

**GULF BREEZE CITY COUNCIL
EXECUTIVE MEETING AGENDA**

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

1. **ROLL CALL**

2. **PROCLAMATIONS AND PRESENTATIONS**

None

3. **RESOLUTION AND ORDINANCES**

- A. Adoption of Ordinance No. 06-15 amending the retirement plan and trust for the police officers of the City of Gulf Breeze
- B. Adoption of Resolution No. 27-15 increasing water and sewer rates and implementing a 3% surcharge for utility customers in the South Santa Rosa Utility and holding a Public Hearing on said Resolution on Monday, October 5, 2015

4. **ACTION AGENDA ITEMS**

- A. Approval of an amendment to the bylaws of the Fairpoint Regional Utility System
- B. Approval to purchase one rubberized speed hump kit and one temporary speed hump at a cost of \$3,170 for trial use as a traffic calming solution
- C. Approval of special event application by Gulf Breeze United Methodist Church for a block party to be held on Sunday, October 25, 2015
- D. Consideration of FY16 Tourist Development Council (TDC) Budget and preparation of a financial plan for tourist development activities

5. **NEW ITEMS**

6. **INFORMATION ITEMS**

7. **PUBLIC FORUM**

8. **ADJOURNMENT**

If any person decides to appeal any decisions made with respect to any matter considered at this meeting or public hearing, such person may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based. The public is invited to comment on matters before the City Council upon seeking and receiving recognition from the Chair. If you are a person with a disability who needs accommodation in order to participate in a public hearing you are entitled to the provision of certain assistance. Please contact the City Clerk's office at (850) 934-5115 or at 1070 Shoreline Drive, Gulf Breeze at least one (1) week prior to the date of the public hearing.



City of Gulf Breeze

Office of City Manager

MEMORANDUM

To : Mayor and City Council
From :  Edwin A. Eddy, City Manager
Date : September 23, 2015
Subject: Ordinance No. 06-15, Amending Police Pension Plan

The City's Police Pension Board of Trustees voted unanimously on Monday, September 21, 2015 to recommend a change to the Police Pension Plan document. The change as provided in the attached draft Ordinance establishes a definition of the term base pay.

In February of 2014, the City Council passed Ordinance 01-14, a copy of which is attached, which amended the Police Pension Plan document such that calculation of pension benefits would be limited to base pay. The purpose behind the February, 2014 change was to remove overtime and/or special detail earnings from the calculation of pension benefits.

There are other components of pay for participants in the plan that need to be better defined in a definition of base pay.

The Pension Board of Trustees voted to define base pay to include annual salary, vacation leave, holiday pay, sick leave and compensation time taken during the year and the educational incentive that is added to a Police Officers pay based on educational levels achieved. (If a Police Officer has a 4 year degree, he earns additional base pay that is always part of his salary.)

Amendment to the plan document requires an Ordinance. We prepared a draft for your consideration.

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 06-15 ON FIRST READING ON MONDAY, OCTOBER 5, 2015 AND SCHEDULE A SECOND READING AND PUBLIC HEARING FOR OCTOBER 19, 2015.

ORDINANCE NO. 06-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE CITY OF GULF BREEZE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council established a Retirement Plan and Trust for the Police Officers of the City of Gulf Breeze pursuant to Ordinance Number 04-96; and,

WHEREAS, the Retirement Plan and Trust was executed on January 2, 1996; and,

WHEREAS, Section 8.01 of the Plan and Trust authorizes the City Council to amend the Plan and Trust, in whole or in part, either retroactively or prospectively, by delivery to the Trustee a written amendment in accordance with the limitations set out in the section; and,

WHEREAS, on February 3, 2014 the City Council adopted Ordinance Number 01-14 that amended the Plan and Trust, in part, by providing that calculation of benefits is limited to “base pay”; and

WHEREAS, the City Council now desires to amend the Plan and Trust by providing clarification and definition of “base pay”.

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

SECTION 1:

The Retirement Plan and Trust dated as of January 2, 1996, is hereby amended as follows:

The calculation of benefits is limited to base pay, which is hereafter defined as (i) annual base salary to include used vacation leave, sick leave and compensatory time; (ii) earned educational incentive; and (iii) holiday pay. Base pay does not include overtime, temporary assignments such as SRO and FTO and any payouts for accrued vacation and/or sick leave.

SECTION 2: SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by any court of competent jurisdiction to be unconstitutional, inoperative, invalid or void, then said holding shall in no manner effect the validity of the remaining portions of this Ordinance.

SECTION 3: CONFLICT

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance or portion thereof in conflict with the terms herein.

SECTION 4: EFFECTIVE DATE

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

PASSED ON FIRST READING ON THE 5th DAY OF OCTOBER, 2015.

PUBLISHED ON THE _____ DAY OF _____, 2015.

PASSED AND ADOPTED ON THE SECOND READING ON THE _____ DAY OF _____, 2015.

CITY OF GULF BREEZE, FLORIDA

MATT E. DANNHEISSER, MAYOR

ATTEST:

STEPHANIE D. LUCAS, CITY CLERK OR
LESLIE GUYER, CITY CLERK

ORDINANCE NO. 01-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE CITY OF GULF BREEZE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council established a Retirement Plan and Trust for the Police Officers of the City of Gulf Breeze pursuant to Ordinance Number 04-96; and,

WHEREAS, the Retirement Plan and Trust was executed on January 2, 1996; and,

WHEREAS, Section 8.01 of the Plan and Trust authorizes the City Council to amend the Plan and Trust, in whole or in part, either retroactively or prospectively, by delivery to the Trustee a written amendment in accordance with the limitations set out in the section; and,

WHEREAS, the City Council now desires to amend the Plan and Trust as follows: (i) increasing the employee's per payroll contribution from one percent (1%) of salary to four percent (4%) of salary; (ii) calculation of benefits per the Plan would be limited to base pay; and (iii) the first cost of living adjustment to retiree benefits would be three (3) years from the date of retirement rather than one year.

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

SECTION 1:

The Retirement Plan and Trust dated as of January 2, 1996, is hereby amended as follows:

1. The per payroll contribution to the Police Pension Plan by participating members shall be four percent (4%).
2. The calculations of benefits is limited to base pay.
3. The first cost of living adjustment to retiree benefits will be three (3) years from the date of retirement.

SECTION 2: SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by any court of competent jurisdiction to be unconstitutional, inoperative, invalid or void, then said holding shall in no manner effect the validity of the remaining portions of this Ordinance.

SECTION 3: CONFLICT

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance or portion thereof in conflict with the terms herein.

SECTION 4: EFFECTIVE DATE

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

PASSED ON FIRST READING ON THE 21ST DAY OF JANUARY, 2014.

PUBLISHED ON THE 23RD DAY OF JANUARY, 2014.

PASSED AND ADOPTED ON THE SECOND READING ON THE 3RD DAY OF FEBRUARY, 2014.



CITY OF GULF BREEZE, FLORIDA

Beverly H. Zimmern

BEVERLY H. ZIMMERN, MAYOR

ATTEST:

Stephanie D. Lucas

STEPHANIE D. LUCAS, CITY CLERK

City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Curt Carver, Deputy City Manager

Date: 9/3/2015

Subject: Base Pay

As you know, in February 2014, the City Council approved three changes to the Police Pension Plan. One of these changes involved including only base pay in the definition of pensionable earnings. Recently, there has been some discussion on this issue that has raised questions about the intent/application of this change and what is included in "base" pay. The first question will be explored by the FOP membership and I am waiting for their collective response. There appears to be some difference of opinion as to what this change entailed.

Essentially, it appears that there may be some confusion on this issue as to its application. What was recommended by the Pension Board and ultimately approved by the City Council was a change where plan compensation or pension benefits would be calculated only on base pay. In discussing this with members of the plan, I have been told that their understanding is that the pension calculation using base pay was limited to the last five years of service. As you know, final compensation for pension purposes is the average of the highest five years out of the last ten years of service. Therefore under this understanding, it may be possible to earn greater compensation in the first five-year period of the last ten years when overtime is included in the calculation. There is a belief that this could offer the plan member with more flexibility and the potential for higher benefits.

As I have explained to certain plan members, this would be difficult to administer since predicting actual retirement dates ten years out is problematic. For example, how does the City know when it should stop taking pension contributions from overtime wages during the "last" five years. This alternative understanding also does not take into account the savings to the officer of not paying pension on non-base wages for their career, while only potentially realizing a benefit for five years on that career. Again, this is an issue that will be discussed by plan members to determine if any additional steps need to be taken to resolve this difference of

opinion. It is my hope that this will be resolved to everyone's satisfaction without further changes or negotiations.

Related to this is the second issue of what actually constitutes base pay. It is clear in my discussions that this needs better definition. Toward that end, I would suggest that the definition include the following:

1. Annual salary, to include used vacation leave, sick leave and comp time
2. Education Incentive
3. Holiday Pay

Pay related to temporary assignments, such as SRO and FTO, would not be included. Overtime would also be excluded, as would any annual vacation leave buy backs. Payment of accrued vacation and sick leave at retirement or at separation would also be excluded. I am not sure there is a need to change the plan document to effectuate this. At a minimum it should be reflected in the minutes of the Pension Board to avoid future confusion. These factors should be included when the City reports "base" compensation for future actuarial evaluations.

I have included some of the background regarding the change referenced above for your information. Should you have any questions, please do not hesitate to contact me.

Enclosures



City of Gulf Breeze

OFFICE OF THE CITY MANAGER

February 4, 2014

Paul Shamoun
Florida League of Cities Pension Trust
P.O. Box 1757
Tallahassee, Florida 32302

Dear Mr. Shamoun:

On February 3, 2014, the City Council of the City of Gulf Breeze, Florida, approved Ordinance No. 01-14 on Second and Final Reading. Ordinance No. 01-14 makes the following amendments to the City's Retirement Plan for the Police Officers of the City of Gulf Breeze. A copy of Ordinance No. 01-14 is attached hereto.

It is the intent of the City Council that the changes listed in Ordinance No. 01-14 be implemented immediately. As you will note, the first amendment in the Ordinance requires members of the Plan to contribute 4% of pay to the Plan rather than 1%. We will make this change to our payroll processing immediately. Amendments two and three are important in the calculation of retirement benefits subsequent to February 3, 2014.

For years of eligible service under the Police Officers Retirement Plan after February 3, 2014, the retirement benefits would be calculated on base pay and the first Cost Of Living Adjustment for benefits earned after February 3, 2014, would be on the third anniversary date of retirement.

Please advise me immediately if there are any further actions the City of Gulf Breeze must take in order to implement those Plan amendments.

Thank you in advance for your assistance with this matter.

Sincerely,

A handwritten signature in cursive script that reads "Edwin A. Eddy".

Edwin A. Eddy
City Manager

EAE:sdl

Enclosure

cc: Mayor and City Council
Matt E. Dannheisser, City Attorney
Police Officers Pension Board
Charles T. Carr, Consulting Actuary,
Southern Actuarial Services

Paul Johns, Fraternal Order of Police
Sergeant Stef Neff
Investigator Greg Baker

**RETIREMENT PLAN FOR THE
POLICE OFFICERS OF THE CITY OF GULF BREEZE**

IMPACT STATEMENT FOR ORDINANCE 01-14

PART ONE: CERTIFICATION OF THE PLAN ADMINISTRATOR

I have enclosed a copy of Ordinance 01-14 of the City of Gulf Breeze, which ordinance makes the following changes to the Retirement Plan for the Police Officers of the City of Gulf Breeze:

- (1) *Effective February 4, 2014, plan compensation includes only base pay;*
- (2) *Effective February 4, 2014, the 1.00% employee contribution rate is increased to 4.00%;
and*
- (3) *Effective for benefits earned on and after February 4, 2014, the automatic annual 3.00% cost-of-living adjustment (COLA) is delayed for three years after retirement.*

The plan's enrolled actuary, Charles T. Carr of Southern Actuarial Services Company, Inc., was provided with copies of the proposed ordinance. In addition, the described plan changes meet the requirements of Part VII, Chapter 112, Florida Statutes, and Section 14, Article X of the State Constitution.



Chairman, Board of Trustees

PART TWO: CERTIFICATION OF THE ENROLLED ACTUARY

Chapter 112 requires disclosure of the effect of changes in assumptions, methods, and plan provisions on certain liabilities. I have determined the impact of Ordinance 01-14 based on the results of the October 1, 2013 actuarial valuation. The ordinance is anticipated to decrease the minimum required contribution rate by 12.57% from 42.73% of payroll to 30.16% of payroll.

The following table sets forth the required disclosures in connection with the plan change which has been described above:



City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Curt Carver, Deputy City Manager

Date: 9/25/2015

Subject: SSRUS Water and Sewer Rates

Enclosed please find Resolution 27-15 which provides for an increase to water and sewer rates for SSRUS customers. The increase has two components to it. The first component is a 4.1% increase on volumetric rates and certain base fees. This increase was the recommendation of the SSRUS Board at their August 10th meeting that the utility system yield a 5% operational margin. This goal came out of an earlier study prepared by the Florida Rural Water Association that advocated a 15% margin. The 5% margin recommended by the SSRUS Board represented the first phase of an effort to reach the study's recommended operational margin.

The second component of the rate adjustment is a 3% surcharge that is authorized by F.S. 180.191. This section provides that municipalities which operate a water and sewer utility outside its boundaries may charge rates, fees and charges to customers outside the boundaries that are just and equitable and which are based on the same factors used in fixing the rates, fees and charges for customers inside the municipal boundaries. In addition thereto, the municipality can impose a surcharge of not more than 25% of the rates, fees and charges, provided that the total of such rates, fees, and charges for customers outside the boundaries are not more than 50 percent in excess of the total amount of the charges for customers inside the city for corresponding service.

The concept for the proposed surcharge came out of budget workshops where the City was trying to balance its budget after determining that a millage rate increase for City residents was necessary. It reflected the City Council's belief that the utility benefits from the City's ownership of the utility and that SSRUS customers were not subject to the 5% Municipal Public Service Tax (MPST) currently paid by City residents on water and sewer charges. Therefore, the surcharge represents an effort to equitably share in the cost of government services offered to city residents and non-residents alike.

You might recall that we previously surveyed a number of municipalities in Northwest Florida which operate water and/or sewer utilities outside of their boundaries. We inquired whether they added a surcharge. Staff found that the majority of the cities contacted added a surcharge

of either 20% or 25%. In Santa Rosa County, both Milton and Jay add a surcharge. The surcharge the City is contemplating is only 3%.

There are a number of reasons for the implementation of the surcharge. These include:

1. The utility benefits from the City's ownership and management of the utility. These benefits include the ability to issue tax exempt financing, thereby reducing the cost of system debt. The tax exempt status of the City and the operational integration with the City's utility reduce total system expense, which would not be the case if the system was privately owned as was the case prior to City acquisition of SSRUS.
2. The level of interlocal revenues has declined over time making it more difficult to balance the City's budget. For example, City property owners pay approximately \$4.2 million in ad valorem taxes to Santa Rosa County. In recognition of the various municipal services provided by the City, which are used by residents of unincorporated Santa Rosa County, in the past the County had provided the City as much as \$300,000 a year in municipal aid. That amount has declined in recent years to approximately \$55,000 a year. This loss of this revenue source is much greater than the revenues that may be realized from the 3% surcharge currently being considered.
3. Many City services benefit SSRUS residents without cost. This includes City parks and recreational facilities, to include such programs as Middle School After School program, that are used at no additional cost and the Police Department that facilitates traffic movement through the City, which benefits the region. City residents pay for these services in part, through ad valorem taxes.
4. SSRUS customers do not pay a MPST to the utility, which City customers do.
5. The proposed surcharge is equitable and well below that which is authorized by F.S. 180.191.

The proposed rates are outlined on Exhibit A of the ordinance. The impact of the increase on a monthly bill will vary with consumption. The table below represents the additional cost based on usage for a typical residential user on both water and sewer:

Volume	Current	Proposed	Difference
1,000 Gallons	\$39.14	\$41.97	\$2.83
3,000 Gallons	\$54.70	\$58.65	\$3.95
5,000 Gallons	\$70.26	\$75.33	\$5.07
8,000 Gallons	\$93.60	\$100.36	\$6.76
10,000 Gallons	\$109.16	\$117.04	\$7.88

If both components of this proposal are implemented, a SSRUS customer using 5,000 gallons of water and sewer a month, will be billed a total of 6.6% higher than a comparable City customer.

At 10,000 gallons, this difference is 5.5%. Should you have any questions, please do not hesitate to contact me.

Recommendation: That the City Council approve Resolution Number 27-15 establishing new water and sewer rates for SSRUS, to include the 3% surcharge, and that said rates become effective for bills issued after October 6, 2015.

Enclosure

RESOLUTION 27-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA, INCREASING WATER AND SEWER RATES AND IMPLEMENTING A THREE PERCENT (3%) SURCHARGE FOR UTILITY CUSTOMERS IN THE SOUTH SANTA ROSA UTILITY SYSTEM.

WHEREAS, the City of Gulf Breeze (City) provides water, sewer and reclaimed water service, outside the boundaries of the City, to the residents within the South Santa Rosa Utility System (SSRUS) and must rely upon rates to pay for the costs to operate the water, sewer and reclaimed water services and provide for adequate reserves; and,

WHEREAS, the City Council has determined that operating costs of the SSRUS, including but not limited to, personnel costs, equipment maintenance and energy costs have increased; and,

WHEREAS, the SSRUS Board has recommended that water and sewer rates be increased to produce an annual operating margin of 5%; and

WHEREAS, the City Council recognizes that SSRUS customers benefit from City ownership and management of SSRUS through its ability to issue tax exempt financing and the continued maintenance of the non-profit status of the utility; and

WHEREAS, Section 180.191(1)(b), Florida Statutes authorizes a municipality operating a water and sewer utility outside of its boundaries to impose a surcharge of not more than twenty-five percent (25%) of its rates, fees and charges; and

WHEREAS, the City Council has determined that a three percent (3%) surcharge on all SSRUS charges in accordance with Section 180.191(1)(b), Florida Statutes is just and equitable and is based on the same factors used in fixing the rates, fees, and charges for consumers inside the municipal boundaries; and,

WHEREAS, the City Council held a Public Hearing on Monday, October 5, 2015 on the proposed rate increase and surcharge.

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

SECTION 1: The water, sewer and reclaimed water charges for the SSRU are hereby established as listed in Exhibit 'A' attached hereto

SECTION 2: That a three percent surcharge (3%) shall be calculated and charged on all water, sewer and reclaimed rates to SSRUS customers.

SECTION 3: That the new rates listed on Exhibit ‘A’ and the surcharge referred to in Section 2 of this Resolution 27-15 shall be imposed on water, sewer and reclaimed charges accruing on or after October 6, 2015.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, SANTA ROSA COUNTY, FLORIDA on this _____ day of October, 2015.

Matt E. Dannheisser, Mayor

ATTEST

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

RESOLUTION 27-15

Exhibit A

VOLUMETRIC RATES PER THOUSAND GALLONS

	Current	Increase	2016
Water	\$3.36	\$0.14	\$3.50
Sewer	\$4.42	\$0.18	\$4.60

Residential and Commercial - Water Base Fee

Meter Size	2015 Base Fee	Increased By	2016 Base Fee
3/4"	\$13.90	\$0.57	\$14.47
1"	\$25.27	-\$0.05	\$25.22
1 1/2"	\$64.62	-\$3.31	\$61.31
2"	\$104.67	-\$6.64	\$98.03
3"	\$211.52	-\$16.55	\$194.97
4"	\$318.37	-\$26.45	\$291.92
6"	\$631.48	-\$58.24	\$573.24

Residential and Commercial - Sewer Base Fee

Meter Size	2015 Base Fee	Increased By	2016 Base Fee
3/4"	\$17.46	\$0.72	\$18.18
1"	\$31.71	-\$0.19	\$31.52
1 1/2"	\$75.22	-\$4.06	\$71.16
2"	\$120.53	-\$8.53	\$112.00
3"	\$240.65	-\$21.86	\$218.79
4"	\$360.67	-\$37.69	\$322.98
6"	\$707.97	-\$87.20	\$620.77

Reclaimed Rates

	2015 Base Fee	Increased By	2016 Base Fee
	\$6.00	\$0.00	\$6.00



City of Gulf Breeze

OFFICE OF THE CITY MANAGER

Memorandum

To : Mayor and City Council
From : Edwin A. Eddy, City Manager
Date : September 24, 2015
Subject: Amendment to Bylaws of Fairpoint Regional Utility

The Board of Directors voted unanimously to amend the Bylaws for Fairpoint Regional Utility System to allow meetings of the Board to be held at the place of business of any of the three members of the corporation. Previous to the amendment, the Bylaws were construed to state that meetings of the Board had to be held at Holley-Navarre Utility.

Any amendment to Bylaws must be approved by the City Council.

RECOMMENDATION:

THAT THE CITY COUNCIL DIRECT STAFF TO DRAFT A RESOLUTION APPROVING THE AMENDMENT TO THE BYLAWS OF THE FAIRPOINT REGIONAL UTILITY SYSTEM AND THAT SAID RESOLUTION BE ADOPTED ON OCTOBER 19, 2015.

**AMENDMENT AND RESTATED BYLAWS OF FAIRPOINT REGIONAL UTILITY
SYSTEM, INC. (A Florida Corporation and not-for-profit)**

Preamble

WHEREAS, FAIRPOINT REGIONAL UTILITY SYSTEM, INC. (a Florida Corporation and not-for-profit) (the "Corporation") is a Florida Corporation not for profit pursuant to Florida Statutes Chapter 617.

WHEREAS, the Corporation has determined that it is to its advantage and in its best interest to alter, amend, and restate a provision of its Bylaws, as hereinafter defined, as provided in this Amended and Restated Bylaws, as hereinafter defined, as of the Effective Date, as hereinafter defined.

WHEREAS, this Amended and Restated Provision of the Bylaws have been adopted by all of the members of the Corporation, pursuant to Article VII of the Articles of Incorporation.

NOW, THEREFORE, this Amended and Restated Provision of the Bylaws of FAIRPOINT REGIONAL UTILITY SYSTEM, INC. (a Florida Corporation and not-for-profit), hereby alters, amends and restates the following provision of the Bylaws of the Corporation as duly adopted at a meeting of the original Members held December 12, 2001 at 8574 Turkey Bluff Rd., Navarre, FL 32566.

SECTION 2, Meetings

(c) Any annual, special, or regular meeting shall occur at the place of business of any of the Corporation's three members. These meetings shall occur at one of the principal offices of either Midway Water System, Inc., City of Gulf Breeze, a Florida Municipal Corporation, or Holley-Navarre Water System, Inc., a Florida not-for-profit Corporation. All other provisions of the Bylaws shall remain valid, intact, and be adhered to in the manner prescribed therein.

CERTIFICATION

WE, THE UNDERSIGNED, hereby certify that we are the duly elected Members of FAIRPOINT REGIONAL UTILITY SYSTEM, INC. (a Florida Corporation and not-for-profit) and this Amended and Restated provision to the Bylaws constitute the Bylaws of the said Corporation as provided in Florida Statutes Section 617.0206 and as defined in Florida Statutes Section 617.01401(3).

IN WITNESS WHEREOF, we have affixed our hand and seal this _____ day of _____, 2015.

The Amended and Restated provision to the Bylaws was adopted by the unanimous consent of all the original members of FAIRPOINT REGIONAL UTILITY SYSTEM, INC. (a Florida Corporation and not-for-profit), and the number of votes cast were sufficient for approval.

The undersigned original members of FAIRPOINT REGIONAL UTILITY SYSTEM, INC. (a Florida Corporation and not-for-profit), following a resolution to submit the Amended and Restated Bylaws to the membership, and unanimous consent of all the original members having cast their votes in favor of the Amended and Restated provision to the Bylaws that was sufficient for approving the Amended and Restated Bylaws, the undersigned of FAIRPOINT REGIONAL UTILITY SYSTEM, INC. (a Florida Corporation and not-for-profit) have executed these Amended and Restated Bylaws.

Date of Adoption of Amended and Restated provision to Bylaws was _____ of _____, 2015.

HOLLEY-NAVARRE WATER SYSTEM INC.,
a Florida not-for-profit Corporation

By: _____
President

MIDWAY WATER SYSTEM INC.,
a Florida not-for-profit Corporation

By: _____
President

CITY OF GULF BREEZE,
a Florida Municipal Corporation

By: _____
Mayor



City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Nathan G. Ford, Assistant to City Manager

Date: 9/25/2015

Subject: Temporary Speed Humps for Traffic Calming Solutions

City staff is seeking to develop solutions to answer public concerns of speeding on residential streets. The City deployed the Speed Spy (speed monitoring device) on seven residential locations collecting data on average speed and traffic volume from March – September 2015. The seven locations monitored included Highpoint Drive, Navarre Street, Soundview Trail, Northcliff Drive, Kennilworth Avenue, Andrew Jackson Trail, and Plantation Hill Road. Five out of seven locations yielded average speed data below the posted speed limit. One location yielded an average speed data of 1 mph over the posted speed. One location yielded average speed data the same as the posted speed limit. In summary, data suggests that there is not a significant speeding problem at the seven locations.

Despite the findings expressed above, residents' perceptions of speeding in these locations still persist. In response, staff recommends the purchase of two types of "temporary" speed control/traffic calming devices to trial at locations of concern for traffic calming solutions.

The first device is a temporary "speed hump." According to the ITE (Institute of Transportation Engineers), studies show reductions in 85th percentile speeds between 6 mph to 27 mph at speed hump location. Many variables exist in reducing traffic volume from cut through drivers, but similar research suggests that volumes were found to be reduced from 1 to 55 percent. The speed hump recommended is a rubberized modular curved speed hump. The hump is 3 – 4" in height at its crest. This speed hump can be removed if traffic conditions change or if the road needs be resurfaced. They are resistant to temperature fluctuations. The cost is \$2520.

The second temporary speed control device that is recommended for trial is a portable speed bump. A speed bump is a more abrupt device that is approximately 3" in height and a foot in width. This device can be utilized in City special events like sports tournaments or festivals when a temporary speed reduction to compensate for high pedestrian traffic would be

necessary. The cost for this device is \$650. This device is portable and can be rolled up to the size of a spare tire for storage.

There are some negative effects of speed humps and bumps that should be considered prior to trial. First, speed humps or bumps can increase noise level from vehicles braking and accelerating while negotiating the device. Research also suggests that there can be minor impacts to response times for long wheel base vehicles (Fire, Ambulance, and School Buses for instance). Of the streets monitored, none are considered major collector or emergency routes. The negative effects will be considered in the evaluation of these devices.

The proposed temporary hump and bump purpose has been discussed across all City departments, including Police, Fire, and City Engineering Staff with endorsement.

RECOMMENDATION: That the City Council approve the purchase of one rubberized speed hump kit and one temporary speed hump at a total of \$3170.00 for trial use in traffic calming solutions.



Gulf Breeze Police Department

To: Edwin Eddy, City Manager

From: Richard Hawthorne, Deputy Chief 

Ref: Special Event Application

Date: September 24, 2015

The Gulf Breeze Methodist Church has submitted a special event application for a block party. The event will be held on Sunday, October 25, 2015 beginning at 4pm and ending at 6pm. The organizers would like to close portions of Nightingale Lane from 3pm to 7pm. The two extra hours would be used for set up and clean up. The block party would include food, music and children's activities. They expect 1000 people. The event will not be used for fundraising. This will be the third time the Church has held this block party. The Police department did not receive any complaints from the either event.

RECOMMENDATION: That the City Council approve the Methodist Church block party.



Gulf Breeze Police Department

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

**Chief Robert Randle
Deputy Chief Rick Hawthorne**

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

City of Gulf Breeze Special Event

Packet Includes:

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

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

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

At least (30) days prior to the special event

Applicant's Signature

Date



Gulf Breeze Police Department

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

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

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

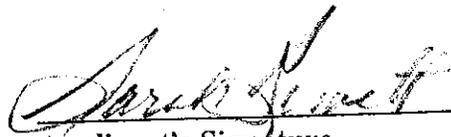
City of Gulf Breeze

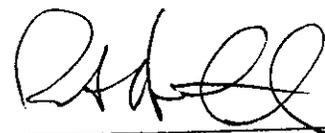
REQUIREMENTS TO CONDUCT SPECIAL EVENT ON CITY PROPERTY OR IN THE CITY OF GULF BREEZE

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

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

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


 Applicant's Signature 11/20/2019
Date


 Police Department's Approval Date

GULF BREEZE UNITED METHODIST CHURCH STREET CLOSING REQUEST
REQUESTING CLOSURE FROM 2-7 PM OF AREAS MARKED IN RED
Portions of Nightingale Road and Nightingale Lane



City of Gulf Breeze

Memorandum

To: Edwin A. Eddy, City Manager

From: Curt Carver,  Deputy City Manager

Date: 9/25/2015

Subject: TDC Budget

On September 21, 2015 the City Council passed Resolution 23-15, which adopted the final budget for FY16. Tourist Development Council (TDC) revenues and related expenses are interwoven in that larger presentation. As you know, Santa Rosa County levies a tourist development tax pursuant to F.S. 125.0104 on short term occupancies of certain living quarters (i.e. hotels, motels and mobile home parks). These funds are to be used by the County TDC for specific tourist related purposes. The County has agreed that the City is in the best position to allocate these funds for tourist development efforts in the City. Accordingly, each year the City approves a separate budget for this purpose in October and provides that budget to the County so that those revenues can be used locally to promote tourism.

F.S. 125.0104 states that the TDC tax revenues are to be used for specific purposes. The relevant section of the statute is enclosed for information purposes. In the past the City has used TDC revenues to support the Arts Festival, sporting and community events, support to the Chamber of Commerce and other tourist development activities. This year I would suggest that maintenance costs associated with Shoreline Park South and Wayside Park be supported by TDC revenues. Should you have any questions concerning this matter, please do not hesitate to contact me.

Recommendation: That the City Council consider allocation of TDC funding and authorize staff to prepare a plan for tourist development for FY16.

Enclosure

5) AUTHORIZED USES OF REVENUE.—

(a) All tax revenues received pursuant to this section by a county imposing the tourist development tax shall be used by that county for the following purposes only:

1. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more:
 - a. Publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, or auditoriums within the boundaries of the county or subcounty special taxing district in which the tax is levied; or
 - b. Aquariums or museums that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public, within the boundaries of the county or subcounty special taxing district in which the tax is levied;
2. To promote zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public;
3. To promote and advertise tourism in this state and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event must have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;
4. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency; or
5. To finance beach park facilities or beach improvement, maintenance, renourishment, restoration, and erosion control, including shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, or inland lake or river. However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. In counties of fewer than 100,000 population, up to 10 percent of the revenues from the tourist development tax may be used for beach park facilities.

Subparagraphs 1. and 2. may be implemented through service contracts and leases with lessees that have sufficient expertise or financial capability to operate such facilities.

(b) Tax revenues received pursuant to this section by a county of less than 750,000 population imposing a tourist development tax may only be used by that county for the following purposes in addition to those purposes allowed pursuant to paragraph (a): to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more zoological parks, fishing piers or nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. All population figures relating to this subsection shall be based on the most recent population estimates prepared pursuant to the provisions of s. 186.901. These population estimates shall be those in effect on July 1 of each year.

(c) The revenues to be derived from the tourist development tax may be pledged to secure and liquidate revenue bonds issued by the county for the purposes set forth in subparagraphs (a)1., 2., and 5. or for the purpose of refunding bonds previously issued for such purposes, or both; however, no more than 50 percent of the revenues from the tourist development tax may be pledged to secure and liquidate revenue bonds or revenue refunding bonds issued for the purposes set forth in subparagraph (a)5. Such revenue bonds and revenue refunding bonds may be authorized and issued in such principal amounts, with such interest rates and maturity dates, and subject to such other terms, conditions, and covenants as the governing board of the county shall provide. The Legislature intends that this paragraph be full and complete authority for accomplishing such purposes, but such authority is supplemental and additional to, and not in derogation of, any powers now existing or later conferred under law.

(d) Any use of the local option tourist development tax revenues collected pursuant to this section for a purpose not expressly authorized by paragraph (3)(l) or paragraph (3)(n) or paragraph (a), paragraph (b), or paragraph (c) of this subsection is expressly prohibited.