING

Resolution No. 24-15 Adopting a plan for Gulf Breeze Community Redevelopment Agency expenditures for fiscal year 2016.

The Mayor opened the Public Hearing at 6:57 p.m. There were no comments. The Public Hearing was closed at 6:58 p.m.

Councilwoman Bookout made a motion to approve Resolution No. 24-15. Councilwoman Fitch seconded the motion. The vote for approval was unanimous.

ACTION AGENDA ITEM:

- A. Approval of payment to Barksdale and Associates in the amount of \$2,460 for asbestos testing and surveying of the Peyton Office Building.

Reference: Deputy City Manager memo dated September 11, 2015

Recommendation: That the City Council in their capacity as the CRA Board of Directors approve payment of the invoice from Barksdale and Associates for asbestos testing and surveying of the Peyton Office.

Councilman Landfair made a motion to approve staff's recommendation. Councilwoman Fitch seconded the motion. The vote for approval was unanimous.

- B. Authorization for expenditure of \$2,644 to Gulf Power for a binding estimate of installing underground electrical wiring from the City entrance eastward to Fair Point Drive

Reference: Public Services Director memo dated September 14, 2015

**MINUTES OF A "SPECIAL" MEETING OF THE
COMMUNITY REDEVELOPMENT AGENCY BOARD**

Recommendation: That the City Council in their capacity as the CRA Board of Directors authorize the expenditure of \$2,644 to Gulf Power for a binding estimate of installing underground electrical wiring from the City entrance eastward to Fairpoint Drive.

Councilman Henderson made a motion to approve staff's recommendation. Councilwoman Fitch seconded the motion. The vote for approval was unanimous.

NEW ITEMS:

- A. Approval to retain a consultant to review and provide input on the RFP for the new Pensacola Bay Bridge design build plan.

Reference: City Manager verbal report

Recommendation: That Community Redevelopment Board hold a meeting on September 21, 2015, to consider retaining a consultant to review and provide input on the RFP for the new Pensacola Bay Bridge design build plan.

Councilman Landfair made a motion for the CRA to hold a meeting on September 21, 2015, to consider retaining a consultant to review and provide input on the RFP for the new Pensacola Bay Bridge design build plan. Councilwoman Fitch seconded the motion. The vote for approval was unanimous.

PUBLIC FORUM: None

ADJOURNMENT: Mayor Dannheisser adjourned the meeting at 7:30 p.m.

Leslie A. Guyer, City Clerk

Matt E. Dannheisser, Mayor

The Gulf Breeze City Council held an Executive Meeting at Gulf Breeze City Hall on Wednesday, September 16, 2015, at 6:30 p.m.

ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE:

Upon call of the roll the following Councilmembers were present: Councilwoman Renee Bookout, Councilwoman Cherry Fitch, Mayor Pro Tem Joseph Henderson, Councilman David G. Landfair, and Mayor Matt Dannheisser.

PROCLAMATIONS

None

RESOLUTIONS AND ORDINANCES

- A. Approval of Ordinance No. 05-15 amending section 21-28 and 21-1 of the City Code or Ordinances approving a zoning map and defining mixed use development and hold a Public Hearing and Second Reading on September 21, 2015.

Reference: Deputy City Manager memo dated September 11, 2015

Recommendation:

That the City Council approve Ordinance No. 05-15 amending sections 21-28 and 21-1 of the City Code approving a zoning map and defining mixed use development and hold a Public Hearing and Second Reading on September 21, 2015.

Councilwoman Fitch made a motion to place staff's recommendation on the September 21, 2015 Regular agenda. Councilwoman Bookout seconded. The vote for approval was unanimous.

- B. Adoption of Resolution No. 19-15 approving a plan of finance for the Campo Felice Senior Living Facility and the issuance of up to \$65,000,000 in Capital Trust Agency Bonds.

Reference: City Manager memo dated September 10, 2015

Recommendation: The Capital Trust Agency and its Executive Director recommends the City Council adopt Resolution 19-15 approving the plan of finance for the Campo Felice Senior Living Facility and the issuance of up to \$65,000,000 in Capital Trust Agency Bonds.

Mayor Pro Tem Henderson made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilman Landfair. The vote for approval was unanimous.

- C. Approval of Resolution No. 22-15 establishing the millage rate of 1.9723, and hold a Public Hearing on September 21, 2015, to approve said Resolution.

Reference: Deputy City Manager memo dated September 10, 2015

Recommendation: That the City Council hold a Public Hearing on September 21, 2015, and adopt Resolution 22-15 establishing the millage rate of 1.9723.

Councilwoman Bookout made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilwoman Fitch. The vote for approval was unanimous.

- D. Approval of Resolution No. 23-15 adopting a budget for Fiscal Year beginning on October 1, 2015, and hold a Public Hearing on September 21, 2015 to approve said Resolution.

Reference: Deputy City Manager memo dated September 10, 2015

Recommendation: That the City Council hold a Public Hearing on September 21, 2015, and adopt Resolution 23-15 approving a budget for the fiscal year beginning October 1, 2015.

Mayor Pro Tem made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilman Landfair. The vote for approval was unanimous.

- E. Adoption of Resolution No. 25-15 supporting the Florida Department of Transportation's permanent closure of the Starbucks median crossing and installation of a 245 foot turn lane.

Reference: Deputy City Manager memo dated September 10, 2015

Recommendation: That the City Council adopt Resolution 25-15 supporting the Florida Department of Transportation's permanent closure of the Starbucks median crossing and installation of a 245 foot turn lane for east bound traffic on UW Highway 98 East of Andrew Jackson Trail.

Councilwoman Bookout made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Mayor Pro Tem Henderson. The vote for approval was unanimous.

ACTION AGENDA ITEMS

- A. Approving award of a real estate services agreement for 417 Fairpoint Drive.

Reference: Deputy City Manager memo dated September 11, 2015

Item withdrawn

- B. Approval of workers' compensation proposal from the Florida League of Cities Municipal Insurance Trust (FMIT) for the period beginning October 1, 2015.

Reference: Deputy City Manager memo dated September 11, 2015

Recommendation: That the City Council accept the proposal for workers' compensation insurance from FMIT for the period beginning October 1, 2015.

The Mayor would like to be provided with a cost analysis of several coverage alternatives prior to the September 21, 2015 meeting.

No action taken. This item will be placed on the September 21, 2015 action agenda for further discussion.

- C. Approving a change order in the amount of \$29,700 to Utility Service Company for the installation of 1720 feet of 6' forcemain for the Nightingale Forcemain Project.

Reference: Assistant Director of Public Services memo dated September 11, 2015

Recommendation: That the City Council approve the change order in the amount of \$29,700 to Utility Service Company for the installation of 1720 feet of 6' forcemain for the Nightingale Forcemain Project.

Mayor Pro Tem Henderson made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilwoman Fitch. The vote for approval was unanimous.

- D. Authorizing the sole source purchase of the fill station, storage cylinders and installation from Municipal Emergency Services (MES) for an amount not to exceed \$19,999.

Reference: Fire Chief memo dated September 11, 2015

Recommendation: That the City Council authorize the sole source purchase of the fill station, storage cylinders and installation from MES for a total not to exceed \$19,999.

Councilwoman Fitch made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilwoman Bookout. The vote for approval was unanimous.

- E. Accepting the City's annual flood plan management status report.

Reference: Director of Community Services memo dated September 11, 2015

Recommendation: That the City Council accept the annual status report on the City's Flood Plan Management.

Councilwoman Bookout made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilwoman Fitch. The vote for approval was unanimous.

- F. Advertisement for volunteers to fill vacancies on the Development Review Board and Board of Adjustment.

Reference: City Clerk memo dated September 11, 2015

Recommendation: That the City Council appoint Ben Zimmern from an alternate position to a full time board member on the Board of Adjustment.

Councilman Landfair made a motion to place staff's recommendation on the September 21, 2015, Regular Council meeting agenda. The motion was seconded by Councilwoman Fitch. The vote for approval was unanimous.

Mayor Dannheisser suspended the City Council meeting at 6:54 p.m. for the Council to meet as the CRA Board of Directors. Mayor Dannheisser reconvened the council meeting at 7:30 p.m.

NEW ITEMS None

INFORMATION ITEMS None

PUBLIC FORUM

Jim Cox, 423 Williamsburg Drive, Gulf Breeze

COUNCIL COMMENTS:

Councilwoman Bookout inquired on the Status of Dunkin Donuts. Requested that the property at the corner of Berry and Fairpoint be brought up to code.

ADJOURNMENT Mayor Dannheisser adjourned the meeting at 7:33 p.m.

ORDINANCE 05-15

AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA AMENDING SECTION 21-28 OF ARTICLE II OF CHAPTER 21, OF THE CODE OF ORDINANCES REGARDING THE OFFICIAL ZONING MAP; AMENDING SECTION 21-1 OF ARTICLE II OF CHAPTER 21 OF THE CODE OF ORDINANCES TO ADD THE DEFINITION OF MIXED USE DISTRICT; 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 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 City Council enacted said amendment by Ordinance No. 03-15 on May 4, 2015; and,

WHEREAS, the enactment of Ordinance No. 03-15 on May 4, 2015, requires minor technical changes to the Land Development Code.

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 and replaced with the following:

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 maps attached hereto as Exhibit A. 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. The official zoning map shall be available at the office of the City Clerk.

SECTION 2.

Section 21-1 is hereby amended to add the following definition:

Mixed Use District or MXD-1 means an overlay district 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.

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 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 9th DAY OF SEPTEMBER, 2015.

ADVERTISED ON THE 27th DAY OF AUGUST, 2015

ADVERTISED ON THE 10TH DAY OF SEPTEMBER, 2015.

PASSED ON THE SECOND READING ON THE _____ DAY OF SEPTEMBER, 2015.

BY: _____
MATT DANNHEISSER, MAYOR

ATTEST:

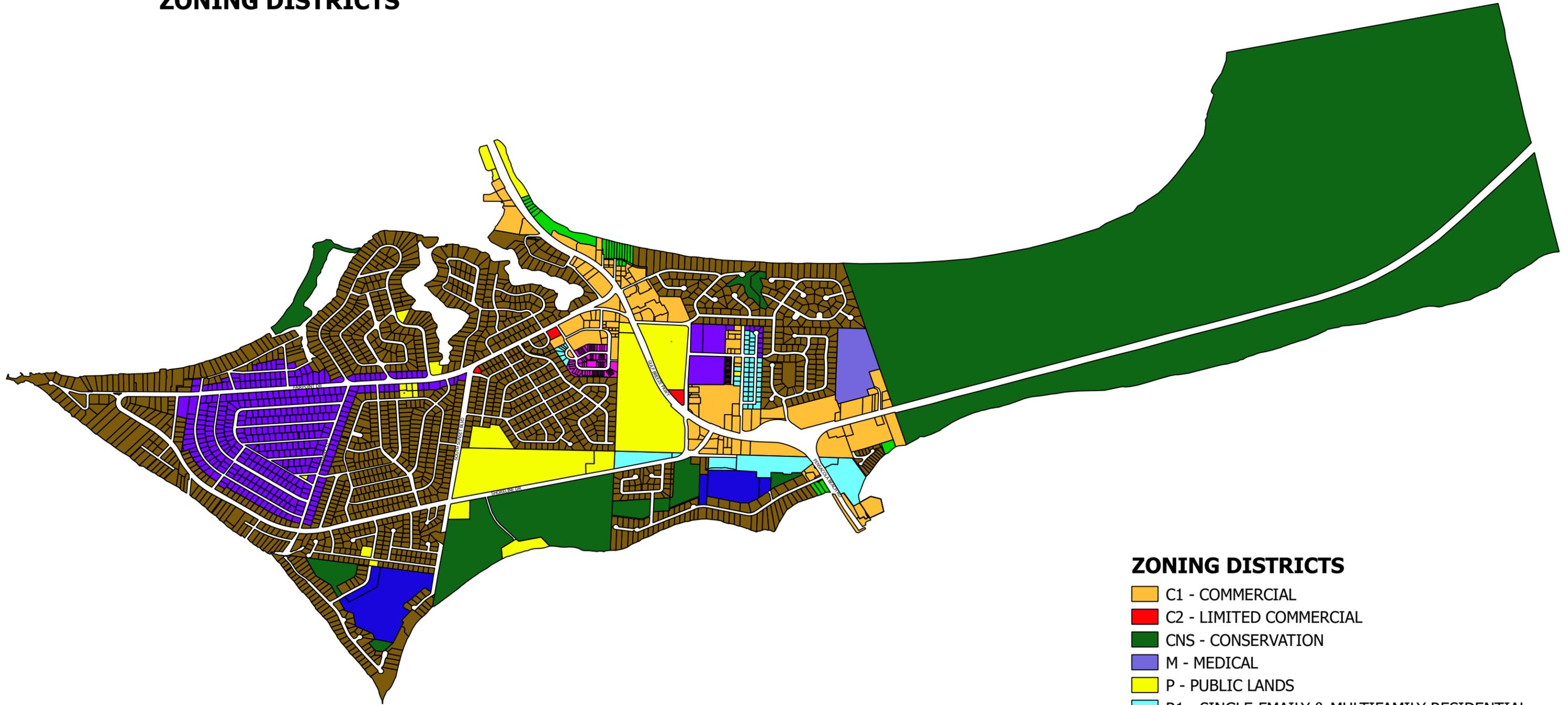
LESLIE A. GUYER, CITY CLERK

EXHIBIT A
CITY OF GULF BREEZE
OFFICIAL ZONING MAP



City of Gulf Breeze

ZONING MAP ZONING DISTRICTS



ZONING DISTRICTS

-  C1 - COMMERCIAL
-  C2 - LIMITED COMMERCIAL
-  CNS - CONSERVATION
-  M - MEDICAL
-  P - PUBLIC LANDS
-  R1 - SINGLE-FAMILY & MULTIFAMILY RESIDENTIAL
-  R1A - SINGLE FAMILY RESIDENTIAL
-  R1AA - SINGLE FAMILY RESIDENTIAL
-  RC - RESIDENTIAL CONDOMINIUM
-  RES - ENVIRONMENTALLY SENSITIVE RESIDENTIAL
-  TH - TOWNHOUSE

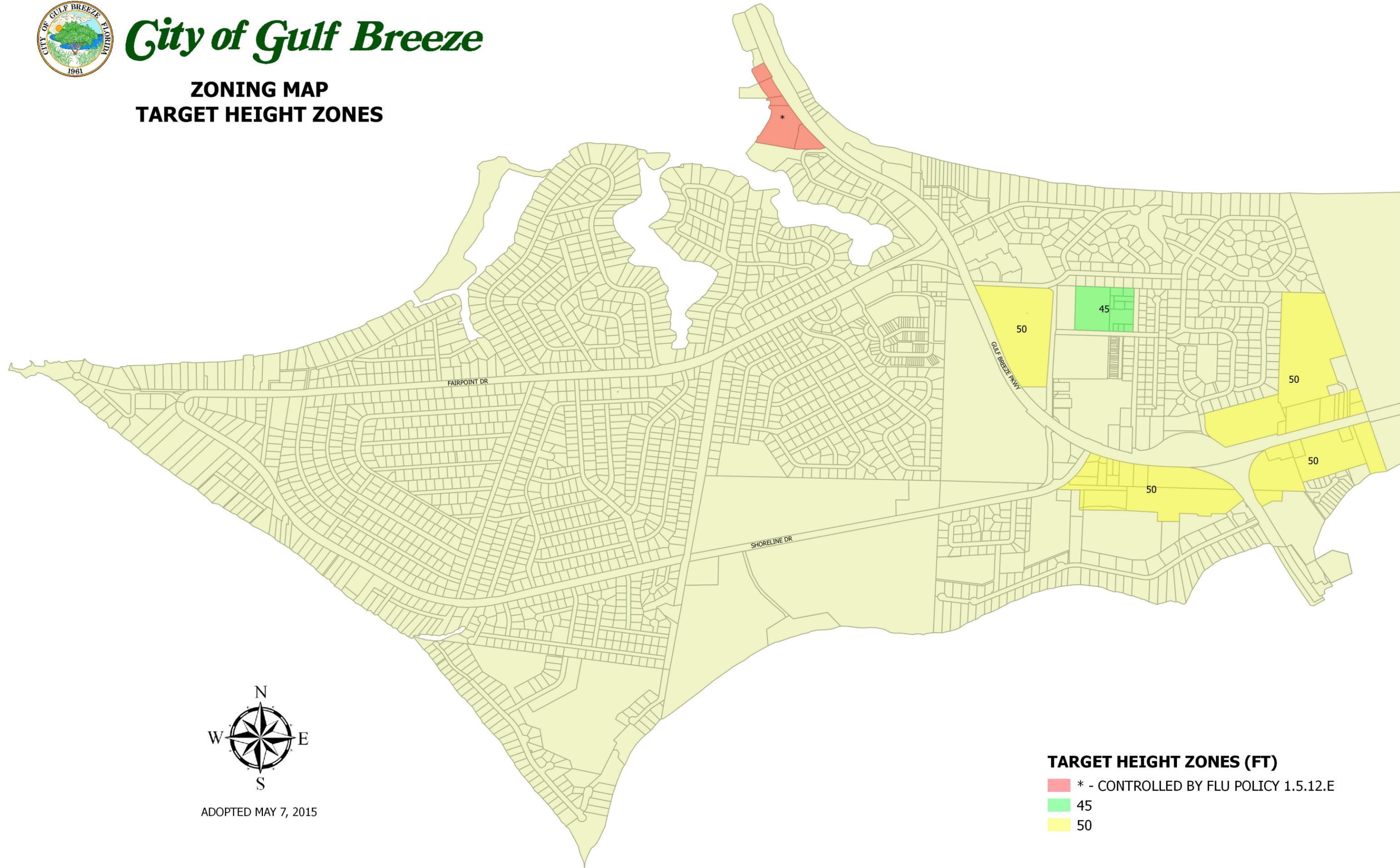


ADOPTED SEPTEMBER 21, 2015



City of Gulf Breeze

ZONING MAP TARGET HEIGHT ZONES



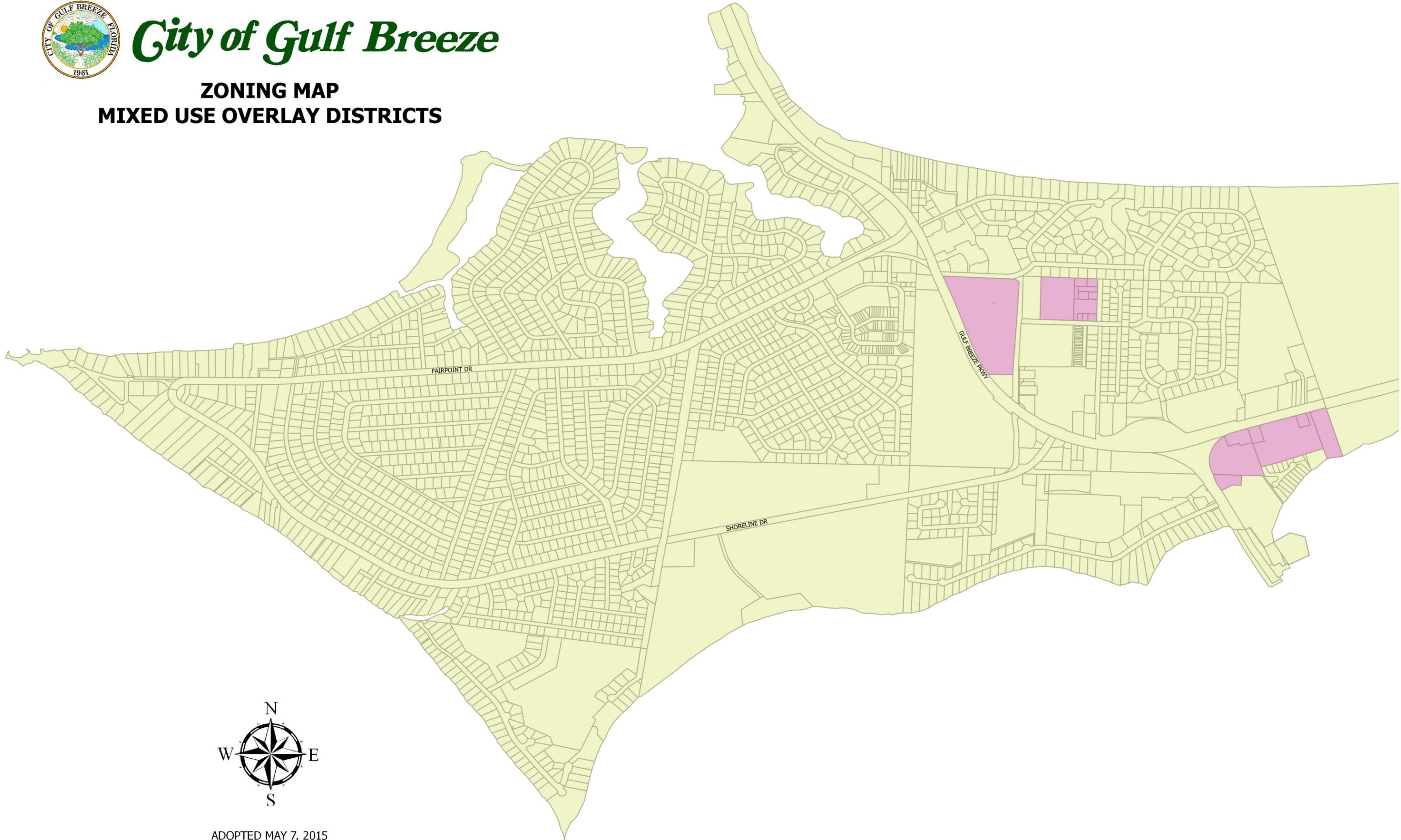
ADOPTED MAY 7, 2015

- TARGET HEIGHT ZONES (FT)**
- * - CONTROLLED BY FLU POLICY 1.5.12.E
 - 45
 - 50



City of Gulf Breeze

ZONING MAP MIXED USE OVERLAY DISTRICTS

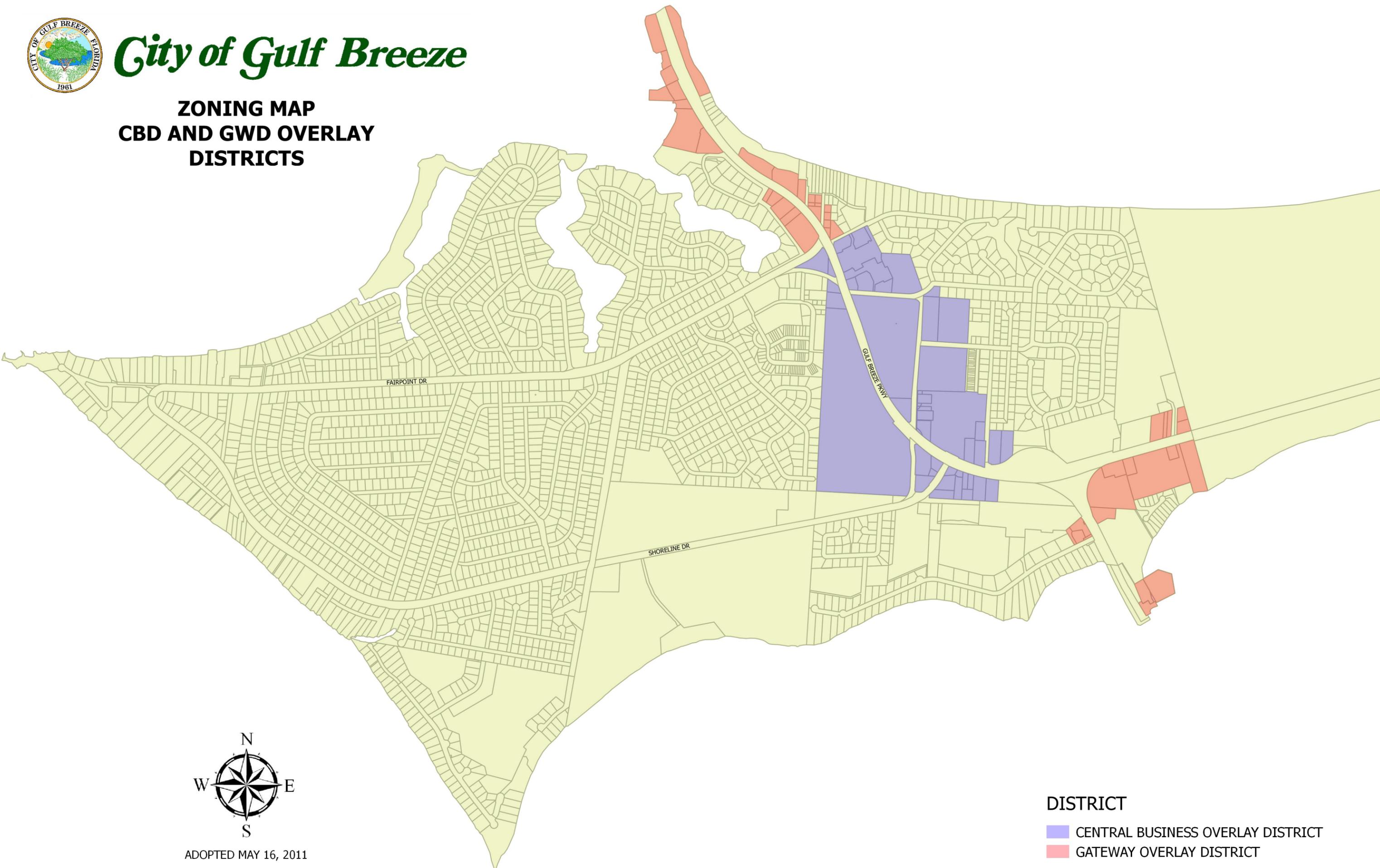


ADOPTED MAY 7, 2015



City of Gulf Breeze

ZONING MAP CBD AND GWD OVERLAY DISTRICTS



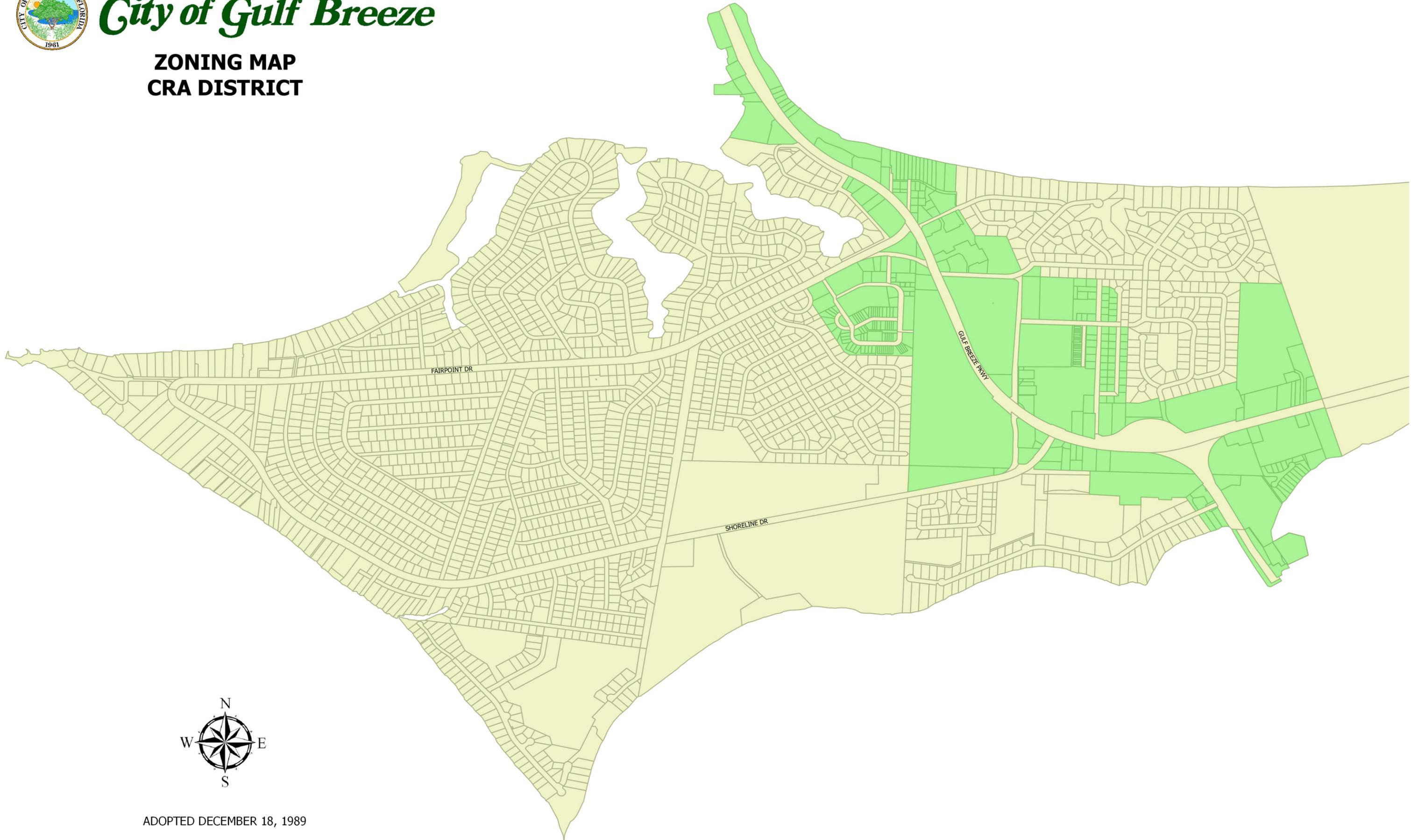
- DISTRICT**
- CENTRAL BUSINESS OVERLAY DISTRICT
 - GATEWAY OVERLAY DISTRICT

N
W E
S
ADOPTED MAY 16, 2011



City of Gulf Breeze

ZONING MAP CRA DISTRICT



ADOPTED DECEMBER 18, 1989

RESOLUTION NO. 19-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, APPROVING A PLAN OF FINANCE IN ORDER TO FINANCE OR REFINANCE, INCLUDING THROUGH REIMBURSEMENT, THE COSTS OF THE ACQUISITION, REHABILITATION, CONSTRUCTION, DEVELOPMENT, INSTALLATION AND EQUIPPING OF A SENIOR LIVING FACILITY LOCATED IN THE STATE OF FLORIDA; APPROVING THE ISSUANCE NOT EXCEEDING \$65,000,000 CAPITAL TRUST AGENCY REVENUE BONDS FOR THE PURPOSES OF FINANCING A LOAN PROGRAM TO ASSIST IN FINANCING SUCH SENIOR LIVING FACILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council (the "City Council") of Gulf Breeze, Florida (the "City"), a municipal corporation of the State of Florida (the "State"), has heretofore adopted Resolution No. 14-99 dated as of July 19, 1999 (the "Original Resolution"), and entered into an Interlocal Agreement between the City and the Town of Century, Florida, dated as of August 2, 1999, as amended by Amendment No. 1 through No. 63 (collectively, the "Enabling Agreement"), approving the creation of the Capital Trust Agency (the "Agency"), a legal entity and public agency of the State, organized and existing under the provisions of Chapter 163, Part I, and Chapter 159, Part II, Florida Statutes, Ordinance No. 05-97 duly enacted by the City Council, as amended, and its Articles of Incorporation, as amended and other applicable provisions of law (collectively the "Act"), to enable public, private and not-for-profit organizations to obtain public assistance in financing and refinancing, including through reimbursement, certain beneficial projects or programs that benefit, enhance and/or serve a public purpose; and

WHEREAS, pursuant to the Act and in accordance with the provisions of the Original Resolution, the Agency did on July 23, 2015, take official action by adopting its preliminary resolution (the "Agency Resolution") indicating its intent to authorize the financing, including through reimbursement, of the hereinafter described project, and the issuance from time to time of revenue bonds (the "Bonds") by the Agency for a loan program for the purposes, among other things, of financing or refinancing, including through reimbursement, the acquisition, rehabilitation, construction, development, installation and equipping of a senior living facility, and the acquisition and installation of related facilities, fixtures, furnishings and equipment, as described on Schedule "I" attached hereto, which, by this reference thereto, is incorporated herein, to provide independent living and supportive care to the elderly (collectively, the "Senior Living Facility"); and

WHEREAS, the City has been advised that the Agency desires to issue the Bonds in an aggregate principal amount of not exceeding \$65,000,000 (the exact amount to be determined by the appropriate official of the Agency, as being the amount required to fund the financing

herein authorized), to finance the Senior Living Facility on behalf of Sunny Senior Living LLC, a Florida limited liability company, or one or more of its affiliates, as described on the attached Schedule "I", whose principal place of business is 2400 First Street, Suite 214, Fort Myers, Florida 33901 (as applicable, the "Borrower") to fund a program herein described (the "Plan of Finance"), such Senior Living Facility to be managed initially by Validus Senior Living REIT Investment Management Company, LLC, a Florida limited liability company d/b/a Validus Senior Living, or its affiliate; and

WHEREAS, the proposed Senior Living Facility is appropriate to the needs and circumstances of the community in which it will be located and will serve a public purpose by (i) providing gainful employment and making a significant contribution to the economic growth of the local community, (ii) promoting commerce within the State, (iii) serving a public purpose by providing safe, decent and accessible housing facilities for the elderly, and (iv) advancing the economic prosperity and the general welfare of the State and its people; and

WHEREAS, in order to advance and further the public purposes set forth in the Act, it is necessary and in the public interest to facilitate the financing of the Senior Living Facility and to facilitate and encourage the planning and development of such Senior Living Facility without regard to the boundaries between counties, municipalities, special districts, and other local governmental bodies or agencies in order to more effectively and efficiently serve the interests of the greatest number of people in the widest area practicable; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires public approval of certain revenue bonds by an applicable elected representative or governmental unit on behalf of which such bonds are to be issued, following a public hearing; and

WHEREAS, (i) notice of such public hearing was given in the form required by the Code by publication at least fourteen (14) days prior to such public hearing in the *Gulf Breeze News* on August 20, 2015, and (ii) the Bonds and the Plan of Finance have been submitted to such public hearing held on behalf of the City Council of the City of Gulf Breeze, Florida (the "City Council") on September 9, 2015; and

WHEREAS, the City Manager has conducted the public hearing on behalf of the City Council and provided reasonable opportunity for all interested persons to express their views, both orally and in writing and diligently and conscientiously considered all comments and concerns expressed by such individuals, if any; and

WHEREAS, the City Council desires to approve the Bonds and the issuance and sale thereof pursuant to the Plan of Finance and to grant all approvals required or contemplated by Section 147(f) of the Code, to express its approval of the action taken by the Agency and its officials pursuant to the Agency Resolution, and to grant all other approvals required by the

Enabling Agreement, as amended and the Original Resolution in connection with the issuance and sale of the Bonds;

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

SECTION 1. PUBLIC HEARING NOTICE AND REPORT APPROVED.

The City Council hereby approves the form of and the manner of publication of the Notice of Public Hearing (the "Notice") published on August 20, 2015, in the *Gulf Breeze News*, a newspaper of general circulation in the jurisdiction of the City. The City Council hereby approves the report of the public hearing conducted by the City Manager, a copy of which is attached as Exhibit "A" hereto. Such Notice and other means and methods utilized by the City to give notice of purpose, time and date of the public hearing provided reasonable notice sufficient to inform residents of the City of the proposed Bonds.

SECTION 2. BONDS AND PLAN OF FINANCE APPROVED.

For purposes of the Act, the City hereby approves the Plan of Finance described herein, and the issuance of the Bonds described in the Notice. The Agency and its officers, employees, agents and attorneys are hereby authorized from time to time to take all action, to execute and deliver such authorizations, approvals, certificates and documents, and to enter into, on behalf of the Agency, such interlocal agreements, interest rate swap or hedge transactions, investment agreements, repurchase agreements, bond credit or insurance agreements, reimbursement agreements, and other agreements, approvals or instruments deemed necessary or convenient to effect, implement, maintain and continue the Plan of Finance, the financing, including through reimbursement, of the Senior Living Facility through the issuance from time to time of the Bonds and the purposes for which the Bonds are to be issued, including, without limitation, the Amendment (hereinafter defined) and the Agency Resolution. No obligation of the Agency under any such agreement shall constitute an obligation of the City except to the extent the same may be expressly approved by the City. The Bonds shall be limited and special obligations of the Agency, and shall not constitute a pledge of the faith and credit or taxing power of or constitute an obligation of the City.

SECTION 3. AMENDMENT TO THE ENABLING AGREEMENT APPROVED.

Pursuant to the Enabling Agreement, there is hereby approved the execution and delivery of Amendment No. 64 to the Enabling Agreement (the "Amendment") to effect the approvals set forth in Section 1 and Section 2 hereof. Such Amendment shall be in substantially the form attached hereto as Exhibit "B," and the Mayor is authorized to execute and deliver the same on behalf of the City Council, with such changes not inconsistent herewith as the Mayor shall approve, her execution thereof to conclusively establish such approval.

SECTION 4. TEFRA APPROVAL.

After diligent and conscientious consideration of the views expressed by the persons appearing at the public hearing, the City Council hereby approves the Agency's Plan of Finance which includes (i) the issuance by the Agency of not exceeding \$65,000,000 aggregate principal amount of revenue bonds for all purposes of the Enabling Agreement, as amended, and for all purposes of the Original Resolution and (ii) the issuance by the Agency of either taxable or tax-exempt, or both, bonds in an amount not exceeding \$65,000,000 for all purposes under Section 147(f) of the Code.

SECTION 5. REPEALING CLAUSE.

All resolutions or parts thereof of the City in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION 6. EFFECTIVE DATE.

This resolution shall take effect immediately upon its adoption this 21st day of September, 2015.

**GULF BREEZE, FLORIDA
CITY COUNCIL**

(SEAL)

By: _____
Matt E. Dannheisser, Mayor

ATTEST:

By: _____
Stephanie D. Lucas, City Clerk or
Leslie A. Guyer, City Clerk

EXHIBIT "A" TO RESOLUTION

**REPORT OF HEARING OFFICER
SUNNY SENIOR LIVING LLC**

This instrument shall constitute the official report of the undersigned designated official of the City of Gulf Breeze, Florida (the "City"), a municipal corporation of the State of Florida, with respect to a public hearing scheduled and held by the City on September 9, 2015, for and on behalf of the Capital Trust Agency (the "Agency"), a legal entity and public agency created and existing under Chapter 163, Part I, and Chapter 617, Florida Statutes, and established and empowered by the provisions of Chapter 159, Part II, Florida Statutes, Chapter 163, Part I, *et seq.*, Chapter 166, Part II, Florida Statutes, Chapter 617, Florida Statutes and other applicable provisions of law, in connection with the proposed issuance of the Agency's not exceeding \$65,000,000 revenue bonds (the "Bonds") on behalf of Sunny Senior Living LLC, a Florida limited liability company, or one or more of its affiliates, and whose principal place of business is 2400 First Street, Suite 214, Fort Myers, Florida 33901 (as applicable, the "Borrower"). The proceeds of the Bonds will be loaned to the Borrower for financing or refinancing, including through reimbursement, the acquisition, rehabilitation, construction, development, installation and equipping of a senior living facility, and the acquisition and installation of related facilities, fixtures, furnishings and equipment, to be known as Campo Felice Senior Living Facility, as more fully described in Exhibit "A" hereto, to provide independent living and supportive care for the elderly (collectively, the "Senior Living Facility").

The public hearing was duly advertised in the *Gulf Breeze News*, a newspaper of general circulation in the jurisdiction of the City, on August 20, 2015. The proof of publication was presented to me at such hearing, and a copy is attached hereto as Exhibit "B" (the "Notice").

The hearing commenced at the time and location stated in the Notice. At such hearing, interested individuals were afforded reasonable opportunity to express their views, both orally and in writing, on all matters pertaining to the plan of finance and the financing of the Senior Living Facility. Information about the proposed Bonds, the location of the Senior Living Facility, and the proposed use of the proceeds were presented. When the information had been presented, opportunity was given for members of the public in attendance to give their input. It was noted that no written communication was received.

No interested party was in attendance at the public hearing. Minutes of the Council Meeting, including the public hearing, will be kept on file with the City Clerk as referenced in Exhibit "C" hereto. The undersigned then concluded the hearing.

Respectfully submitted,

By: _____
Edwin Eddy, City Manager
City of Gulf Breeze, Florida

**EXHIBIT "A" TO REPORT OF HEARING OFFICER
SUNNY SENIOR LIVING, LLC**

The Senior Living Facility consists of the acquisition, rehabilitation, construction, development, installation, and equipping of an approximately 323-unit independent senior living facility providing supportive services for the elderly, including related facilities, fixtures, furnishings, and equipment, which will include the acquisition and renovation of an existing 24-story building on a site containing approximately 4.85 acres, to be known as Campo Felice Senior Living Facility located at 2500 Edwards Drive, Fort Myers, Florida 33901 (the "Senior Living Facility").

**EXHIBIT "B" TO REPORT OF HEARING OFFICER
SUNNY SENIOR LIVING, LLC**

PROOF OF PUBLICATION

[FOLLOWS]

**EXHIBIT "C" TO REPORT OF HEARING OFFICER
SUNNY SENIOR LIVING, LLC**

**MINUTES OF COUNCIL MEETING INCLUDING
PUBLIC HEARING ON FILE WITH CITY CLERK**

EXHIBIT "B" TO RESOLUTION
AMENDMENT NO. 64
OF THE ENABLING AGREEMENT

This **AMENDMENT NO. 64 TO INTERLOCAL AGREEMENT** (this "Amendment No. 64") is made and entered into as of the 21st day of September, 2015, by and among the **CITY OF GULF BREEZE, FLORIDA**, a municipal corporation of the State of Florida ("Gulf Breeze") and the **TOWN OF CENTURY, FLORIDA**, a municipal corporation of the State of Florida ("Century"). Gulf Breeze and Century may collectively be referred to herein as the "Parties."

WITNESSETH:

WHEREAS, pursuant to an Interlocal Agreement dated as of August 2, 1999, as amended by Amendments No. 1 through No. 63 (collectively, the "Enabling Agreement"), the Parties hereto have heretofore provided for the creation of the Capital Trust Agency (the "Agency"), to enable public, private and not-for-profit organizations to obtain public assistance in financing certain projects or programs that benefit, enhance and/or serve a public purpose; and

WHEREAS, Sunny Senior Living LLC, a Florida limited liability company, or one or more of its affiliates (as applicable, the "Borrower"), has represented to the Agency that, acting for itself or through its affiliates, it is engaged in, among other things, the acquiring, rehabilitating, constructing, developing, installing and equipping of senior living facilities; and

WHEREAS, on July 23, 2015, the Agency approved a request by the Borrower that the Agency issue its revenue bonds in a principal amount not to exceed \$65,000,000 (the exact amount to be determined by the appropriate official of the Agency, as being the amount required to fund the financing herein authorized), in one or more series from time to time (collectively, the "Bonds") and loan the net proceeds thereof to the Borrower, for the purpose, among other things, of financing or refinancing, including through reimbursement, the acquisition, rehabilitation, construction, development, installation and equipping of a senior living-facility, and the acquisition and installation of related facilities, fixtures, furnishings and equipment, to be known as Campo Felice Senior Living Facility, located in the State of Florida and described in Schedule I attached hereto, which, by this reference thereto, is incorporated herein (the "Senior Living Facility"); and

WHEREAS, the Agency will issue its Bonds on a case-by-case basis after review by the Agency, to provide financing and refinancing from time to time for individual projects or groups of projects, or eligible financing programs, based upon the credit pledged therefor from one or more of the projects, the Borrower, a sponsor, a credit enhancement facility, if any, or from the revenues of any such programs; and

WHEREAS, Section 7 of the Enabling Agreement requires that as a condition precedent to the Agency issuing the Bonds, the Agency must obtain the prior written approval, evidenced by resolution, from the governing bodies of Century and Gulf Breeze approving such issuance and approving an amendment to the Enabling Agreement specifically authorizing such issuance. Such approval evidenced by appropriate resolutions has been obtained, authorizing the execution and delivery of this Amendment No. 64 to the Enabling Agreement with respect to the financing herein described; and

WHEREAS, the Parties desire to amend the Enabling Agreement to permit and authorize the Agency to issue the Bonds herein described and loan the proceeds to the Borrower in order to provide financing, including through reimbursement, for the Senior Living Facility;

NOW, THEREFORE, the Parties hereby agree as follows:

SECTION 1. AMENDMENT OF ENABLING AGREEMENT APPROVED.

This Amendment No. 64 is entered into pursuant to Section 7 of the Enabling Agreement for the purpose of authorizing the Agency to issue the Bonds and to finance projects of the type and character of the Senior Living Facility.

SECTION 2. BONDS, PROGRAM, PLAN OF FINANCE APPROVED.

The Parties do hereby approve and authorize the Bonds, and the issuance of Bonds from time to time, in one or more series, in an aggregate principal amount of not to exceed \$65,000,000 (the exact amount to be determined by an appropriate official of the Agency to be sufficient to enable the financing, including through reimbursement, of the Senior Living Facility). Each installment or issue of such Bonds shall be designated by series, in such manner as the Agency shall determine, so as to separately identify each such installment or issue. The Agency and its officers, employees, agents and attorneys are hereby authorized to enter into, on behalf of the Agency, from time to time, interlocal agreements, cash management agreements, interest rate swap or hedge transactions, investment agreements, repurchase agreements, bond credit or insurance agreements, escrow agreements, reimbursement agreements, security documents and other agreements, approvals or instruments deemed necessary or convenient to effect or implement the financing, including through reimbursement, of the Senior Living Facility through the issuance of the Bonds, and the purposes and programs for which the Bonds are to be issued and to conform the purposes stated in the Articles of Incorporation of the Agency to authorizations herein contained. No obligation of the Agency under any such agreement or instrument shall constitute an obligation of Century or Gulf Breeze. The Bonds shall be limited and special obligations of the Agency, payable from the revenues or receipts of the programs or projects, payments by the Borrower, a sponsor, or other sources relating to the purpose for which they are issued, all in the indentures for the Bonds. The Bonds shall not constitute a pledge of the faith and credit or taxing power of or constitute an obligation of Century or of Gulf Breeze.

SECTION 3. ADMINISTRATIVE FEES AND EXPENSES FOR CENTURY.

Upon the issuance of each series or installment of Bonds, Century shall be paid by either the Agency or Gulf Breeze, solely from amounts received from the Borrower, the sum specified on Schedule II attached hereto, which, by this reference thereto, is incorporated herein.

SECTION 4. ENABLING AGREEMENT CONTINUED.

The Enabling Agreement, as amended hereby, is hereby ratified, confirmed and approved and shall otherwise continue in full force and effect. Nothing in this Amendment No. 64 shall be deemed to adversely affect the authorizations in the Enabling Agreement as it existed prior to the effective date of this Amendment No. 64, or to adversely affect the interests of the holders of any Bonds issued or to be issued pursuant to such authorizations. Except as and only to the extent specifically amended hereby, such Enabling Agreement is hereby incorporated by reference.

SECTION 5. INDEMNITY.

To the extent permitted by law, the Agency and Gulf Breeze shall indemnify and defend Century and hold Century harmless against any and all claims, losses, liabilities or damages to property or any injury or death of any person or persons occurring in connection with the issuance of the Bonds pursuant hereto, or in connection with the acquisition or operation of any project, or for any liability any way growing out of or resulting from the Enabling Agreement, as amended, this Amendment No. 64, the financing agreements and/or bond indentures executed in connection with the Bonds, including, without limitation, all costs and expenses of Century, including reasonable attorney's fees, incurred in the performance of any activities of Century in connection with the foregoing or the enforcement of any agreement of the Agency herein contained. Any such obligation of Gulf Breeze or the Agency shall be payable solely from the amounts available to them for such purposes under the Bond financing or any other plan of finance heretofore or hereafter undertaken by the Agency, and shall not constitute a general obligation or a pledge of the faith and credit of Gulf Breeze or the Agency, or an obligation to pay the same from any sources other than such amounts available to them for such purposes under the Bond financing.

SECTION 6. SEVERABILITY OF INVALID PROVISIONS.

If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provisions of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed severable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other provisions hereto.

SECTION 7. COUNTERPARTS.

This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 8. EFFECTIVE DATE; AMENDMENTS.

This Amendment shall take effect when duly executed by the Parties and filed in accordance with law. This Amendment may be amended only by written instrument signed by authorized representatives of Century and of Gulf Breeze; provided, however, that no such amendment which would adversely affect the rights of the holders or owners of any then outstanding Bonds of the Agency or of any other member shall take effect until such time as all necessary consents or approvals with respect to such Bonds shall have been obtained, in the case of the rights of bondholders, or the consents and approvals of the affected members, in the case of the rights of members.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 64 to the Enabling Agreement to be executed by their duly authorized officers as of the date first above written.

CITY OF GULF BREEZE, FLORIDA

[SEAL]

By: _____
Matt E. Dannheisser, Mayor

ATTEST:

By: _____
Leslie A. Guyer, City Clerk or
Stephanie D. Lucas, City Clerk

[Signature Page to Amendment No. 64 to Interlocal Agreement]

TOWN OF CENTURY, FLORIDA

[SEAL]

By: _____
Freddie W. McCall, Sr., Mayor

ATTEST:

By: _____
Leslie Gonzalez, Town Clerk

[Signature Page to Amendment No. 64 to Interlocal Agreement]

SCHEDULE I

Project Description

The Senior Living Facility consists of the acquisition, rehabilitation, construction, development, installation, and equipping of an approximately 323-unit independent senior living facility providing supportive services for the elderly, including related facilities, fixtures, furnishings, and equipment, which will include the acquisition and renovation of an existing 24-story building on a site containing approximately 4.85 acres, to be known as Campo Felice Senior Living Facility located at 2500 Edwards Drive, Fort Myers, Florida 33901 (the "Senior Living Facility").

SCHEDULE II

Payment to Century

\$350.00 per million principal amount of each issue, upon issuance thereof, but not less than \$2,500.00.

SCHEDULE I

PROJECT DESCRIPTION

The Senior Living Facility consists of the acquisition, rehabilitation, construction, development, installation, and equipping of an approximately 323-unit independent senior living facility providing supportive services for the elderly, including related facilities, fixtures, furnishings, and equipment, which will include the acquisition and renovation of an existing 24-story building on a site containing approximately 4.85 acres, to be known as Campo Felice Senior Living Facility located at 2500 Edwards Drive, Fort Myers, Florida 33901 (the "Senior Living Facility").



504 NORTH BAYLEN STREET
PENSACOLA, FLORIDA 32501
850-434-9922
FACSIMILE: 850-432-2028

September 17, 2015

VIA FEDEX

Mayor Freddie W. McCall
Town of Century
7995 North Century Boulevard
Century, Florida 32535

Ann C. Brooks, President
9302 North Century Boulevard
Century, Florida 32535

Sandra M. Jackson
124 Maple Street
Century, Florida 32535

Benjamin D. Boutwell
Town of Century
P.O. Box 790
Century, Florida 32525

Annie Savage
170 Henry Street
Century, Florida 32535

Gary Riley
7100 Roberts Road
Century, Florida 32535

RE: Town of Century - Approval of Bond Issuance for:
Sunny Senior Living LLC/Campo Felice Senior Living

Dear Mayor McCall and Members of the Town Council:

I am writing to you in regard to the above bond issuance for which Capital Trust Agency seeks your approval.

Please recall that pursuant to the Interlocal Agreement between the Town of Century and the City of Gulf Breeze, no bonds can be issued by Capital Trust Agency unless it first obtains approval from both the Century Town Council and the Gulf Breeze City Council. The proposed financing is discussed below.

Mayor Freddie W. McCall
Ann Brooks, President
Sandra M. Jackson
Benjamin D. Boutwell
Annie Savage
Gary Riley
September 17, 2015
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General Matters

As with all bond issues by CTA, it is contemplated that for the financing discussed in this letter neither the Town of Century nor the City of Gulf Breeze will be responsible for repaying the bonds. Each of the bonds will expressly state that neither the Town nor the City will be liable to pay the principal or interest on the bonds, rather CTA's obligations to repay the bonds will be limited to the assets in the respective trust estates for each transaction. The security for the bonds will be a pledge of revenues realized by the borrowers as well as a security interest in the property and improvements for which the loan proceeds would be utilized to acquire, construct, improve, etc.

Because of the Town's participation in the creation of Capital Trust Agency, it was contemplated that the Town of Century would receive a fee upon closing of the financing discussed herein. For this financing, CTA proposes to utilize the same fee schedule that has been approved by the Town of Century in previous financing. Specifically, it is proposed that the Town of Century be paid a fee equal to \$350.00 per \$1,000,000.00 of principal amount of bond issuance, subject to a minimum fee of \$2,500.00.

Sunny Senior Living LLC/Campo Felice Senior Living (*Century Resolution No. 10-15; Amendment No. 64 to Interlocal Agreement*)

CTA is requesting your approval for a bond issuance to facilitate the acquisition, rehabilitation, construction, development, furnishing and equipping of the Campo Felice Senior Living Facility in Fort Myers, Florida.

The Project. Sunny Senior Living, LLC, a Florida limited liability company intends to convert and rehabilitate a 24-story former hotel on 4.85 acres into an independent living facility with supportive services for seniors to be known as Campo Felice Riverfront Senior Housing, located at 2500 Edwards Drive, Fort Myers, Florida 33901 ("Campo Felice Development").

At this juncture, according to the application for financing, the Campo Felice Development will contain a total of approximately 323-units with luxury amenities and supportive services for seniors 55 years of age and older. It will involve the complete rehabilitation of the housing units, including the installation of central heat/air, kitchenettes, safety features such as grab bars and roll-in showers, and emergency call systems. On each floor, additional community amenities will include dining rooms, activity rooms, a library, a television lounge, fitness area and laundry facilities. The existing 550 parking space garage will be renovated with 268 spaces rented to residents and 275 spaces to be leased to the City of Fort Myer. Healthcare services will be

Mayor Freddie W. McCall
Ann Brooks, President
Sandra M. Jackson
Benjamin D. Boutwell
Annie Savage
Gary Riley
September 17, 2015
Page 3

provided by Fusion Health. The rent payment will also include weekly housekeeping and bed linen service as well as daily meal services, recreational activities managed by a recreational coordinator, concierge service, regularly scheduled transportation and a 24-hour security/emergency response system. At the bond closing, Sunny Senior Living LLC will enter into a Land Use Restriction Agreement that will assure that twenty percent (20%) of the completed units shall be occupied by low-income tenants.

The Campo Felice Development has considerable support from the City of Fort Myers according to the financing application in the way of tax increment financing, enterprise zone area incentives, job tax credits and a parking lease agreement with the City of Fort Myers, Florida.

Security for the financing will include a first mortgage on the independent living facility and a first lien on all revenues of the independent living facility.

Project Sponsor and Manager. According to its application for financing, Sunny Senior Living LLC, a Florida limited liability company, is the sole owner and obligated group for the Campo Felice Development. The principals are Robert MacFarlane, Oded Meltzer and Thomas Weisz.

Robert McFarlane has been actively involved in residential and commercial real estate since the early 1970s according to the application for financing. He is an established developer in Lee County, Florida and has been recognized and credited for his contribution in jumpstarting the revitalization of downtown Fort Myers, Florida. As a successful developer, he has an established working relationship with Fort Myers city officials since 2001. He has completed several projects in Lee County, Florida including the development of three waterfront projects. One of the three condominium towers, the Beau Rivage, is a 120-unit residential community, which was the first successful development on the Fort Myers waterfront in the preceding 20 years. Mr. McFarlane has developed both a 170-unit St. Tropez and the 160-unit Rivera Condominium Tower. All units in all three projects were successfully sold upon completion.

Oded Meltzer has been involved in the real estate industry for 35 years according to the financing application. His experience includes development, construction and rehabilitation of residential and commercial property, land development, property management as well as condominium conversions. In 1978, he founded Service First Management Group, Inc. The company was established as an entity to manage commercial properties in Florida.

Thomas Weisz, as a member of Sunny Senior Living LLC, is assisting with obtaining funding for the Campo Felice Development according to the financing application. He began his

Mayor Freddie W. McCall
Ann Brooks, President
Sandra M. Jackson
Benjamin D. Boutwell
Annie Savage
Gary Riley
September 17, 2015
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career at Ira Haupt & Co., as a stockbroker after attending Brooklyn Law School. He began investing in real estate with his first condominium conversion project located in Pompano Beach, Florida. He sold all units of the project within one year, which resulted in \$10.7 Million profit. Additionally he embarked on a 324-unit condominium hotel site for development with joint venture partners in Orlando Florida.

Sunny Senior Living LLC has entered into a management agreement with Validus Senior Living to manage the facility according to the financing application. The President/CEO of Validus Senior Living, Stephen Benjamin, is a management professional with over 20 years of experience in marketing, sales, operations and administration of senior housing residences.

Public Purpose. CTA's bond counsel has represented that the issuance of the bonds in the loaning of the proceeds thereof as contemplated herein constitutes a valid public purpose and that the above described projects will serve significant public purposes described in Part II Florida Statutes, Chapter 159. Section 159.26 sets forth findings of the Florida Legislature that in order to improve prosperity and welfare of the State and its inhabitants, and to improve healthcare, it is necessary and in the public's interest to facilitate the financing of certain facilities such as senior care projects discussed in the segment. The statute further provides that the purpose is to be achieved by such projects and their financings implement the government purposes under the Florida Constitution providing for health, safety and welfare of the people of the State of Florida. CTA's bond counsel has also represented that the above described senior living facilities are appropriate to the needs and circumstances of the communities in which they will be located and will serve a public purpose by (i) providing gainful employment and making a significant contribution to the economic growth of the local community, (ii) promoting commerce within the State, (iii) serving a public purpose by providing safe, decent and accessible housing facilities for the elderly, and (iv) advancing the economic prosperity and the general welfare of the State and its people.

The Bonds. The financing application reflects an estimated loan amount of \$57,230,000.00. Nevertheless, the developer and CTA request that you approve the authorization of \$65,000,000.00 of CTA bonds and loaning the proceeds thereof to the developer for the purposes described above.

The bonds would be issued for "private activity" purposes. Further, since the developer is a for-profit entity, this financing is contingent upon the developer receiving private activity bond allocation from the State of Florida.

Approval by the Century Town Council. If you are inclined to approve CTA's request to issue the bonds for Campo Felice Development, it will be necessary that you adopt Resolution No. 10-15,

Mayor Freddie W. McCall
Ann Brooks, President
Sandra M. Jackson
Benjamin D. Boutwell
Annie Savage
Gary Riley
September 17, 2015
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to which a proposed "Amendment No. 64 to Interlocal Agreement" is attached as an exhibit. If approved, your Resolution authorizes Mayor McCall to enter into the Amendment on behalf of the Town of Century. If \$65,000,000.00 of bonds are issued, the fee schedule would suggest that the Town of Century would be paid a fee of \$22,750.00. However, if only \$57,230,000.00 of bonds are issued, as is more likely, the fee schedule contemplates a fee of \$20,300.00.

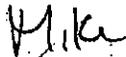
Conclusion

Capital Trust Agency appreciates your consideration of this matter at your meeting on Monday, September 21, 2015. I will be present at your meeting to discuss this matter and answer any questions you may have.

Please call me if you have any questions.

Sincerely,

MICHAEL J. STEBBINS, P.L.



Michael J. Stebbins
For the Firm

MJS
Enclosures

cc: Leslie Gonzalez, Town Clerk (via email w/ encl.)
Ed M. Gray, III Capital Trust Agency, Executive Director (via email w/ encl.)
Edwin A. Eddy, Gulf Breeze City Manager (via email w/ encl.)
Curt Carver, Gulf Breeze Deputy City Manager (via email w/ encl.)
Chauncey W. Lever, Jr., Esq., Bond Counsel (via email w/ encl.)
Kareem J. Spratling, Esq. (via email w/ encl.)
Matt E. Dannheisser, Esq., Mayor, City of Gulf Breeze (via email w/ encl.)

RESOLUTION NO. 22-15

**A RESOLUTION LEVYING AN AD VALOREM PROPERTY TAX
FOR THE CITY OF GULF BREEZE FOR 2015;
PROVIDING AN EFFECTIVE DATE.**

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

SECTION 1:

An ad valorem tax of 1.9723 mills is levied for 2015 against all property, both real and personal, not exempt from taxation within the corporate limits of the City of Gulf Breeze.

SECTION 2:

The 2015 ad valorem tax rate of 1.9723 mills constitutes a 2.20% increase from the Rolled-Back Rate (1.9298) as calculated according to Chapter 200, Florida Statutes.

SECTION 3:

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

ADOPTED: _____

TIME: _____

APPROVED: _____
Matt E. Dannheisser, Mayor

ATTEST:

Leslie Guyer, City Clerk or
Stephanie Lucas, City Clerk

RESOLUTION NO. 23-15

A RESOLUTION TO BE ENTITLED:

A RESOLUTION ADOPTING A BUDGET FOR THE CITY OF GULF BREEZE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, MAKING APPROPRIATIONS FOR THE PAYMENT OF THE EXPENSES OF THE CITY GOVERNMENT AND ALL DEPARTMENTS THEREOF AND FOR THE PAYMENT OF ACCOUNT OF THE BONDED INDEBTEDNESS OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, REPEALING CLAUSE AND EFFECTIVE DATE.

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

SECTION 1:

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

That said budget summaries estimated revenues, transfers and appropriations for each fund as set forth herein;

That there is estimated that there be will received and available for appropriation for the Fiscal Year beginning October 1, 2015 the amounts of revenues as listed according to the respective funds; detailed by source, type, and account as set forth in said Budget;

That there be and is hereby appropriated the sums shown for the various purposes hereinafter specified, for the Fiscal Year beginning October 1, 2015, provided from the sources of revenue hereinbefore designated;

That there is determined that certain transfer of funds will be required during the Fiscal Year beginning October 1, 2015, and such transfers are hereby authorized as set forth herein:

BUDGET SUMMARY											
City of Gulf Breeze - Fiscal Year 2015-2016											
THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF GULF BREEZE ARE 5.9% MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES											
General Fund	1.9723										
ESTIMATED REVENUES	GENERAL FUND	URBAN CORE/ CRA FUND	GBFS FUND	NATURAL GAS FUND	SSRUS FUND	TPGC FUND	SOLID WASTE FUND	WATER&SEWER FUND	STORMWATER FUND	TRAFFIC CITATION FUND	TOTAL ALL FUNDS
Ad Valorem Taxes 1.9723	1,320,200	0	0	0	0	0	0	0	0	0	1,320,200
Ad Valorem Taxes TIF	0	637,413	0	0	0	0	0	0	0	0	637,413
Non Ad Valorem Taxes	1,317,650	0	0	0	0	0	0	0	0	0	1,317,650
Grant Revenue	603,200	0	0	0	0	0	0	0	1,570,000	0	2,173,200
Sales Revenue	346,281	0	0	2,725,000	5,075,000	0	612,000	2,521,000	234,500	700,000	12,213,781
Fines & Judgements	171,963	0	0	0	0	0	0	0	0	0	171,963
Misc. Revenues	235,400	0	659,200	5,000	531,065	100,000	0	25,500	0	10,000	1,566,165
TOTAL SOURCES	3,994,694	637,413	659,200	2,730,000	5,606,065	100,000	612,000	2,546,500	1,804,500	710,000	19,400,372
Transfers In	2,399,500	199,300	0	0	298,857	0	0	30,700	0	0	2,928,357
Fund Balances/Reserves	405,371	0	0	0	0	0	0	79,083	406,416	130,150	1,021,020
TOTAL REVENUES, TRANSFERS & BALANCES	6,799,565	836,713	659,200	2,730,000	5,904,922	100,000	612,000	2,656,283	2,210,916	840,150	23,349,749
EXPENDITURES											
Personnel Payments	2,674,451	24,150	112,050	601,781	1,128,702	0	82,000	351,935	123,330	15,000	5,113,399
Taxes & Benefits	960,204	2,447	41,336		363,170	0	0	92,691	34,170	1,150	1,495,168
Prof & Contract Services	558,900	195,000	61,500	932,499	719,500	0	392,300	902,166	30,000	270,000	4,061,865
Operations & Repairs	1,252,550	73,000	13,740	190,200	840,400	0	5,000	150,300	11,900	407,000	2,944,090
Supplies & Fuels	0	2,000	9,504	145,500	315,200	0	4,500	37,800	2,500	11,000	528,004
Debt Service	471,060	0	34,071	324,695	1,401,431	0	0	208,591	39,416	0	2,479,264
Capital	683,100	150,000	0	163,000	718,000	0	0	372,000	1,951,000	1,000	4,038,100
TOTAL EXPENDITURES	6,600,265	446,597	272,201	2,357,675	5,486,403	0	483,800	2,115,483	2,192,316	705,150	20,659,890
Transfers Out	199,300	300,000	380,000	246,300	361,200	0	96,400	540,800	18,600	135,000	2,277,600
Fund Balances/Reserves	0	90,116	6,999	126,025	57,319	100,000	31,800	0	0	0	412,259
TOTAL APPROPRIATED EXPENDITURES	6,799,565	836,713	659,200	2,730,000	5,904,922	100,000	612,000	2,656,283	2,210,916	840,150	23,349,749
The tentative, adopted and/or final budgets are on file in the office of the above referenced taxing authority as a public record											

SUMMARY OF PROPOSED FUND TRANSFERS
FISCAL YEAR 2015-2016

REIMBURSEMENTS: For Internal Services

<u>FROM:</u>	<u>TO:</u>		
Solid Waste	General Fund	\$	96,400
Water Utility Services	General Fund	\$	111,000
Sewer Utility Services	General Fund	\$	111,000
Natural Gas Utility Services	General Fund	\$	246,300
South Santa Rosa Utility System	General Fund	\$	361,200
Stormwater	General Fund	\$	18,600
Red Light Camera	General Fund	\$	135,000
Natural Gas Loan	General Fund	\$	<u>198,469</u>
		\$	1,216,754

CONTRIBUTIONS:

<u>FROM:</u>	<u>TO:</u>		
General Fund	Urban Core	\$	198,300
Gulf Breeze Financial Services	General Fund	\$	380,000
Capital Trust Agency	General Fund	\$	<u>620,000</u>
		\$	1,198,300

SECTION 2:

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

SECTION 3:

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

SECTION 4:

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

PASSED AND ADOPTED by the City Council of the City of Gulf Breeze, Santa Rosa County, Florida, on the 21st day of September, 2015.

TIME: _____

APPROVED:

Matt E. Dannheisser, Mayor

ATTEST:

Leslie Guyer, City Clerk
Stephanie Lucas, City Clerk

RESOLUTION 25-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION'S PERMANENT CLOSURE OF THE STARBUCKS MEDIAN CROSSING AND INSTALLATION OF A 245 FOOT TURN LANE FOR EAST BOUND TRAFFIC ON US HIGHWAY 98 EAST OF ANDREW JACKSON TRAIL.

WHEREAS, on August 18, 2014, the City of Gulf Breeze adopted Resolution 18-14 requesting the Florida Department of Transportation (FDOT) close the median crossing on US Highway 98 located approximately five hundred feet (500') east of the intersection with Northcliff Drive (hereinafter "Starbucks median"). FDOT temporarily closed the Starbucks median and is now ready to permanently close the median crossing; and

WHEREAS, because of the closure of the Starbucks median, FDOT recommended installation of a deceleration and stacking lane to allow for U-turn movements for east bound traffic east of Andrew Jackson Trail on US Highway 98; and

WHEREAS, after consultation with FDOT consulting engineers on this project, the City Council believes the two hundred forty-five feet (245') in length stacking lane to be sufficient;

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

That Florida Department of Transportation permanently close the median crossing on US Highway 98 located approximately five hundred feet (500') east of the intersection with Northcliff Drive and install a two hundred forty-five foot (245') east bound turn lane to allow for U-turns located east of Andrew Jackson Trail on US Highway 98.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, SANTA ROSA COUNTY, FLORIDA ON THIS ____ DAY OF SEPTEMBER, 2015.

Matt E. Dannheisser, Mayor

ATTEST

Leslie A. Guyer, City Clerk or
Stephanie D. Lucas, City Clerk

City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Curt Carver, Deputy City Manager

Date: 9/11/2015

Subject: Workers Compensation

As you know, last January staff compared workers compensation costs for the last decade under a self-insured model with the costs of a first dollar insurance coverage program. That analysis was hindered by two factors. The first factor is that the City did not track lost-time payroll expenses. Attempting to reconstruct this was further complicated by the implementation of the new payroll system. In discussing this with accounting at the time, we determined that a \$15,000 per year in lost time payments was a reasonable average. This was revised somewhat due to year-to-year wage adjustments. The second factor was the prior cost of workers compensation insurance over the last 10 year. For this I received some guidance from FMIT as to the general trending of premiums. They indicated at the time that the market was experiencing annual increases of about 8%.

The results of that analysis indicated that from October 2003 thru September 2014, the City realized an estimated savings of approximately \$200,000 being self-insured over commercial insurance. It was noted however, that while this prior experience was positive, recent trends were concerning. The City has spent more recently on workers compensation claims than it would have paid in insurance premiums. It was expected that FY15 would yield similar results. Long term, the City had done well. There was however, a concern that we had turned a corner.

The enclosed table updates that earlier data. For the sake of this analysis I have used the same estimates for lost time and premium expense referred to above. Costs have increased for both the 2013 and 2014 periods because claims have continued to be paid after the year of injury. This will also be the case for 2015. With our level of staff expertise, it is difficult to set reserves for these injuries with and good degree of accuracy. My point is that the \$65,000 advantage that this analysis depicts will likely disappear based on this year's claims.

Enclosed please find a quote from FMIT for workers' compensation coverage for FY16. As you will see, they have quoted the City a premium of \$89,570. I did not expect such a favorable quote based on our experience the last two years and what they had verbally quoted last year. However, this quote is subject to adjustment when the City's new experience modification

factor is received in October. I expect that number to be higher due to our current claims experience, but it is difficult to predict the actual impact at this time. This is for first dollar coverage with a \$1 million limit of liability. This would alter the attached analysis and make insurance coverage more attractive. Please note that this coverage would not pay expenses related to any existing claims. This would continue to be covered by our self-insurance status until all open claims are closed. I believe the current trend and increasing costs of self-insuring workers' compensation claims warrant a reevaluation of the City's long-standing practice. You will note that FMIT does offer several deductible options. I do not believe they offer sufficient incentive to select anything but Option 1, the \$0 deductible plan.

On the negative side, the City will lose a good deal of control with respect to the medical management of claims and the flexibility in compensation beyond statutory requirements without spending outside of the program. This could create a degree of dissatisfaction for City employees and create more litigation from a settlement perspective.

Even though this poses some negative risk, I recommend that we pursue this option. It should prove to be cost effective in the long term and free up staff resources currently devoted to claims management as current claims are closed out. Should you have any questions regarding this matter, please do not hesitate to contact me.

Recommendation: That the City Council accept the proposal for workers' compensation proposal from FMIT for the period beginning October 1, 2015.

Enclosures

**WORKERS COMPENSATION ANALYSIS
ACTUAL V. FIRST DOLLAR COVERAGE PROJECTED**

DESCRIPTION	BALANCE AS OF 09/30/2004	BALANCE AS OF 09/30/2005	BALANCE AS OF 09/30/2006	BALANCE AS OF 09/30/2007	BALANCE AS OF 09/30/2008	BALANCE AS OF 09/30/2009	BALANCE AS OF 09/30/2010	BALANCE AS OF 09/30/2011	BALANCE AS OF 09/30/2012	BALANCE AS OF 09/30/2013	BALANCE AS OF 09/30/2014	BALANCE AS OF 09/30/2015	11 YEAR TOTAL
TOTAL MEDICAL ALL FUNDS	\$10,222.34	\$28,094.65	\$12,006.92	\$98,083.94	\$32,887.46	\$1,803.18	\$23,502.86	\$87,474.12	\$81,590.26	\$109,371.40	\$248,788.04	\$35,170.59	\$768,995.76
LOST TIME ESTMATE	\$14,000.00	\$14,280.00	\$14,565.60	\$14,856.91	\$15,154.05	\$15,457.13	\$15,766.27	\$16,081.60	\$16,403.23	\$16,731.30	\$17,065.92	\$17,407.24	\$170,362.02
ANNUAL TOTAL	\$24,222.34	\$42,374.65	\$26,572.52	\$112,940.85	\$48,041.51	\$17,260.31	\$39,269.13	\$103,555.72	\$97,993.49	\$126,102.70	\$265,853.96	\$52,577.83	\$904,187.19
WC PREMIUM	\$93,505.65	\$98,427.00	\$88,584.30	\$79,725.87	\$71,753.28	\$64,871.42	\$70,512.41	\$76,643.92	\$83,308.61	\$90,552.84	\$98,427.00	\$106,301.16	\$1,022,613.47
SAVINGS	\$69,283.31	\$56,052.35	\$62,011.78	-\$33,214.98	\$23,711.77	\$47,611.11	\$31,243.28	-\$26,911.80	-\$14,684.88	-\$35,549.86	-\$167,426.96	\$53,723.33	\$65,848.45
CLAIMS	12	6	9	3	4	1	12	9	11	13	14	16	110



Florida League of Cities, Inc.

125 East Colonial Drive, Orlando, FL 32801
407-425-9142, Toll Free: 1-800-445-6248/Fax: 407-425-9378
www.flcities.com

City of Gulf Breeze Workers' Compensation Quote Offer

Represented by:
Tom Conley
Account Executive



August 31, 2015

Mr. Curt Carver
Assistant City Manager
City of Gulf Breeze
1070 Shoreline Drive
Gulf Breeze FL 32561

RE: Workers' Compensation Quote Offer

Dear Mr. Carver:

We appreciate the opportunity to present you with our proposal for your Insurance Program. As always, we welcome the opportunity to meet with you at any time to discuss this matter.

The Florida League of Cities Insurance Program was established in 1977 to provide an affordable insurance alternative for the governmental entities of Florida. Over the years, the Florida Municipal Insurance Trust (FMIT) has evolved into one of the largest public entity programs in the United States and is recognized for its outstanding service and broad coverage forms.

The FMIT, governed by a board of elected officials, is a non-assessable, non-profit, tax-exempt risk sharing pool. Each year these elected officials approve an actuarially recommended premium structure based on loss experience. The FMIT has superior financial strength presently highlighted by \$475 million in assets, \$205 million in surplus and over 600 members. With over 100 insurance professionals serving the FMIT, we have the resources and the product offering necessary to design a risk management solution to fit the unique coverage issues facing your City.

When examining other insurance markets, it will become obvious that our self-insured group concept is a most attractive insurance alternative. To be certain, the FMIT is highly qualified to meet all your risk management needs. Our expertise in the areas of public entity coverages, coupled with our outstanding claims, risk control, and a nationally recognized fraud (SIU) department translates to considerable service and savings.

Thank you for your time and consideration. We look forward to the chance to meet with you sometime in the near future.

Sincerely,

Tom Conley
Account Executive
Florida League of Cities, Inc.
125 East Colonial Drive
Orlando FL 32801
Phone: (850) 251-8722
Fax: (407) 425-9378
Email: tconley@flcities.com



FLORIDA MUNICIPAL INSURANCE TRUST

COVERAGE PROPOSAL

FOR

CITY OF GULF BREEZE

PROPOSED EFFECTIVE DATE: OCTOBER 1, 2015

ADMINISTERED AND PREPARED BY:

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

OF THE

FLORIDA LEAGUE OF CITIES, INC.

P.O. BOX 530065

ORLANDO, FL 32853-0065

"The Florida Municipal Insurance Trust Promise"

The FMIT will endeavor to match any competitor's pricing for similar exposures, coverages, terms and conditions contingent on the ability of the competitor to verify that their rates are established by an independent actuary and that their reinsurance structure is currently in place. The competitor's reinsurer(s) must have an AM Best rating of an A or better, as the FMIT prides itself on not only the financial solvency of the Trust itself but also the reinsurance partners we choose to do business with.

A specimen agreement is attached. This proposal contains a brief, general description of coverages. It is not intended to describe or cover all the terms, limits, conditions and exclusions of the agreement.

The FMIT agreement language will supersede any differences between the agreement and this proposal summary.



Department of Insurance and Financial Services

FLORIDA MUNICIPAL INSURANCE TRUST
WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

Proposal for 2015-2016

City of Gulf Breeze

LIMIT OF LIABILITY:

Workers' Compensation: Statutory

Employers' Liability:

\$1,000,000 Each Accident
\$1,000,000 By Disease
\$1,000,000 Aggregate by Disease

Deductible:

\$0

Total Payroll: \$4,511,937

*Drug Free Workplace Credit (5%) Yes

*Safety Credit (2%) Yes

Experience Modification 10/1/14 0.88

NET PREMIUM: \$89,570

The Workers' Compensation premium is subject to adjustment when the October 1, 2015 experience modification is received.

Premium calculation includes 5% Drug free Credit and 2% Safety Credit - Requires receipt of approved applications.

WORKERS' COMPENSATION PAYROLLS

<u>CODE</u>	<u>DESCRIPTION</u>	<u>PAYROLL</u>
5509		5,967
7502	GAS OPERATIONS	367,972
7520	WATERWORKS OPERATION	919,214
7580	SEWAGE DISPOSAL PLANT OPERATION	356,511
7720	POLICE OFFICERS	1,249,736
8810	CLERICAL	828,767
9102	PARK NOC	617,317
9410	MUNICIPAL, TOWNSHIP, COUNTY EMPLOYEES NOC	166,453
	TOTAL PAYROLL	4,511,937

INTEREST FREE INSTALLMENT PLAN

<u>First Installment</u>	<u>Second Installment</u>	<u>Third Installment</u>	<u>Fourth Installment</u>
25% minimum due	25% minimum due	25% minimum due	25% minimum due
October 1, 2015	January 1, 2016	April 1, 2016	July 1, 2016

Payment will be forwarded to the Florida League of Cities in Tallahassee

Note: Coverage summaries provided herein are intended as an outline of coverage only and are necessarily brief. In the event of loss, all terms, conditions, and exclusions of actual Agreement and/or Policies will apply.

DEDUCTIBLE / LIMIT OPTIONS

<i>Workers' Compensation</i>	<i>Stoploss Amount</i>	<i>Annual Premium</i>	<i>Check Option</i>	
			<i>Accepted</i>	<i>Rejected</i>
Option 1 - \$0 deductible	\$0	\$89,570	0	0
Option 2 - \$5,000 Stoploss Deductible	\$57,699	\$81,089	0	0
Option 3 - \$10,000 Stoploss Deductible	\$58,578	\$76,981	0	0
Option 4 - \$50,000 Stoploss Deductible	\$150,000	\$59,214	0	0



HISTORY & STRENGTH OF THE FLORIDA MUNICIPAL INSURANCE TRUST

The Florida League of Cities* (FLC), headquartered in Tallahassee, is the administrator of **The Florida Municipal Insurance Trust (FMIT)** and is the state association for cities, towns and villages of Florida and was created to meet and serve the needs of municipal governments.

The League's purpose is to focus on those legislative issues most likely to affect daily municipal governance and local decision making. The Municipal Home Rule Powers Act and the Florida Constitution provide that cities in Florida have the authority to govern themselves locally, independent of state control.

Preserving Home Rule, educating citizens on this valuable right, and maintaining a focus on those issues that directly affect self-governance, service delivery and the quality of life of each municipality are essential goals of the Florida League of Cities.

The League established its first insurance program in 1977 to provide Workers' Compensation coverage and services to governmental entities. Early success of the Workers' Compensation program soon led to the establishment of trusts for the Liability, Property and Health lines of coverage. This firmly established the League as the recognized leader of such services in the state of Florida.

In 1987, the FLC opened its Public Risk Services office to administer the programs in-house. Subsequently, the insurance programs were consolidated under the name the Florida Municipal Insurance Trust (FMIT).

The FMIT, governed by elected officials, is a non-assessable, non-profit, tax-exempt risk sharing pool. The Trust currently provides insurance services for **over 600 public entities in Florida**, of which 250+ are municipalities. The Trust maintains superior financial stability, presently highlighted by **\$475 million in assets and \$205 million in surplus**. We currently insure **approximately \$9.2 billion in total insured values**. The League administers every facet of the FMIT's operations from claims handling to rate development; and as such, has produced unparalleled claims paying ability and equity returns for its membership.

The FMIT has 11 staff devoted to our members throughout the State. We work as a team to service our members. In the event that key personnel leave employment, we will work together to make sure all member needs are met without any disruption of service.



Insurance and Financial Services

As Administrator for the Florida Municipal Insurance Trust, the League has a longstanding commitment to superiority for its membership.

- **Trust Services** – Licensed league account executives are readily available to review, advise and place coverages.
- **Risk Control** – A full range of programs are offered to promote safe work environments and loss prevention including Drug-Free Workplace, Employment Practices and Return to Work Policies.
- **Risk Management** – Educational seminars and publications are provided to assist membership in managing risk through the SHIELD program. Classes are available online or on-site.
- **Claims Management** – Total in-house adjusting for workers' compensation and liability claims are provided by municipal claims specialist.
- **SimpliCity/Synergy** – An innovative and comprehensive online software application that provides members who insure property through the trust a resource to use to help minimize risk, better prepare for disasters, and reduce overall recovery costs.
- **Underwriting and Policy Services** – Customized program and placement capabilities are offered to address the changing needs and exposures of public entities. Policy pricing, processing and issuance are handled on a territorial team approach.
- **Special Investigation Unit (SIU)** - Pursues and otherwise minimizes fraudulent and similar insurance acts.

FLORIDA MUNICIPAL INSURANCE TRUST - WORKERS' COMPENSATION

MEMBERS LOSS REPORT

10/01/2013 - 09/30/2014 AS OF JUNE 30, 2015

FMIT

FILE NUMBER	NAME	DEPT	DATE OF INJURY	DATE CLOSE	DATE CLOSED	INJURY CODE			DATE RECEIVED	PAYMENTS TO DATE			RECOVERIES	OUTSTANDING RESERVES	
						NAT	PART	CAUSE		COMP	MEDICAL	OTHER			
		MAINT	11/25/2013	C	5/16/2014	59	36	99	11/25/2013	0.00	353.90	0.00	0.00	0.00	353.90
		GR MAI	11/26/2013	C	11/27/2013	01	66	46	11/26/2013	0.00	0.00	0.00	0.00	0.00	0.00
		DOCK	12/31/2013	C	8/6/2014	52	54	13	1/2/2014	0.00	512.53	400.00	0.00	0.00	912.53
		FOREM	4/2/2014	C	6/18/2014	52	53	53	4/2/2014	0.00	606.08	0.00	52.28	0.00	553.80
		TECH.	4/16/2014	C	6/30/2015	52	55	53	4/16/2014	0.00	589.34	19.25	0.00	0.00	608.59
		EQUIP	5/6/2014	C	7/11/2014	59	65	70	5/6/2014	0.00	180.19	0.00	0.00	0.00	180.19
FMIT # TOTALS		OPEN	0		CLOSED	6		TOTALS		0.00	2,242.04	419.25	52.28	0.00	2,609.01

EARNED PREMIUM TO DATE: 70,826.00

EARNED LOSSES TO DATE: 2,609.01

LOSS RATIO TO DATE: 0.037

FLORIDA MUNICIPAL INSURANCE TRUST - WORKERS' COMPENSATION

MEMBERS LOSS REPORT

10/01/2014 - 09/30/2015 AS OF JUNE 30, 2015

FMIT

FILE NUMBER	NAME	DEPT	DATE OF INJURY	CLOSE	DATE CLOSED	INJURY CODE			DATE RECEIVED	PAYMENTS TO DATE			RECOVERIES	OUTSTANDING RESERVES	
						NAT	PART	CAUSE		COMP	MEDICAL	OTHER			
		EQUIP	10/31/2014	C	11/3/2014	01	66	45	10/31/2014	0.00	0.00	0.00	0.00	0.00	0.00
		EQUIP	10/31/2014	C	2/20/2015	52	42	45	10/31/2014	0.00	233.01	0.00	0.00	0.00	233.01
		MAAINT	2/9/2015	C	4/7/2015	10	33	99	2/9/2015	0.00	196.34	0.00	0.00	0.00	196.34
		FOREM	2/20/2015	C	4/13/2015	25	14	87	2/20/2015	0.00	179.31	0.00	0.00	0.00	179.31
		MAAINT	3/3/2015	C	5/7/2015	10	18	99	3/3/2015	0.00	118.75	0.00	0.00	0.00	118.75
		MAAINT	6/22/2015	O		40	54	19	6/22/2015	0.00	0.00	0.00	0.00	1,000.00	1,000.00
FMIT # TOTALS		OPEN	1		CLOSED	5		TOTALS		0.00	727.41	0.00	0.00	1,000.00	1,727.41

EARNED PREMIUM TO DATE: 32,774.21

EARNED LOSSES TO DATE: 1,727.41

LOSS RATIO TO DATE: 0.053

City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Curt Carver, Deputy City Manager

Date: 9/18/2015

Subject: Local Option Gas Tax

The County is considering implementing an additional 6 cent Local Option Gas Tax (LOGT). Currently that tax is 6 cents. Of the additional 6 cents, 5 cents would be subject to distribution under a new interlocal agreement. The current interlocal agreement was entered into in July 2006. This agreement provides a distribution of LOGT proceeds by a formula equally weighted between population and transportation expenditures. It applies to the County, Cities of Gulf Breeze and Milton and the Town of Jay. The City's percentage of the distribution is 4.08%. The distribution however, is subject to the County supplementing the distribution if falls below the amount distributed in FY96. The current agreement is set to expire on December 31, 2016. We have recently been contacted by the County over the need to enter into a new agreement by October 1, 2015 to include the new LOGT levy.

Based on current data and the same allocation model used in the 2006 Agreement, the City's allocation would drop to 3.8%. In an effort to keep all parties "whole" the County has proposed a new agreement that maintains the 4.08% allocation for the City and yields a higher revenue stream for the City than other allocation models. Using population only, the City would receive 3.8%. A CAFR based transportation cost model yields only 2.9%. A blended rate is 3.3%. Obviously the 4.08% distribution is in our best interest. The following table compares the various distributions based on the current LOGT receipts and a 5 cent increase assuming approval prior to October 1st with an effective date. The County has estimated total proceeds of \$7,089,717 for FY16 based on this implementation schedule.

Percentage	4.08% Current	3.34%	3.8%	4.08%
LOGT Receipts	\$4,283,773	\$7,089,717	\$7,089,717	\$7,089,717
City Share	\$174,778	\$239,264	\$270,060	\$289,260
County Supplement	\$55,222	\$0	\$0	\$0
Total	\$230,000	\$239,264	\$270,060	\$289,260

The County is estimating that a full year of implementation will produce over \$8 million in LOGT receipts. Under a 4.08% distribution, the City's total LOGT revenue would be approximately \$327,400.

Enclosed please find a copy of the proposed new agreement. The County's proposal to maintain the same distribution level is desirable and produces revenue enhancements to the City. Should you have any questions in the interim, please do not hesitate to contact me.

Recommendation: That the City Council approve the interlocal agreement between Santa Rosa County, the City of Milton and the Town of Jay regarding the Local Option Gas Tax as presented.

Enclosure

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, entered into this _____ day of _____, 2015, between SANTA ROSA COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, and the CITY OF MILTON, the CITY OF GULF BREEZE, and the TOWN OF JAY, for the purpose of providing for the division and distribution of the proceeds of the local option five cent gas tax enacted by the County pursuant to Section 336.025, Florida Statutes.

WITNESSETH:

WHEREAS, Section 336.025, Florida Statutes, grants the County the authority to levy, in addition to other taxes allowed by law, a local option gas tax upon every gallon of motor fuel and special fuel sold in the County and taxed under the provisions of Chapter 206, Florida Statutes; and,

WHEREAS, pursuant to said enactment, the County may establish by interlocal agreement with one or more of the municipalities located in Santa Rosa County representing a majority of the incorporated area population with the County, a distribution formula for dividing the proceeds of the local option gas tax amount the County government and all eligible municipalities within Santa Rosa County; and

WHEREAS, the City of Milton, the City of Gulf Breeze, and the Town of Jay which are parties to this agreement are municipalities located within Santa Rosa County, Florida, eligible to receive a portion of the local option gas tax, and represent a majority of the incorporated area population within Santa Rosa County, and desire to jointly establish with the

County a distribution formula pursuant to Section 336.025 (1) (b) (2), Florida Statutes;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and pursuant to section 163.01, et seq., the parties hereto agree as follows:

1. The local option gas tax shall be divided among, and distributed to the County and the municipalities within the County as follows:

Santa Rosa County	89.42%
City of Milton	6.11%
City of Gulf Breeze	4.08%
Town of Jay	0.39%

2. This agreement shall take effect on January 1, 2016, and shall terminate on either December 31, 2025, or, if the local option gas tax is levied for less than ten (10) years, on December 31 of the year in which the levy terminates. It shall also govern the division and distribution of the proceeds of the local option gas tax imposed through December 31 but not collected or otherwise available for distribution until after December 31 of the year the agreement terminates. The method of distribution shall be reviewed and may be adjusted within six (6) months prior to October 1, 2021, based upon the 2020 census and the prior five (5) year transportation expenditures of each party.

3. If, during the term of this agreement, any party hereto becomes ineligible to receive a share of the local option gas tax for any reason, any funds otherwise undistributed because of ineligibility shall be distributed to eligible governments within Santa Rosa County in proportion to other monies distributed pursuant to paragraph 1 herein.

4. Upon execution of this agreement by the necessary parties, the County shall provide the State of Florida Department of Revenue the distribution proportions established by

this agreement.

5. The Department of Revenue is hereby requested to distribute the tax receipts directly to the various parties of this agreement, in accordance with section 1 of this Agreement.

6. A copy of this agreement and all subsequent amendments hereto shall be filed by the County with the Clerk of the Circuit Court of Santa Rosa County, Florida, upon its execution by all parties hereto.

7. This agreement may be amended only in writing approved by all parties executing this agreement.

8. It is recognized that in the absence of this agreement, state law would provide that the distribution would be made based solely on the transportation expenditure figures.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed by their duly authorized officials on the day and year first above-written.

(SIGNATURES PAGES ATTACHED)

SIGNATURE PAGE FOR SANTA ROSA COUNTY, FLORIDA

**BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA**

By: _____
Don Salter, Chairman

ATTEST:

By: _____
Donald C. Spencer
Clerk of Court

SIGNATURE PAGE FOR CITY OF MILTON, FLORIDA

CITY OF MILTON

By: _____
MAYOR

ATTEST:

By: _____
Clerk

SIGNATURE PAGE FOR CITY OF GULF BREEZE, FLORIDA

CITY OF GULF BREEZE

By: _____
MAYOR

ATTEST:

By: _____
Clerk

SIGNATURE PAGE FOR TOWN OF JAY, FLORIDA

TOWN OF JAY

By: _____
MAYOR

By: _____
Clerk