



City of
Panama City Beach

Council Chambers |
17007 Panama City Beach Pkwy |
Panama City Beach, FL 32413

**CITY COUNCIL
SPECIAL MEETING AGENDA
THURSDAY, JULY 11, 2024
5:00 PM**

A. CALL TO ORDER AND ROLL CALL

B. INVOCATION BY PASTOR ROB RAINES FROM THE ARK CHURCH

C. PLEDGE OF ALLEGIANCE LED BY COUNCILMEMBER MARY COBURN

D. COMMUNITY ANNOUNCEMENTS

1. Community Announcements
[Item Memo](#)
[07.11.2024.Community Announcements.pdf](#)

E. APPROVAL OF MEETING MINUTES

1. June 27, 2024 Regular Meeting Minutes
[Item Memo](#)
[06.27.2024.Council Meeting Minutes.draft.pdf](#)

F. APPROVAL OF THE AGENDA AND/OR DELETIONS

G. PRESENTATION

1. Proclamation Presentation - Recognizing July as Park and Recreation Month

[Item Memo](#)
[Park and Recreation Month Proclamation July 2024.draft.pdf](#)

H. PUBLIC COMMENTS ON THE CONSENT AGENDA AND/OR NON-AGENDA BUSINESS (Limited to 3 Minutes)

I. CONSENT AGENDA

1. **RESOLUTION NO. 24-151, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH JRA ARCHITECTS, INC. FOR ARCHITECTURAL DESIGN SERVICES RELATED TO THE POLICE K9 TRAINING FACILITY IN THE AMOUNT OF \$139,568.00, AND DESIGNATING USE OF ARPA FUNDS FOR THE PROJECT.**
[Item Memo](#)
[Res 24-151.JRA Architects.Task Order.Police K9 Training Facility.pdf](#)
[Task Order JRA Police K-9 Facility.pdf](#)
[06-19-24 .PCB PD K-9 Scope & Fee Proposal w-attachment.pdf](#)

2. **RESOLUTION NO. 24-152, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A SUBORDINATION AGREEMENT FOR PARCEL 800.2R WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR DRAINAGE PURPOSES RELATED TO S.R. 30A (US 98/PANAMA CITY BEACH PARKWAY) FROM EAST OF R. JACKSON BOULEVARD TO THE HATHAWAY BRIDGE.**

[Item Memo](#)

[Res 24-152.FL DOT.Subordination Agreement.Drainage.RJackson to Hathaway.pdf](#)
[Exhibit A 2178385 - Parcel 800.2R - Subordination Agreement.pdf](#)

3. **RESOLUTION NO. 24-153, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH INFRASTRUCTURE SOLUTION SERVICES, LLC FOR ENGINEERING SERVICES RELATED TO THE REPLACEMENT OF FILTER UNITS AT THE CITY'S WASTEWATER TREATMENT FACILITY IN THE AMOUNT OF \$76,000,00.**

[Item Memo](#)

[Res 24-153.ISS Task Order 09.WWTF Filter Replacement.pdf](#)
[ISS Scope of Work Task Order WRF#1 Filter Improvements.pdf](#)
[Exhibit A. Task Order 09 & NTP. signed.pdf](#)

4. **RESOLUTION NO. 24-154, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH POLYDYNE, INC. FOR THE PURCHASE OF WASTEWATER TREATMENT RESIDUALS DEWATERING POLYMER FOR THE CITY'S WASTEWATER TREATMENT FACILITY.**

[Item Memo](#)

[Res 24-154.Polydyne.Purchase of Dewatering Polymer.pdf](#)
[Exhibit A.Polydyne Polymer Agreement.pdf](#)
[PCB24-32 BID TABULATION FORM.pdf](#)

5. **ACTION ITEM - BY MOTION, AUTHORIZING THE HIRING OF SIX ADDITIONAL FULL-TIME LIFEGUARDS FOR THE BEACH SAFETY DIVISION AND ELIMINATING SEASONAL LIFEGUARDS IN FUTURE BUDGETS.**

[Item Memo](#)

J. REGULAR AGENDA

1. **ORDINANCE NO. 1647, AMENDING CHAPTER 4, ARTICLE II, OF THE CITY'S CODE RELATED TO SPECIAL EVENTS; SECOND READING, PUBLIC HEARING.**

[Item Memo](#)

[Ord 1647 Special Events.2nd Reading.pdf](#)
[Ord 1647.Business Impact Statement.02.pdf](#)
[Notice Affidavit Ord 1647.pdf](#)

2. **ORDINANCE NO. 1649, AMENDING CHAPTER 5, ARTICLE II, RELATED TO ANIMAL CONTROL; FIRST READING, PUBLIC HEARING.**

[Item Memo](#)

[Ord 1649.Animal Control.First Reading.pdf](#)

K. CITY MANAGER REPORT

L. CITY ATTORNEY REPORT

M. COUNCIL COMMENTS

N. ADJOURN

* AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS **THE CITY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY**, JOINTLY AND CONCURRENTLY, AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY. ACTION ITEMS NOTED WITH AN ASTERICK.

** AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS **THE LAW ENFORCEMENT TRUST BOARD**, JOINTLY AND CONCURRENTLY, AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY. ACTION ITEMS NOTED WITH TWO ASTERICKS.

PAUL CASTO	X
MARY COBURN	X
MICHAEL JARMAN	X
ETHAN REGISTER	X
STUART TETTEMER	X

I certify that the Council members listed above have been contacted and given the opportunity to include items on this agenda.

PAUL CASTO	X
MARY COBURN	X
MICHAEL JARMAN	X
ETHAN REGISTER	X
STUART TETTEMER	X

I certify that the Council members listed above have been contacted and given the opportunity to include items on this agenda.

/s/ City Clerk	Date
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/s/ City Clerk	Date
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The Agenda Packet is posted on the City's website at WWW.PCBFL.GOV by close of business on the Friday before the meeting. City Council meetings are live streamed on the City's website WWW.PCBFL.GOV and City Facebook page "PANAMA CITY BEACH-GOVERNMENT". One or more members of other City Boards may appear and speak at this meeting. If a person decides to appeal any decision made by the City Council with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding, and for this purpose, such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Sec. 286.0105, FS (2020).



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Lynne Fasone, City Council

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Report community events / announcements within the City of PCB.

4. AGENDA:

COMMUNITY ANNOUNCEMENTS

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Quality of Life

N/A

N/A

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

Report community events / announcements within the City of PCB.

[07.11.2024.Community Announcements.pdf](#)



City of

Panama City Beach

17007 PCB Parkway
PCB, FL 32413
www.pcbfl.gov

Community Announcements
for the
July 11, 2024
City Council Special Meeting

Date	Event	Location
July 11 7:00 PM	Summer Concert Series	Aaron Bessant Park
July 15-21	USFA World Series	Frank Brown Park
July 22-28	Grand Slam World Series	Frank Brown Park
Thursday, July 25 9:00 AM	Next City Council Meeting	City Hall
July 25 7:00 PM	Summer Concert Series	Aaron Bessant Park



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Lynne Fasone, City Council

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Review and approve City Council's June 27, 2024 regular meeting minutes.

4. AGENDA:

APPROVAL OF MEETING MINUTES

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

**7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE
ACHIEVED?**

Per the City Charter and Florida Statutes, the City Clerk shall prepare meeting minutes for each City Council meeting.

[06.27.2024.Council Meeting Minutes.draft.pdf](#)



City of Panama City Beach

PCB City Hall
17007 PCB Parkway
PCB, FL 32413
P: (850) 233-5100
F: (850) 233-5108
www.pcbfl.gov

MINUTES of the **June 27, 2024** Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency.

Mayor Stuart Tettemer called the June 27, 2024 meeting to order at 9:00 a.m.

ROLL CALL

COUNCILMAN PAUL CASTO
COUNCILMEMBER MARY COBURN
COUNCILMAN ETHAN REGISTER
VICE MAYOR MICHAEL JARMAN
MAYOR STUART TETTEMER

A quorum was present with all five members of City Council. Others present were City Manager Drew Whitman, Assistant City Manager Holly White, City Attorney Cole Davis, City Clerk Lynne Fasone, Directors, staff, and members of the public and press.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Ramon Duvall from the Beachside Fellowship Church led the invocation. Councilman Paul Casto led the Pledge of Allegiance.

COMMUNITY ANNOUNCEMENTS

Mayor Tettemer presented community announcements.

APPROVAL OF MEETING MINUTES

Mayor Tettemer called for approval of the June 13, 2024 regular meeting minutes. **Vice Mayor Jarman so moved. Councilmember Coburn seconded the motion. The June 13 meeting minutes were unanimously approved by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

APPROVAL OF AGENDA

Mayor Tettemer called for approval, additions and/or deletions to the agenda. Manager Whitman recommended adding a discussion item regarding water safety to the agenda. Mayor Tettemer called for additional changes. Hearing and seeing none, Mayor Tettemer recommended adding it first to the agenda. **Vice Mayor Jarman moved to approve the agenda, as amended. Councilman Casto seconded the motion. All were unanimously in favor of approval of the agenda as amended by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

PRESENTATIONS

Councilman Casto presented Ms. Kathy Younce, Assistant Public Works Director, with a 20 years of service award. Councilman Casto thanked Ms. Younce for her dedication and years of service.

Mayor Tettermer invited Mr. Andrew Starr, Vice President, Chief Health Operations Officer at Tallahassee Memorial HealthCare, Inc. to the podium to present an update on the Hospital. Mayor Tettermer thanked Mr. Starr.

Mayor Tettermer invited Mr. Wyatt Rothwell, City Engineer, to the podium to present the 2024 Street Resurfacing Project update.

City Council had a brief discussion regarding the needed improvements to Clearence Street and the timeline of completion, taking approximately eight months from the end of the year. Mayor Tettermer thanked Mr. Rothwell.

PUBLIC COMMENTS - NON-AGENDA BUSINESS (LIMITED TO THREE MINUTES)

Mayor Tettermer provided instructions and then opened the floor to non-agenda business public comments, limited to three minutes each, at 9:40 a.m.

1. Burnie Thompson – Mr. Thompson commented on the Chief of Police investigation. Mr. Thompson inquired as to which policies allowed the City to remove the Chief. Mr. Thompson inquired if the Chief would ever get the name of his accuser and does the policy apply to everyone or just the Chief. Mr. Thompson inquired as to how many other people, employees, had been investigated and requested the names please. Mr. Thompson commented that in his opinion it was not a complaint, just a piece of paper, the City did receive a real complaint. Mr. Thompson commented on a man who was stopped by K9 Officer for more than an hour and noted in his opinion the stop was a violation of his rights. Mr. Thompson asked the City to look into the stop.
2. Nancy Viejo – Ms. Viejo commented, in her opinion, Mr. Bill Caravello being appointed to the Airport Board. Ms. Viejo commented on the Beach Flag System and noted in her opinion the old one was easy to understand and the City needed more police and lifeguards on the beach.
3. Scott Heilman – Mr. Heilman commented, in his opinion, the actions taken against Chief Talamantez were disgusting and the Mayor's reckless endorsement of these actions were a disgrace and embarrassment. Mr. Heilman commented that the Chief and the women were owed apologies. Mr. Heilman commented on the Mayor using his name, without permission, in an ad during his campaign, his reputation being tarnished, and he had not yet received an apology.

Vice Mayor Jarman recommended that Council address the investigation now. Vice Mayor Jarman explained that none of Council had anything to do with the investigation, it was an administrative matter. Mayor Tettermer concurred and explained that he received the letter and then handed it over to the City Manager to investigate. Mayor Tettermer added that the City and City Council fully stand by the Chief. Vice Mayor Jarman inquired if the City Manager wanted to address the SOP (Standing Operating Procedure). Manager Whitman reported that he would change SOPs, and further discussed the Governor's new Bill. Manager Whitman discussed the timeline of the investigation, that the investigation was run by the book, and that at the time he was acting according to the policies that the Police Department had in place. Mayor Tettermer thanked Mr. Whitman for the clarification.

4. Alfie Martin, Mr. Martin thanked Staff and the Chief for their work and noted that the Chief was cleared, and he appreciated the Chief. Mr. Martin thanked everyone for doing a good job.
5. Captain Gary Wayne Beck, 2601 Beech Street – Mr. Beck played a recording reciting the First, Second, Third and Fourth Amendments. Mr. Beck further commented on the draft chicken ordinance.

6. Cliff Gornto, 206 West Lakeshore Drive - Mr. Gornto expressed a heartfelt thank you to the City for assisting him to connect his resident to the city's main sewer line. Mr. Gornto added that Mr. Mark Shaeffer listened to him and promised immediate action. Mr. Gornto commented that he was waiting on final approval from the FL Dept. of Protection. Mr. Gornto thanked city staff and Council.
7. Lori Deaton – Ms. Deaton commented that she spoke in front of City Council at the end of February. Ms. Deaton asked Council to budget for a spay and neuter program in 2024.
8. Tom Campbell, 150 Crane Street – Mr. Campbell commented on the Airport Board application process. Mr. Campbell further commented on the Alf Coleman Road improvement project, the cost to tax holders and commented that in his opinion he thought it was a waste of money.
9. Mark Messarello – Mr. Messarello commented on the recent drownings. Mr. Messarello further commented on his ideas and suggestions on how to warn people about unsafe water. Mr. Messarello read comments from Next Door. Mr. Messarello further commented on paying for additional lifeguards and inquired if the City had approached St. Joe for help. Mr. Messarello commented, in his opinion, the City should hire seasonal spotters and form a task force to study problem.
10. Genice Hatcher, 108 Vestavia – Ms. Hatcher commented on the abandoned boats, vehicles, high grass and miscellaneous building supplies that she sees around the Beach. Ms. Hatcher noted that she reported those items to Code Enforcement. Ms. Hatcher commented, in her opinion, residents need to take pride in its City. Ms. Hatcher encouraged Council to hold everyone to higher standards and ask citizens and code enforcement officials to do the same.
11. Chrissy (inaudible), - Ms. Chrissy spoke in favor of the 2024 Street Improvement Project. Ms. Chrissy recommended finishing projects before starting new projects, commented on traffic, Griffith Parkway, and the Airport Authority Board appointment.

Mayor Tettemer called for further public comments. Hearing and seeing none, Mayor Tettemer closed the public comment period at 10:10 a.m. Mayor Tettemer asked Manager Whitman to respond to the public comments.

Manager Whitman reported, with respect to the investigation he was the only person who can initiate an investigation, the Mayor was the only person who knew about the letter, as he could not inform the other Councilmembers as it would have been a felony to do so while the investigation was taking place. Manager Whitman added that Chief Talamantez is a friend. Manager Whitman noted that the City would honor Mr. Thompson's public records request. Manager Whitman invited Ms. Viejo to attend the July 11 meeting for a presentation on the beach flag system. Manager Whitman noted he had already addressed Mr. Heilman's comments, and he agreed with Alfie's comments. Manager Whitman thanked Cliff for his comments, and he would work with the State to see if that process could be moved forward. Manager Whitman concurred that he did meet with Ms. Lori Deaton about a possible spay and neuter program and invited her to come back during the budget workshop. Manager Whitman reported appointment to the Airport Board would be addressed toward the end of today's agenda. Manager Whitman reported with respect to the Alf Coleman project, the City went forward with the project since it had money coming in from the State to improve the safety of that road.

Vice Mayor Jarman asked Mr. Scott Passmore to confirm that the City went ahead with the project because it had some State funds. Mr. Passmore concurred and discussed the design process, managing the flooding, acquiring land that needs to be budgeted, Hurricane Michael funding to raise the road, an FDOT grant for sidewalks and taking advantage of outside funding.

Manager Whitman reported with respect to Ms. Hatcher's comments, he did go out to Ms. Hatcher's residence and investigate her complaints. Manager Whitman further reported that Code Enforcement was

doing a great job. Lastly, Manager Whitman reported with respect to Ms. Chrissy those were statements, and the Airport Board would be addressed on the dais.

Mayor Tettemer asked Council if they would like to address any of the public comments.

Vice Mayor Jarman reported, with respect to the resurfacing projects, resurfacing and DOT projects were two totally difference projects. Vice Mayor Jarman further discussed construction fatigue.

Councilman Casto reported that he agreed with Ms. Lori about a spay and neuter program being needed on the Beach, and he would like to look into it at budget time. Mayor Tettemer concurred.

Mayor Tettemer thanked everyone for the robust discussion.

CONSENT AGENDA

Mayor Tettemer asked Clerk Fasone to read the Consent Agenda.

RESOLUTION NO. 24-145, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF TWO TRAILER-MOUNTED BYPASS PUMPS FOR THE UTILITIES DEPARTMENT FROM THOMPSON PUMP & MANUFACTURING CO., INC. IN THE TOTAL AMOUNT OF \$183,173.00; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE FLORIDA SHERIFFS ASSOCIATION CONTRACT GOVERNING THAT PURCHASE.

RESOLUTION NO. 24-146, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING STATEWIDE MUTUAL AID AGREEMENT – 2023 WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT.

RESOLUTION NO. 24-147, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A LIGHTING AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY FOR INSTALLATION AND MAINTENANCE OF LIGHTING FACILITIES ON SR 30A (BACK BEACH ROAD) FROM THE PANAMA CITY BEACH CITY LIMITS EAST TO HEATHER DRIVE.

***RESOLUTION NO. 24-148, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING TASK ORDERS WITH CHANDLER AND ASSOCIATES OF PANAMA CITY, INC. AND DEAL CONSULTING, P.A. FOR THE UPDATE OF APPRAISALS OF PROPERTIES NECESSARY FOR FRONT BEACH ROAD PROJECTS, AND FOR CONSULTATION, PREPARATION AND ATTENDANCE AT HEARINGS RELATED TO THE CITY'S ACQUISITION OF PROPERTIES BY EMINENT DOMAIN FOR TOTAL COMPENSATION NOT TO EXCEED \$50,000.00 EACH.**

Mayor Tettemer noted the Consent Agenda was available to Council. **Vice Mayor Jarman moved to approve the Consent Agenda. Councilman Casto seconded the motion. All were unanimously in favor of approval of the Consent Agenda by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

ADDED TO THE AGENDA. – BEACH SAFETY

Mayor Tettermer invited staff to the podium. Chief Ray Morgan noted he was available to answer any questions.

Mayor Tettermer asked the Chief to discuss what had happened over the last week, flags flying during the incidents.

Chief Morgan thanked the team and reported it was a tough week for our team. Chief Morgan thanked Darryl, who leads a great small team, and thanked the team who faced the chaos. Chief Morgan discussed the flags bouncing back and forth between single and double red flags. Chief Morgan discussed the need for more education and prevention. Chief Morgan reported last year the City's 9 fulltime lifeguards and 2 seasonals entered the water 2,779 times to help people in distress. Chief Morgan further reported this year to date they had worked 27 actual rescues in addition to countless others for assists. Chief Morgan reported the team was working 7 days a week and working countless hours. Chief Morgan thanked the Police Department and the Code Enforcement Department for assisting, as well as the County.

Mayor Tettermer inquired as to the current staffing. - Chief Morgan reported the same and further discussed having a hard time keeping seasonal staffing.

Councilman Casto commended Chief Morgan and staff for a great job and expressed condolences to the families who had lost loved ones. Councilman Casto reported that he has stood up here over the years saying that perhaps this was the top issue over transportation. Councilman Casto discussed the accomplishments of a prior Safety Committee he and Chief Morgan were a part of. Councilman Casto added the City has made progress over the years; however, we can do better, and recommended that Council bring the Committee back to life to move the bar higher.

Councilman Register commended Chief Ray and his staff for a great job. Councilman Register agreed with Councilman Casto about bringing the Committee back to life. A brief discussion about the double-red flag citation took place. Councilman Register noted he would defer to Chief Ray and his staff, the experts, and support help him as needed.

Chief Ray expressed concern for the team and his staff. Chief Ray reported that additional lifeguards will help but how to fund the lifeguard program was up to Council.

Vice Mayor Jarman recommended that Council hold a 4:00 p.m. workshop before Council's next meeting on July 25th. Councilmembers concurred.

Councilmember Coburn noted she was grateful to Darryl and his team. Councilmember Coburn inquired if posting the drowning numbers would shock people into compliance. Councilmember Coburn noted it seemed that education was working. Chief Morgan discussed the incident behind Sharky's and people still going into the water during the lifesaving event.

Mayor Tettermer asked for the data on drownings on the Island for the past 10 years, dates, times, locations as well as visitor numbers and if the drowning victims were visitors or locals; options to prep for the workshop to increase beach safety, such as would spotters help, any immerging technology, Jacksonville's volunteer lifeguard, and why such little interest in the public/private partnership lifeguard program.

Chief Morgan reported the Boardwalk had been a great partner, however, with respect to other organizations, there had been a myriad of issues as to why their boards voted down the program.

Mayor Tettemer further asked for costing additional lifeguards, capital outlay, funding options and if it could be tied to commerce. Mayor Tettemer inquired if Council wanted to go forward with a motion for the workshop.

Vice Mayor Jarman moved to hold a workshop on lifeguards and water safety at 4:00 p.m. on July 11, 2024. Councilman Casto seconded the motion. All were unanimously in favor of holding the workshop by a (5-0) roll call vote.

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

Mayor Tettemer asked if Council could have the data to review prior to the July 11th meeting. Chief Morgan thanked Council for their support.

Mayor Tettemer called for public comments.

1. Alfie Martin – Mr. Martin commented that nothing cures stupidity. Mr. Martin recommended that Council do a PSA about water safety and the beach flag system and perhaps it could be shown on TV stations for free and at short-term rentals. Mr. Martin recommended that the Arts Council help with the PSA to educate people.
2. Gary Wayne Beck – Mr. Beck commented that the government was trying to control free people trying to get in surf. Mr. Beck commented that he could create a surf rescue system to better our community. Mr. Beck asked Council to give him the opportunity to put a surf rescue system in place.
3. Genice Hatcher – Ms. Hatcher commented that Mr. Beck wants to help in some way so Council should let him help. Ms. Hatcher commented, in her opinion, that Council was putting too much power with the City Manager so they should take back their power. Ms. Hatcher encouraged Council to get more involved and she would get more involved.
4. Tom Campbell – Mr. Campbell commented that he was encouraged that Council would reinstate a water safety board. Mr. Campbell discussed the demographics who visit the Beach and their willingness and aversion to risk. Mr. Campbell thanked Council for giving this topic the attention it deserves.
5. Bill Caravello – Mr. Caravello commented that Council should use the Navy Base for services, training and/or perhaps they could supply resources to help with beach safety.

Vice Mayor Jarman reported, with respect to Ms. Hatcher's comments that Council get involved in the city operations, Vice Mayor Jarman reminded everyone that it would be a violation of the City Charter and an ethics violation for individual council members to direct and or monopolize staff and/or the city manager. Vice Mayor Jarman added whatever Council does that expends a great deal of time it needs to be done as a unit, that not one councilmember can start controlling city operations as it would be a Charter and state ethics laws violation.

Mayor Tettemer recessed the meeting for 5 minutes at 10:54 a.m.

Mayor Tettemer called the meeting back to order at 11:01 a.m.

REGULAR AGENDA- DISCUSSION/ACTION ITEMS

ITEM 1. ORDINANCE NO. 1647, AMENDING CHAPTER 4, ARTICLE II, OF THE CITY'S CODE RELATED TO SPECIAL EVENTS; FIRST READING, PUBLIC HEARING.

Mayor Tettemer invited Attorney Davis to comment. Mr. Davis read Ordinance 1647 by title only. Mr. Davis briefly noted Council direct Staff at its last meeting to draft an amendment to the special events ordinance that would essentially make a second event a conditional use, add provisions for additional cell service, how a hearing would be conducted, due process, the process for appeals.

Mayor Tettemer opened the public hearing. Hearing and seeing no comments, Mayor Tettemer closed the public hearing.

Mayor Tettemer noted this item was available to Council and called for further discussion/amendments. **Vice Mayor Jarman moved to approve Ordinance 1647. Councilmember Coburn seconded the motion. All were unanimously in favor of approval of Ordinance No. 1647 by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

ITEM 2. ORDINANCE NO. 1648, COMPREHENSIVE PLAN - SANITARY SEWER ELEMENT PLAN AMENDMENT, FIRST READING / PUBLIC HEARING.

Mayor Tettemer introduced Attorney Davis. Attorney Davis read Ordinance No. 1648 by title only. Mayor Tettemer invited Director Leonard to comment.

Director Leonard reported the State of Florida requires that all local governments to update the Sanitary Sewer Element of their Comprehensive Plans to include an analysis of septic tank conversions to sanitary sewer. Director Leonard reported further that the Planning Board considered the proposed updates to the Sanitary Sewer Element at its June 12, 2024, meeting and recommended approval by a vote of (6-0), including the historical and projected average daily wastewater production amounts have been updated as well as a new Objective 8 and new Policy 8.1 have also been added to state the City will continue to plan for expansions to meet future demand. Director Leonard reported that, if approved by Council, it would be submitted to the State for comments and then brought back to City Council for a second reading and approval.

Mayor Tettemer opened the public hearing. Hearing and seeing no comments, Mayor Tettemer closed the public hearing.

Mayor Tettemer noted this item was available to Council. **Vice Mayor Jarman moved to approve Ordinance 1648. Councilman Register seconded the motion. All were unanimously in favor of approval of Ordinance No. 1648 by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

ITEM 3. DRAFT ORDINANCE NO. 1649 FOR DISCUSSION, AMENDING CHAPTER 5, ARTICLE II, RELATED TO ANIMAL CONTROL.

Mayor Tettemer introduced Attorney Davis. Attorney Davis read draft Ordinance No. 1649 by title only.

Attorney Davis reported this draft was prepared per Council's direction during the June 13. Attorney Davis added this was drafted to remove licensing for cats and dogs and render the permit requirements for livestock and fowl less burdensome for property owners seeking to keep these animals on their property with the permission of their neighbors. Accordingly, this draft ordinance for discussion removes old language requiring licensing for cats and dogs and proposes that the written permission of neighboring owners be valid unless and until revoked, instead of automatically expiring annually. If new neighbors take possession, new written permission must be obtained. Furthermore, no roosters are permitted under this draft.

Councilman Register noted basically that this seemed very complicated and to him less government was a better government and further discussed the confusing provisions. Councilman Register recommended that this ordinance be scaled back. Mayor Tettemer discussed the pros of proceeding with the ordinance as drafted. Vice Mayor Jarman and Councilmember Coburn spoke in favor of removing pigs. Attorney Davis reviewed the current, fairly detailed, nuisance code and the detailed ordinance on pot-bellied pigs. Further discussion regarding health and safety issues and the current number of dogs and cats allowed took place.

Mayor Tettemer recommended moving the ball down the road, possibly tweaking it. Vice Mayor Jarman asked for clarification – was Councilman Register and Mayor Tettemer both ok with doing away with the licensure of cats and dogs. Both concurred. Discussion regarding falling back on the nuisance law took place. Manager Whitman discussed the current permission to be approved for chickens took place. Councilmember Coburn discussed the length of time typically it takes to cure a problem. Attorney Davis discussed the criteria, days to cure, the letter being sent, etc. Further discussion regarding tweaking the ordinance took place.

Mayor Tettemer called for public comments. Hearing and seeing none, Mayor Tettemer closed the public comment period.

Mayor Tettemer noted this item was available to Council. **Vice Mayor Jarman moved that Staff move forward with drafting the ordinance as presented, except for in Section 5-3(a) exchange "60 days to dispose to.." "30 days to dispose..." and remove the "or the City Manager" with respect to the cancellation of licensure. Councilman Register seconded the motion. All were unanimously in favor of approval of the motion by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

ITEM 4. RESOLUTION NO. 24-149, APPROVING AN AGREEMENT WITH CW ROBERTS CONTRACTING, INC. FOR THE PURCHASE OF HOT MIX ASPHALT AND PAVING MATERIALS AT SET UNIT PRICES.

Mayor Tettemer introduced Attorney Davis. Attorney Davis read Resolution 24-149 by title only. Mayor Tettemer invited Director Mark Shaeffer to the podium.

Director Shaeffer explained this resolution would approve the purchase of asphalt materials so staff could make these smaller repairs, with the previous council having approved the purchase of equipment to make these repairs.

Mayor Tettemer called for public comments. Hearing and seeing none, Mayor Tettemer closed the public comment period.

Mayor Tettemer called for comments from Council. **Councilman Casto moved to approve Resolution 24-149. Councilmember Coburn seconded the motion. All were unanimously in favor of approval of Resolution No. 24-149 by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

ITEM 5. RESOLUTION NO. 24-150, APPROVING AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. FOR A MUNICIPAL IMPACT FEE STUDY; AND AUTHORIZING A BUDGET AMENDMENT.

Mayor Tettemer introduced Attorney Davis. Attorney Davis read Resolution No. 24-150 by title only. Mayor Tettemer invited Assistant Manager White to comment.

Assistant Manager White explained that at the City Council meeting in May Councilman Jarman recommended and the Council directed Staff to move forward with updating the municipal services impact fees. Ms. White explained further that the last Municipal Services Impact Fee Study was performed by Public Resources Management Group in 2018 and in 2019, Raftelis acquired PRMG to enhance their resources in Florida and the Southeast, so with that Staff requested a proposal from Raftelis to update the Municipal Impact Fee Study. Ms. White reported the municipal services to be included as a part of the study are police, fire, library, and parks and recreation. Ms. White added a budget amendment for this work was attached since it was not included in the FY2024 budget.

Mayor Tettemer inquired as to why certain sections of the agreement were marked out. Attorney Davis reported by resolution the Council directed Staff to not indemnify contractors and generally as the City Attorney we don't recommend arbitration so if approved we will go back to the contractor and work those sections out. Councilmember Coburn inquired if this could be done sooner than six months. Assistant Manager White Holly reported that Staff would ask, however, it was highly unlikely since it was quite a data driven effort.

Mayor Tettemer called for public comments. Hearing and seeing none, Mayor Tettemer closed the public comment period.

Mayor Tettemer called for comments from Council. **Vice Mayor Jaman moved to approve Resolution 24-150. Councilmember Coburn seconded the motion. All were unanimously in favor of approval of Resolution No. 24-150 by a (5-0) roll call vote.**

Councilman Casto	Aye
Councilmember Coburn	Aye
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	Aye

ITEM 6. DISCUSSION / ACTION ITEM, BOARD APPOINTMENT.

Mayor Tettemer asked Attorney Davis to comment. Attorney Davis reported this was a continuation of the airport board appointment as Council was deadlock at its last meeting. Attorney Davis explained the process and noted this appointment was set by special law and the appointment process was up to the Council and does not require public comment.

Mayor Tettemer called for comments from Council.

Vice Mayor Jarman echoed and clarified that the Airport Board was more of an economic development board, and he would be looking for diversity of individuals on the board. Vice Mayor Jarman noted he was not looking for another airport employee to go on board and he would not let any personal animus cloud that judgement.

Mayor Tettemer noted there were a few new applicants after the process was opened back up and his second pick last time was Ron Pezley and of the new candidates his preference would be Bob Fletcher. Mayor Tettemer spoke about Mr. Fletcher's qualifications. Mayor Tettemer reported he liked Ron and Bob.

Vice Mayor Jarman moved to reappoint Mark Sheldon to the Airport Board. Councilman Register seconded the motion. Mayor Tettemer asked Ms. Fasone to call the roll. Mark Sheldon was appointed to the Airport Board by a roll call vote of (3-2).

Councilman Casto	Aye
Councilmember Coburn	No
Councilman Register	Aye
Vice Mayor Jarman	Aye
Mayor Tettemer	No

CITY MANAGER REPORT –Manager Whitman thanked the public safety team for all of their hard work, especially during the recent water safety calls.

CITY ATTORNEY REPORT – Attorney Davis recommended some procedural tweaks to the double red flag ordinance and further discussed the triggers for enforcement. Attorney Davis reported that he would bring something back to Council for consideration. Mayor Tettemer called for any objections from Council. Hearing and seeing none. Attorney Davis recommended that he bring the ordinance to Council as a first reading, since it was the season. Attorney Davis also recommended that he bring to Council an update to Council's rules and procedures, now that the new Council has a few meetings under their belts. Councilmembers concurred.

COUNCIL COMMENTS – Mayor Tettemer called for comments from Council.

Councilman Casto commended the City's water safety team. Councilman Casto encouraged Councilmembers to think about who they would like to put on that water safety board.

Attorney Davis clarified, back in the day Council had a Water Safety Board in Chapter 7, which was done away with during the recent amendments to Chapter 7, however, Council created a Public Safety Board by Resolution that could be revived quickly. All Councilmembers concurred.

Councilman Register commended Chief Talamantez on the way he handled an adverse situation. Councilman Register added unfortunately, the Governor was a week late passing his Bill, however, we now have a way to protect our leaders. Councilman Register also commended Manager Whitman on doing

what was required and offered his appreciation. Councilman Register thanked Chief Ray and his team for keeping residents and visitors safe. Councilman Register added that public safety was number one and he would do whatever it takes to turn this into the World's safest beaches.

Councilmember Coburn echoed Councilman Register's comments and thanked all employees for working so hard for the city.

Vice Mayor Jarman echoed those sentiments about the first responders. Vice Mayor Jarman noted he had been looking at what types of things he could do to make a positive impact. Vice Mayor Jarman noted he had been doing research on voter participation. Vice Mayor Jarman discussed low voter participation in April versus higher voter turnout in November. Vice Mayor Jarman recommended Council weigh in on moving elections to the November election cycle. Vice Mayor Jarman discussed the benefits of moving elections to the November election cycle. Vice Mayor Jarman noted that he had talked with the Supervisor of Elections, Ms. Ward, and she said she would do whatever this Council decides. Vice Mayor Jarman noted if agreed, the change can be made by ordinance, not a referendum. Vice Mayor Jarman added if agreed he would like Council to direct staff to start working in that direction.

Councilman Register commented how could you not be in favor of greater voter turnout. Councilman Register inquired as to how the change might effect this Council's terms. Vice Mayor Jarman reported everyone up here would have their term extended to November.

Councilman Casto reported one of the previous Council's had tried this, whoever it was denied by the previous Superintendent because of cost. Vice Mayor Jarman noted that it would fall under the general election funding. Councilman Casto noted the change makes sense.

Councilmember Coburn noted she would like to see the costs involved. Vice Mayor Jarman reported about \$20,000 for the last election in April. Manager Whitman concurred. Councilmember Coburn asked if Staff would please verify that the City would not be charged.

Attorney Davis clarified that per the election code statute, Council can pass an ordinance to change qualifying and to deal with any consequences of those changes, including extending your terms, you have a partial term, Council would need to make that decision.

Mayor Tetterer noted he was all in favor of additional participation, however, one issue he sees is members running unopposed. Mayor Tetterer recommended Council look at a charter change to move to ward-by-ward voting. Council further discussed the pros and cons of ward-by-ward voting, the cost to run a campaign and Councilmembers representing the entire city, not just wards.

Mayor Tetterer inquired if Council was fine with seeing what it takes to move elections to November. All Councilmembers concurred. Attorney Davis inquired if Council was directing him to prepare an ordinance. Councilmembers recommended that Staff draft an ordinance for Council to review. Councilman Casto inquired about the timeline. Vice Mayor Jarman noted that Council had time, the next city election would be 2026.

Mayor Tetterer expressed Council's condolences for those that lost their loved ones in the Gulf. Mayor Tetterer echoed his support for Chief Talamantez and the PD. Mayor Tetterer congratulated Public Works and the CRA for getting those lanes switched over. Mayor Tetterer reported the traffic impact at Back Beach Road and Powell Adams should be done in about 3-4 months, while not a City project, Council understands the impact. Mayor Tetterer wished everyone a happy Independence Day and for God's guidance and protection.

With nothing further, Mayor Tettermer adjourned the meeting by unanimous consent at 12:04 p.m.

READ AND APPROVED this _____ day of July, 2024.

Stuart Tettermer, Mayor
City of Panama City Beach, Florida

ATTEST:

Lynne Fasone, MMC, City Clerk

* ACTION ITEMS NOTED WITH AN ASTERISK ARE TAKEN BOTH BY THE CITY COUNCIL AND THE PANAMA CITY BEACH REDEVELOPMENT AGENCY JOINTLY AND CONCURRENTLY. IN THE EVENT OF A CONFLICT BETWEEN THE FOREGOING MINUTES AND A VERBATIM TRANSCRIPT OF THESE MINUTES, THE FOREGOING MINUTES SHALL CONTROL.



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Keith Meyerl, Parks & Recreation

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

N/A

4. AGENDA:

PRESENTATION

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Quality of Life

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

For nearly 40 years, the National Recreation and Park Association has celebrated Park and Recreation Month in July to promote building strong, vibrant, and resilient communities through the power of parks and recreation.

This proclamation is dedicated to recognizing and celebrating the more than 50 full-time City of Panama City Beach parks and recreation professionals who maintain the City's park facilities and organize and operate park events and programs, along with the hundreds of volunteers and contractors who assist in providing events and programs as coaches, score keepers, referees, and instructors to the community.

[Park and Recreation Month Proclamation July 2024.draft.pdf](#)



~Proclamation~

RECOGNIZING JULY AS PARK AND RECREATION MONTH

WHEREAS, Parks and Recreation programs are an integral part of communities all over the country; and

WHEREAS, the **PANAMA CITY BEACH PARKS AND RECREATION DEPARTMENT** is important to maintaining a high quality of life and improving the health of residents and visitors; and

WHEREAS, **PCB's PARKS AND RECREATION** programs and facilities help build a healthy, active community that aids in the prevention of disease, provides therapeutic recreation services, and helps improve the mental and emotional health of residents and visitors; and

WHEREAS, **PCB's PARKS AND RECREATION DEPARTMENT** and programs help to increase the community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, crime reduction, and the attraction and retention of businesses; and

WHEREAS, **PCB's PARKS AND RECREATION DEPARTMENT** and natural recreation areas contribute to the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, **PCB's PARKS AND RECREATION DEPARTMENT** is committed to providing safe, fun, and accessible parks, trails, recreational facilities, and leisure opportunities for all Panama City Beach residents and visitors.

NOW, THEREFORE, the City of Panama City Beach City Council recognizes July 2024 as

Park and Recreation Month

IN WITNESS WHEREOF, we have hereunto set our hands this 11th day of July, 2024.

Mayor Stuart Tettemer

Vice Mayor Michael Jarman
Ward 4

Councilman Paul Casto
Ward 1

Councilman Ethan Register
Ward 2

Councilmember Mary Coburn
Ward 3



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Eusebio Talamantez, Police

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Approve task order in the amount of \$139,568.00 with JRA Architects, Inc. for architectural design services for the police K9 training facility to be located at 225 North Gulf Boulevard.

4. AGENDA:

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Public Safety

Financial Health

N/A

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

In August 2023, the Council accepted a grant award in the amount of \$1,000,000.00 from the Florida Department of Law Enforcement (FDLE) for the design and construction of a K9 Training and Boarding Facility for the Panama City Beach Police Department. Staff located a site suitable for the facility and negotiated a lease with Bay County for that site located at 225 North Gulf Boulevard. At its meeting held June 13, the City Council approved the lease with the County.

Subsequent to the lease approval, Staff requested a proposal from JRA Architects, Inc. under an existing Master Services Agreement for Professional Architectural Services for design of the K9 Training Facility. JRA Architects has submitted a scope of work and fee proposal in the amount of \$139,568.00 which is attached for review. The facility will be a single-story structure of approximately 2,700 square feet that is designed to include twelve (12) dog kennels, an office, food and supply storage, a dog wash area, restrooms, paved parking lot with paved street access, and a grassed training area secured by fencing. Services include design, permitting, bidding, and construction administration, which is anticipated to take approximately nine (9) months to complete.

Staff recommends approval of the task order with JRA Architects for the architectural design of the K9 facility and additionally, requests authorization to use ARPA funds for the portion of the project design and construction that is not funded by the grant from FDLE.

[Res 24-151.JRA Architects.Task Order.Police K9 Training Facility.pdf](#)

[Task Order JRA Police K-9 Facility.pdf](#)

[06-19-24 .PCB PD K-9 Scope & Fee Proposal w-attachment.pdf](#)

RESOLUTION NO. 24-151

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH JRA ARCHITECTS, INC. FOR ARCHITECTURAL DESIGN SERVICES RELATED TO THE POLICE K9 TRAINING FACILITY IN THE AMOUNT OF \$139,568.00, AND DESIGNATING USE OF ARPA FUNDS FOR THE PROJECT.

BE IT RESOLVED that:

1. The appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Task Order #2024-01 pursuant to the First Amended Master Services Agreement with JRA Architects, Inc., for Professional Architectural Services for Panama City Beach Fire and Police Department, dated November 10, 2022, as amended, related to the design of the Police K9 Training Facility, in the amount of One Hundred Thirty-Nine Thousand Five Hundred Sixty-Eight Dollars and No Cents (\$139,568.00), in substantially the form **attached** as Exhibit A and presented to the Council today, with such changes, insertions, or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.
2. The Council finds and determines that the construction of the Police K9 Training Facility will improve public safety for both residents and tourists. The Council hereby directs that the funds received by the City from the American Rescue Plan Act be used toward the design and construction of this Project.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in special session this _____ day of July, 2024.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tettemer, Mayor

ATTEST:

Lynne Fasone, City Clerk

TASK ORDER

TASK ORDER NO. 2024-01

DATE July 11, 2024

Reference is made to that certain FIRST AMENDED MASTER SERVICES AGREEMENT BETWEEN THE CITY OF PANAMA CITY BEACH AND JRA ARCHITECTS, INC. RELATING TO MAJOR PROFESSIONAL ARCHITECTURAL SERVICES TO DEVELOP OR REHABILITATE THE CITY'S POLICE AND FIRE DEPARTMENT FACILITIES dated **November 10, 2022**, (the "Agreement"), the terms, conditions, and definitions of which are incorporated herein as if set forth in full. Neither party is in breach of the Agreement.

Pursuant to the Agreement, Architect agrees to perform the specific tasks set forth upon incorporated **Attachment A**, Scope of Services, relating to **Design and Construction Administrative Services for Police K9 Training Facility.**

Architect's total compensation for this Task Order shall be (check one):

☒ A stipulated sum of **\$139,568**; or

☐ A stipulated sum of \$ _____ plus one or more specified allowances listed below which may be authorized in writing by the City Manager or his designee, provided however that Architect shall only be reimbursed for actual compensation paid to subcontractors, and then only when justification of compensation is provided to the City for such costs:

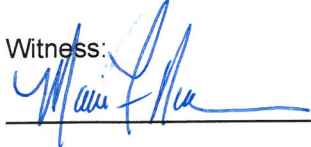
Allowance of \$ _____ for _____, or
a fee determined on a time-involved basis with a maximum cost of
\$ _____.

as set forth upon incorporated Attachment B, Fee Breakdown, and shall be paid in monthly installments as specified in the Agreement.

Work shall begin on _____, 20____, and shall be substantially completed by _____, 20 _____. There are no additional rights and obligations related to this Task Order other than as specified in the Agreement.

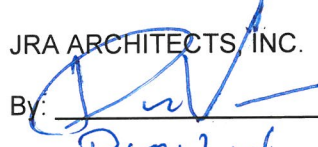
IN WITNESS WHEREOF the parties have caused these presents to be executed in their names on the date shown.

Witness:



Mohammad Parisa Hasan Zadeh

JRA ARCHITECTS, INC.

By: 

Its: President

Date: 7/4/24

CITY OF PANAMA CITY BEACH, FLORIDA

By: _____

Drew Whitman, City Manager

Date: _____

ATTEST:

Lynne, Fasone, City Clerk

June 19, 2024

Holly White
Assistant City Manager
City of Panama City Beach
17007 Panama City Beach Pkwy
Panama City Beach, FL 32413

**RE: SCOPE OF WORK AND FEE PROPOSAL
PANAMA CITY BEACH POLICE K-9 TRAINING FACILITY
JRA# 24859 C/AC**

JRA is excited to submit our fee proposal and scope of work for Design and Construction Services for the new Police K-9 Training Facility to be constructed at North Gulf Boulevard, Panama City Beach, FL.

SCOPE OF WORK:

The scope shall be further defined in the design phase and be in accordance with the following:

- A. Design single story structure approximately 2,700 square feet in size.
- B. Currently, the building is anticipated to be constructed of reinforced solid grouted CMU exterior walls with structural steel sloped roof, metal deck for missile protection and standing seam metal roof. The facility is to be designed as a Risk Category IV structure capable of withstanding 160 mph winds (using ASCE 7-16 for wind pressure calculations) with enhanced missile protection.
- C. The project will also include a new generator to maintain life safety systems during an event.
- D. Spaces in the design include: (12) dog kennels, office, food and supply storage, dog wash area and restrooms. The exterior will have a paved parking lot with paved street access and a grassed training area secured by fencing.
- E. Along with architectural components, the documents will include Civil, Structural, MEP, Data/Comm/Security and Landscape and Irrigation Designs and Specifications. Services provided will include Design, Permitting, Bidding and Construction Administration.
- F. Geo-technical research and recommendations are included as additional services.
- G. Surveying will be provided by the City.
- H. Services will include initial preliminary submission for building permit services, follow-up and responses; however, the City will pay all permit submittal and issuance fees and the approved General Contractor shall pull the permit.
- I. Environmental survey, delineating wetlands, identification of endangered plants and animals are not included and will be an additional service.

- J. Throughout the process, we will coordinate input from responsible staff and users, but only as directed by the City's designated Project Manager.
- K. JRA will assist in the bidding process including the advertisement, Pre-Bid Meeting and issuance of any clarifications needed. We will chair the bid opening and assist the City Project Manager with the evaluation of all bids.
- L. During construction, JRA will review submittals, review contractor pay requests, issue clarifications and additional information as required, conduct site visits once a week, participate in the monthly Owner/Architect/Contractor meetings, perform close-out punch lists, review final payment request, review warranties and O&M manuals.
- M. JRA will coordinate all inspections with our consulting engineers to ensure the work meets the requirements of the Florida Building Code. Coordination and scheduling of inspections with the AHJ are typically the contractor's responsibility.
- N. JRA has developed a preliminary production schedule:
 - Notice to Proceed
 - Schematic Design-4 weeks
 - Owner Review-2 weeks.
 - Design Development Documents-10 weeks
 - Owner Review-2 weeks.
 - 60% Construction Documents- 6 weeks. Submittal will include specification Table of Contents and 60% drawings from all sub-consultants except Landscape/Irrigation.
 - Owner Review-2 weeks.
 - 95% Construction Documents- 2 weeks.
 - Owners review-2 weeks.
 - 100% Construction Documents-2 weeks.
 - Submit Documents to Building Department.
 - Design Team to incorporate final comments from Owner/Building Official-4 weeks
 - Ready to Advertise for Bid

DESIGN FEES

JRA is basing our proposal on an anticipated area of 2,700 square feet and a budget of 400\$/sf, which extends to an estimated construction cost of \$1,080,000 (excluding site development costs). JRA's proposed fees for providing these services are as follows:

Basic Services:

Average Complexity "D", Base Fee = **\$ 85,891.00**

Additional Services

• Civil	McNeil-Carroll	\$17,377
• Landscape/Irrigation	Alan Holt	\$ 5,500
• Site Lighting	HG Engineers	\$ 4,200
• Telecom/Security/Monitoring	Logan	\$ 8,750
• Commissioning	JRA/Watford	\$ 3,500
• Life Cycle/Energy Forms	Watford	\$ 2,250
• Generator	HG/JRA	\$ 5,750
• Geotechnical	Nova	\$ 6,350

Total Additional Services **\$53,677**

Base Fee **\$ 85,891.00**

Additional Services **\$53,677.00**

Total A/E Fee **\$139,568.00**

For additional services not yet determined, the cost will be negotiated and agreed to by all parties, using the hourly rates included below:

Principle	\$ 150.00
Architect	\$ 125.00
Architect Intern	\$100.00
Designer	\$ 70.00
CADD Technician	\$ 60.00
Administrative	\$ 45.00

Please let us know if you have any questions or need additional information.

Sincerely,

JRA ARCHITECTS, INC.



David Vincent
President

Attachments: Attachment "A"- DMS Fee Calculator

Attachment A DMS Fee Guide Calculator

[Home](#) / [Business Operations](#) / [Real Estate Development and Management](#) / [Bureau of Building Construction](#) / [Forms and Documents](#) / [Architect-Engineer Fee Guidelines](#) / Fee Guide Calculator For AE Services

Fee Guide Calculator For AE Services

Instructions: Fill in probable construction cost at left and the calculations will automatically appear in the corresponding cells.

Project Name	Panama City Beach K-9 Training Facility						
CONSTRUCTION COST FOR BUILDING (Sitework Not Included)	COMPLEXITY GROUP - PERCENTAGE						
	A	B	C	D	E	F	G
\$ 1,080,000	9.56%	8.75%	8.94%	7.95%	7.15%	6.37%	10.04%
CALCULATED FEE	\$103,262	\$94,520	\$96,535	\$85,891	\$77,272	\$68,752	\$108,46

GROUP DEFINITIONS

"A" - CONSIDERABLY MORE THAN AVERAGE COMPLEXITY: *Complex Laboratories, Medical Hospitals*

"B" - MORE THAN AVERAGE COMPLEXITY: *Average Laboratories, Mental Hospitals, Simple Medical Hospitals, Clinics, Court Houses, Theatres, Complex University Buildings, Special Purpose Classrooms, Laboratory Classrooms, Libraries, Auditoriums, Museums, Air Terminals, Food Service Facilities, Specialized Detention Areas, Detention-Treatment Areas, Residences, Emergency Management Centers*

"C" - REPAIRS AND RENOVATIONS: *Miscellaneous Repairs and Renovations, Alterations to Office Space or Dormitory Space, Fire Code Corrective Work*

"D" - AVERAGE COMPLEXITY: *General Office Space, General Teaching Space, Gymnasiums, General Detention Living Facilities, Factory Buildings*

"E" - LESS THAN AVERAGE COMPLEXITY: *Apartment Buildings, Dormitory Buildings, Service Garages, Stadiums, Repetitive Design Facilities, Office Buildings With Undefined Interior Space (open for later partitioning), Specialized Parking Structures*

"F"- CONSIDERABLY LESS THAN AVERAGE COMPLEXITY: *Warehouses, Parking Garages, Storage Facilities*

"G" -BUILDING ENGINEERING SERVICES: *Mechanical, Electrical and Structural not exceeding \$1,000,000 in construction (Not including Site Civil)*

ADDITIONAL SERVICES & EXPENSES:

The following services are considered Additional to Basic Services and



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Kathy Younce, Public Works

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Staff recommends approval of a subordination agreement for parcel 800.2R between the City and the State of Florida Department of Transportation for public transportation purposes related to the Panama City Beach Parkway widening project.

4. AGENDA:

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Transportation
Quality of Life
N/A

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

In March 2024, the Florida Department of Transportation (FDOT) reached out to City staff with a subordination agreement request within an existing drainage easement located along the North Glades Channel. This easement would allow FDOT to provide a positive discharge for one of the proposed stormwater ponds to be constructed for the SR 30A (US 98/ Panama City Beach Parkway) project from east of R. Jackson Boulevard to the Hathaway Bridge. Staff worked with legal counsel to prepare an agreement that would be mutually beneficial to both the City and State which is before you today for approval.

[Res 24-152.FL DOT.Subordination Agreement.Drainage.RJackson to Hathaway.pdf](#)
[Exhibit A 2178385 - Parcel 800.2R - Subordination Agreement.pdf](#)

RESOLUTION NO. 24-152

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A SUBORDINATION AGREEMENT FOR PARCEL 800.2R WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR DRAINAGE PURPOSES RELATED TO S.R. 30A (US 98/PANAMA CITY BEACH PARKWAY) FROM EAST OF R. JACKSON BOULEVARD TO THE HATHAWAY BRIDGE.

WHEREAS, the State of Florida Department of Transportation (FDOT) proposes to construct or improve State Road 30A (US 98/Panama City Beach Parkway), Financial Project Number 2178385, in Bay County, Florida, Parcel Number 800.2R (the "Project"); and

WHEREAS, it is necessary that certain easement rights now owned by the City be subordinated to the rights of FDOT in furtherance of that Project; and

WHEREAS, said use is in the best interest of the City, and the application of the State of Florida Department of Transportation for a subordination of utility interests is for transportation purposes which are in the public or community interest and for public welfare.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Panama City Beach, Florida, that the appropriate officers of the City are authorized to execute and deliver the Subordination Agreement in substantially the form **attached** as Exhibit A and presented to the Council today, with such changes, insertions, or omissions as may be approved by the City Manager.

AND BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation in Chipley, Florida.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in special session this _____ day of July, 2024.

CITY OF PANAMA CITY BEACH

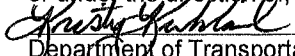
By: _____
Stuart Tetteimer, Mayor

ATTEST:

Lynne Fasone, City Clerk

May 28, 2024

This instrument prepared by,
or under the direction of,


Department of Transportation
P. O. Box 607
Chipley, FL 32428

Legal description approved by,
David Hitchcock

Parcel	800.2R
Item/Segment No.	2178385
Managing District	3
S.R. No.	30A (US 98)
County	Bay

SUBORDINATION AGREEMENT

THIS AGREEMENT Made this ___ day of _____, 20___, by and between the CITY OF PANAMA CITY BEACH, a municipality of the State of Florida, hereinafter called the "City", and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, whose address is Post Office Box 607, Chipley, Florida 32428, hereinafter called the "Department".

WITNESSETH:

WHEREAS, the City is the holder of a certain Easement Agreement dated the 5th day of January, 2021, and recorded in Official Records Book 4347, Page 2082, and that certain Easement Agreement dated the 30th day of November, 2021, and recorded in Official Records Book 4493, Page 1519 of the Public Records of Bay County, Florida and,

WHEREAS, a portion of the land encumbered by said Easement Agreements is required by the Department for public transportation purposes;

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, paid, the receipt and sufficiency of which is hereby acknowledged, the City hereby agrees, covenants, and consents with the Department that the aforesaid Easement Agreements are and shall continue to be subject and subordinate to the property rights of the Department insofar as said Easement Agreements affects the following described property, viz:

A parcel of land being in Section 30, Township 3 South, Range 15 West, Bay County Florida described as follows: Commence at a found 6 inch by 6 inch concrete monument stamped "SJPC" marking the southwest corner of the Northwest ¼ of Section 31, Township 3 South, Range 15 West, Bay County, Florida; thence North 00°38'01" East 2,609.84 feet along the west line of said Section 31 to the centerline of survey of State Road 30A (US 98/Panama City Beach Parkway), as shown on Florida Department of Transportation (F.D.O.T.) Right of Way Map F.P. No. 2178385 (said map being on file at F.D.O.T. District 3 Office, Chipley, Florida); thence South 71°52'15" East 30.56 feet along said centerline of survey; thence departing said centerline, run North 18°07'45" East 641.41 feet (crossing the south line of said Section 30) to POINT OF BEGINNING; thence North 05°43'11" East 30.00 feet; thence South 84°17'05" East 49.26 feet to a point on the west line of Moylan Road Commercial, as per plat recorded in Plat Book 30, Page 79 of the Public Records of Bay County, Florida; thence South 05°43'11" West 30.00 feet along said west line of Moylan Road Commercial; thence departing said west line, run North 84°17'05" West 49.26 feet to POINT OF BEGINNING;

Containing 1,478 square feet, more or less.

THE CITY SHALL have the right to enter upon the right of way for maintenance purposes. Maintenance of the facilities shall include the right to trim trees, brush, and growth, which might adversely affect the facilities, provided there are no adverse effects on the operation and safety of the FDOT's facilities. Maintenance of the facilities shall also include the right to maintain the access berm and channel side slopes by necessary means for erosion purposes and to allow continuous flow patterns to match the existing typical ditch cross section. Access along the berm adjacent to the

channel must be allowed at all times for maintenance of the existing facilities especially during significant rainfall events.

This subordination agreement shall be binding upon and inure to the benefit of the respective heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

Krissy Cook

By: _____
Phillip Gainer, P. E.
Title: District Secretary
for District 3

Lyndsey Crosby

STATE OF FLORIDA

COUNTY OF WASHINGTON

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20__, by Phillip Gainer, as Secretary for District 3, who is personally known to me or who has produced _____ as identification.

Notary Public in and for the
County and State last aforesaid.
My Commission Expires:
Serial No., if any:

IN WITNESS WHEREOF, the City has caused these presents to be executed in its name by its Board of City Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: _____
Clerk (or Deputy Clerk)

Panama City Beach, Florida,
By Its Board of City Commissioners

By: _____
Its Chairperson
(or Vice-Chairperson)

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20__, by _____, who is personally known to me or who has produced _____ as identification.

Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____
Serial No., if any: _____



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Mark Shaeffer, Utilities

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Staff recommends Council approval of the proposed Task Order in the amount of \$76,000.00 with Infrastructure Solution Services, LLC for engineering services for design, advertisement, and construction contract award of replacement filter units at the City's wastewater treatment facility under the consultant's current Master Services Agreement for Professional Engineering Services for Wastewater Treatment Facilities, Reclaimed Water Storage and Pumping Facilities, Receiving Wetland Facilities, Regional Wastewater Pumping Stations (> 300,000 GPD ADF), Wastewater and Reclaimed Water Transmission Mains Over 12" in Diameter.

4. AGENDA:

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Economic Development

Financial Health

Quality of Life

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

There are four filtration units at the City's Wastewater Treatment Facility #1 (WWTF#1) that remove very small particulate matter from reclaimed water. Filters 1 through 3 are each rated at approximately 3.3 million gallons per day and utilize traditional deep bed sand media to filter treated wastewater. Though very effective in producing high quality results, these units require a large area and a mechanized traveling hood system to isolate sections of the filter bed for backwashing. Filter 4 has a significantly greater area and was originally constructed with the same deep sand bed filter media. Once placed into service, the operation and performance of the unit did not meet expectations, and replacement of the media with filter cloth covered disks was bid as part of the 2009/2010 improvement project with a current capacity of 5.0 million gallons per day. Due to its higher filtering ability, the same capacity unit using fabric media was installed in less than half the area of the original basin.

The media, supporting underdrain, and traveling bridge units are at the end of their service lives and require replacement. The current decision point is whether to rehabilitate these older technology units or retrofit with higher-capacity fabric-based units. Although they may not provide quite the same effluent quality, fabric media-based units still provide acceptable removals meeting current permit standards. Benefits of the filter media units include being able to subdivide them into smaller increments requiring minimal loss of capacity when service is required. This type of unit has a significantly smaller footprint as well with fewer moving parts. Originally it was planned to replace these filter units in the larger upcoming WWTF#1 rehabilitation and expansion program, but the filter condition requires advancement of this effort in order to provide reliable service sooner.

Under the proposed Task Order, ISS will evaluate the maximum capacity of each filter structure and connecting piping, and secure layouts and designs from three fabric filter unit manufacturers to retrofit each basin with equipment matching this capacity plus at least one additional filter module to remain in standby for maintenance purposes. An evaluation of the costs for replacement of the existing filtration equipment with the current technology compared to fabric media will be provided as well as a recommendation regarding which option to select. Plans for retrofitting the existing filter structures with the recommended technology and bid documents for installation will be prepared. Technical services during the bid phase will also be provided along with recommending award to the selected bidder.

ISS will prepare bid documents for replacing the media in each filter including a basis of award utilizing a combination of filter performance and capital and operating costs. Staff recommends approval of the proposed Task Order in the amount of \$76,000.00 for evaluation of filter media replacement options, preparing bid documents for the selected filter technology, and recommending award to the vendor providing the most cost effective media replacement bid.

[Res 24-153.ISS Task Order 09.WWTF Filter Replacement.pdf](#)
[ISS Scope of Work Task Order WRF#1 Filter Improvements.pdf](#)
[Exhibit A. Task Order 09 & NTP. signed.pdf](#)

RESOLUTION NO. 24-153

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH INFRASTRUCTURE SOLUTION SERVICES, LLC FOR ENGINEERING SERVICES RELATED TO THE REPLACEMENT OF FILTER UNITS AT THE CITY'S WASTEWATER TREATMENT FACILITY IN THE AMOUNT OF \$76,000.00.

BE IT RESOLVED that the appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Task Order No. TO-09 to the Master Services Agreement dated December 9, 2021, between the City and Infrastructure Solution Services, LLC relating to Professional Engineering Services for engineering services for the design, advertisement, and construction contract award of replacement filter units at the City's Wastewater Treatment Facility #1 in the amount of Seventy-Six Thousand Dollars and No Cents (\$76,000.00), in substantially the form **attached** as Exhibit A and presented to the Council today, with such changes, insertions, or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in special session this ____ day of July, 2024.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tettemer, Mayor

ATTEST:

Lynne Fasone, City Clerk

ISS TASK ORDER PCB-2024-09
CITY OF PANAMA CITY BEACH, FLORIDA
2024 WRF#1 FILTER IMPROVEMENTS PROJECT

Section I. BACKGROUND

The City of Panama City Beach Utilities Department has requested a Task Order for professional services at the City of Panama City Beach Water Reclamation Facility (WRF) #1 (FDEP Permit #FL0021512) near N. Gulf Boulevard and Panama City Beach Parkway (US-98) in the City of Panama City Beach. This requested scope of work is specific filter improvements to include Filter Upgrades from Traveling Bridge to Disk Filters to meet the City's capacity needs. These improvements will preferably occur in filters #4 and #3, but an evaluation of the City's four filter basins will be completed along with alternative filter manufacturers. ISS is prepared to provide the following scope of services to the City for this project:

Section II. SCOPE OF SERVICES Engineering Evaluation, Design Services, Bidding Services

TASK 1 ENGINEERING EVALUATION SERVICES

- a) Complete hydraulics and provide hydraulic capacity of each filter structure from inlet to outlet flow channel providing maximum allowable levels in these channels and include in Tech Memo and Plans.
- b) Evaluation of traveling bridge filter or disk filter.
- c) Prepare a Cost Comparison & Matrix of Alternative Filter Solutions into a Recommendation Tech Memo for City review.
- d) Project Management & Administration

TASK 2 DESIGN SERVICES

- a) Field Data Filter Elevation Verification
- b) Provide Filter Manufacturer's plan sheets and sections of existing filters so Manufacturer can complete filter design including process and hydraulics, into the existing filter structures. Provide electrical design drawings that will meet selected filter equipment specifications. Provide a bid form with weighted cost, operational performance, and delivery lead time for fully functional installation.
- c) Prepare for/attend a MS Teams review meeting (3 pers)
- d) Approve filter manufacturer design drawings and performance specifications so Filter Manufacturer/Contractor Team can perform work.
- e) Submit FDEP Domestic WW Minor Modification for Filtration Modifications with backup and Incorporate comments.
- f) Project Management & Administration

TASK 3 BIDDING SERVICES

The Engineer shall prepare for and complete the following services during the bidding process:

- a) Conduct the pre-bid meeting
- b) Prepare answers to Filter bidder questions for the City to use in preparation and distribution of bid addenda. Track plan holders/issue addenda. Provide addenda to the City for posting.
- c) Review bids including Bid Form requirements and investigate bidder qualifications
- d) Prepare a written recommendation for award of the filter construction contract.
- e) Project Management & Administration

Section III. SUBCONSULTANTS

The ISS Team does not anticipate the use of any subconsultants on this project for the filter improvements.

Section IV. CITY'S RESPONSIBILITY

The City will provide all available design related information on the WRF#1 filtration system, equipment, etc. relevant to the project and the associated external infrastructure that may impact the project. The City will assist with identification and mark-up of City-related utilities or other infrastructure in this project. The City will review and provide comments on the 60%, and the 90% design documentation. The City will be responsible for the coordination of bidding of the project and permit fees as required.

Section V. DELIVERABLES BY TASK

The ISS Team will provide the following deliverables by task to the City:

Task No.	Deliverable
1	Engineering Evaluation Technical Memorandum – One (1) PDF Format Copy
2	Progress set of Filter Manufacturer Plans
3	Final set of Plans and Permit Mod Form

Section VI. SCHEDULE & TIMELINE

This ISS project schedule was developed based on similar WRF improvement projects at similar facilities and ISS will make every effort to beat this City schedule. The scheduled calendar days start from receipt of the City provided information & NTP to the ISS Team. A schedule is attached to the labor breakdown.

Section VII. METHOD OF COMPENSATION

The City shall compensate the ISS Team for this 2024 WRF#1 Filter Improvements Project scope of work at a lump sum fee of Seventy Four Thousand Dollars and Zero Cents (\$74,000). The fee cost breakdown for this Project is below. ISS will invoice the City based on a percentage of work completed for the project. At the direction of the City, ISS may be requested to provide additional services. These additional services would be requested and approved by the City. The following project fee is shown by phase below for this project:

Phase No.	Project Phase	Value
1	Engineering Evaluation	\$21,670
2	Design Services	\$46,990
3	Bidding Services	\$6,880
	Project Expenses	\$460
Total Task Order Fee w/Allowance		\$76,000



Section VIII. ACCEPTANCE

If the above scope and fees meet your approval, please indicate by your signature in the space provided below and return one (1) signed copy which will constitute an "Agreement and Notice to Proceed" for the accomplishment of this work.

INFRASTRUCTURE SOLUTION SERVICES

THE CITY OF PANAMA CITY BEACH

Brian Stahl, P.E.
Managing Member

Drew Whitman
City Manager

_____/_____/_____
Date

_____/_____/_____
Date



COMBINED TASK ORDER AND
NOTICE TO PROCEED

TASK ORDER NO. TO-09

DATE July 11 2024

Reference is made to that certain MASTER SERVICES AGREEMENT BETWEEN CITY OF PANAMA CITY BEACH AND INFRASTRUCTURE SOLUTIONS, RELATING TO PROFESSIONAL ENGINEERING SERVICES FOR PROFESSIONAL ENGINEERING SERVICES FOR WASTEWATER TREATMENT FACILITIES, RECLAIMED WATER STORAGE AND PUMPING FACILITIES; RECEIVING WETLAND FACILITIES; REGIONAL WASTEWATER PUMPING STATIONS (>300,000 GPD ADF); WASTEWATER AND RECLAIMED WATER TRANSMISSION MAINS OVER 12" IN DIAMETER, dated December 9, 2021, (the "Agreement"), the terms, conditions and definitions of which are incorporated herein as if set forth in full. Neither party is in breach of the Agreement.

Pursuant to the Agreement, Engineer agrees to perform the specific professional appraisal tasks set forth upon incorporated Attachment A, Scope of Services, relating to evaluating rehabilitation of the existing Filters 1-3 at the City's wastewater treatment facility or retrofitting them with an alternate filtration technology, providing a recommendation of which option is better for the City's needs and preparing bid documents for manufacturer installation of the recommended filtration systems.

Engineer's compensation shall be paid in monthly installments as specified in the Agreement. Engineer's total compensation for the services to be provided under this Task Order shall be determined as follows:

Pursuant to the Agreement, Engineer agrees to perform the specific tasks set forth upon incorporated Attachment A, Scope of Services, relating to PCB WWTF#1 Filter Improvements Project.

Engineer's total compensation shall be (check one):

X a stipulated sum of \$ 76,000.00; or

_____ a stipulated sum of \$ _____ plus one or more specified allowances listed below which may be authorized in writing by the City Manager or his designee,

Allowance of \$ _____ for _____, and

Allowance of \$ _____ for _____; or

_____ a fee determined on a time-involved basis with a maximum cost of \$ _____;

As set forth upon incorporated Attachment B, Fee Breakdown.

If reimbursable expenses are to be paid hereunder, such expenses must be specifically AUTHORIZED AND IDENTIFIED in this section.

The parties agree that reimbursable expenses shall not exceed \$ 0.00.

Work shall begin on July 11, 2024, and shall be substantially completed by November 15, 2024. There are no additional rights and obligations related to this Task Order other than as specified in the Agreement.

Upon execution of this Task Order by both Engineer and City, Engineer is directed to proceed.

IN WITNESS WHEREOF the parties have caused these presents to be executed in their names on the date shown.

Witness:

Rogera N Archiano
Rogera N Archiano

INFRASTRUCTURE SOLUTIONS,

By: Brian Stahl

Its: Managing Member

Date: 07/12/24

CITY OF PANAMA CITY BEACH, FL

By: _____

City Manager

Date: _____

ATTEST:

City Clerk



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Mark Shaeffer, Utilities

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Staff recommends approval for the recurring bulk purchase of residuals (sludge) dewatering polymer for the City's Utilities Department from Polydyne, Inc. based upon submittal of the lowest bid for the combination of polymer cost and performance. Full scale testing was performed at the City's Wastewater Treatment Facility. The unit price bid for the polymer by Polydyne, Inc. is \$1.35 per pound.

The projected annual cost for this chemical is approximately \$23,000.00 based upon current sludge production rates at the City's Facility.

4. AGENDA:

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Financial Health

Public Safety

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

Polymer is used for sludge conditioning at the City's Wastewater Treatment Facility for enhancing dewatering characteristics to reduce volume and weight for disposal. The cost for this chemical for the term of a multi-year contract requires procurement through the competitive bid process.

City Staff previously advertised for polymer under Invitation to Bid (ITB) PCB23-08 and subsequently, entered into a contract with Cedar Chem, LLC as a result of that ITB. Staff has been monitoring both the performance of the current polymer as well as cost trends over the past year and decided to re-bid this product in hopes of securing better, lower cost alternatives.

As polymer performance varies, scaled testing of all proposed polymers was required under the terms of the ITB with the exception of the currently used product from Cedar Chem since its product performance is known to Staff. Testing was performed to determine expected chemical usage rates and projected costs. As indicated in the attached bid tabulation, three manufacturers provided bids and samples of their proposed polymer for full-scale testing in the City's dewatering process. Samples of the dewatered sludge from each test were analyzed by an independent third party laboratory to establish dewatering performance. The basis of award per the bid documents is the lowest cost per dry ton of solids which is a metric that considers chemical cost, dosage required and dewatering effectiveness. Based upon the testing performed, full-scale dosage required, and cost bid per pound of chemical, as well as the dewatering effectiveness, Polydyne submitted the lowest bid followed by Industrial Chemicals and Cedar Chem.

Polydyne's chemical cost bid is not only significantly less at \$1.35 per pound, it also provides better dewatering performance in our testing than the product of the other two bidders. Assuming Polydyne's product performs as expected, polymer costs will decrease by approximately two thirds. Using the 2023 sludge production rate as a basis of comparison, the annual cost of polymer would decrease from approximately \$99,000 to approximately \$23,000 for a projected annual savings of roughly \$76,000.

Staff recommends approval.

[Res 24-154.Polydyne.Purchase of Dewatering Polymer.pdf](#)
[Exhibit A.Polydyne Polymer Agreement.pdf](#)
[PCB24-32 BID TABULATION FORM.pdf](#)

RESOLUTION NO. 24-154

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH POLYDYNE, INC. FOR THE PURCHASE OF WASTEWATER TREATMENT RESIDUALS DEWATERING POLYMER FOR THE CITY'S WASTEWATER TREATMENT FACILITY.

BE IT RESOLVED that the appropriate officers of the City are authorized to execute and deliver on behalf of the City that certain Agreement between the City and Polydyne, Inc. for the annual purchase of wastewater treatment residuals dewatering polymer for the City's Wastewater Treatment Facility at a set unit price of One Dollar and Thirty-Five Cents (\$1.35) per pound of chemical as more fully set forth in the body of the Agreement **attached** as Exhibit A and presented to the Council today, with such changes, insertions, or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in special session this _____ day of July, 2024.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tettermer, Mayor

ATTEST:

Lynne Fasone, City Clerk

PCB24-32 ITB SLUDGE DEWATERING POLYMER

AGREEMENT**SLUDGE DEWATERING POLYMER**

THIS AGREEMENT for the purchase of SLUDGE DEWATERING POLYMER is made and entered into this 11th day of July, 2024, by and between the **CITY OF PANAMA CITY BEACH, FLORIDA**, a municipal corporation (City) and Polydyne Inc.
 _____ (Contractor/Vendor).

PREMISES**1. SCOPE OF WORK**

Contractor/Vendor will provide and deliver, sludge dewatering polymer as ordered by the City of Panama City Beach, as more particularly described in the Specifications listed in Invitation to Bid number PCB24-32.

2. COMPENSATION

As compensation for supplying the product contemplated herein and performance rendered by the Contractor/Vendor of its duties and obligations hereunder, City shall pay Contractor/Vendor according to the not to exceed bid unit bid price submitted on PCB24-32 ITB SLUDGE DEWATERING POLYMER. The City shall pay to the Contractor/Vendor as full consideration for the delivery of product required by this Agreement, at the UNIT PRICE contained in the Contractor/Vendor's cost proposal, upon the basis of actual measured quantities as the same may be finally determined by the City Manager or his/her designee(s).

3. PAYMENT

Contractor/Vendor will invoice for payment to the City in accordance with the Contractor's standard business practices.. The invoice(s) shall be delivered to accounts payable at City Hall, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413, or via email at ap@pcbfl.gov. Payment for invoices shall be made via ACH or Virtual Credit Card only. The City is not responsible for any convenience fees related to ACH or VCard payments.

4. TERM

Unless terminated sooner pursuant to the provision of the Termination clauses contained in paragraph 6, and subject to the availability of funds appropriated for this purpose, this Agreement shall take effect on the executed date of award and be valid for a period of one (1) year with two (2) one-year optional renewals if mutually agreed upon by both parties.

5. PRICE ADJUSTMENTS

- A. Increases – Contractor/vendor may request a price increase adjustment no more than two times in a contract year. In the event Contractor/Vendor desires to increase price, City must be notified immediately. Price increases must be approved by City and no payment for additional materials or services, beyond the amount stipulated in the Contract shall

PCB24-32 ITB SLUDGE DEWATERING POLYMER

be paid without prior approval. All price increases must be supported by Producer Price Index or manufacturer documentation and justification. Contractor/Vendor must honor previous prices for thirty (30) days after approval and written notification from City. It is the Contractor/Vendor's responsibility to keep all pricing up to date and on file with City. All price changes must be provided to City using the same format as was provided and accepted in the Contractor/Vendor's proposal.

- B. Reductions – Price reductions may be offered at any time during Contract. City may request a price reduction, which Contractor/Vendor shall permit, when such a request is supported by Producer Price Index.

6. TERMINATION OF CONTRACT

- A. City Termination for Cause – The Agreement may be terminated by the City for cause in the event of any breach hereof, including, but not limited to, Contractor/Vendor's: (1) failing to carry forward and complete the Work as provided herein; (2) failing to comply with applicable laws, regulations, permits, or ordinances; (3) failing to timely correct defective Work; (4) making a general assignment for the benefit of its creditors; (5) having a receiver appointed because of insolvency; (6) filing bankruptcy or having a petition for involuntary bankruptcy filed against it; (7) failing to make payments when due to subcontractors, vendors, or others for materials or labor used in the Work; (8) making a material misrepresentation to the City regarding the Work; (9) arrest or conviction of felony or fraud, or (10) any other material breach of this Agreement. In such event, the City shall provide Contractor/Vendor with written notice of its intention to terminate this Agreement, stating the nature of the deficiency and the effective date of termination. At the City's sole judgement and discretion, the City may afford Contractor/Vendor an opportunity to cure said deficiency, in which event the notice shall specify the time allowed. Upon termination, the City may take possession of the premises and of all materials thereon and finish the Work by whatever means it seems expedient.
- B. City Termination for Convenience – Notwithstanding any other provision hereof, the City may at any time terminate this Agreement or any Work issued under it, in whole or in part, without cause, upon thirty (30) days advanced written notice to Contractor/Vendor. In such event, Contractor/Vendor shall be compensated for any Work performed prior to the date of termination and for materials that were ordered prior to receipt of notice of termination that cannot be returned to the vendor, which shall become City property. Upon receipt of notice, Contractor/Vendor shall discontinue Work on the date and to the extent specified therein and shall place no further orders for materials, equipment, services, or facilities, except as needed to continue any portion of the Work not terminated. Contractor/Vendor shall also make every reasonable effort to cancel, upon terms satisfactory to the City, all orders or subcontracts related to the terminated Work. Contractor/Vendor may not claim any compensation not specifically provided herein, including, but not limited to loss of anticipated

PCB24-32 ITB SLUDGE DEWATERING POLYMER

profits, idle equipment, labor, and facilities; or any additional claims of subcontractors and vendors.

7. COMPLIANCE WITH LAWS

The Contractor/Vendor shall be responsible to know and to apply all applicable federal and state laws, all local laws, ordinances, rules, regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which in any manner affect the work, or which in any way affect the conduct of the work. Contractor/Vendor shall always observe and comply with all such laws, ordinances, rules, regulations, orders, and decrees. The Contractor/Vendor shall protect and indemnify the City of Panama City Beach and all its officers, agents, servants, or employees against any claim or liability arising from or based on the violation of any such law, ordinance, rule, regulation, order, or decree caused or committed by Contractor/Vendor, its representatives, sub-contractors, sub-consultants, professional associates, agents, servants, or employees. Additionally, Contractor/Vendor shall obtain and maintain at its own expense all licenses and permits to conduct business pursuant to this contract from the federal government, State of Florida, Bay County, or municipalities when legally required, and maintain same in full force and effect during term of the contract.

8. INSURANCE AND INDEMNIFICATION

Contractor/Vendor shall at its own expense maintain in force during the term of the contract the insurance on policies and insurers acceptable to the City as required by the City's Insurance Requirements attached hereto as Exhibit "A".

- i. Prior to commencing any work, notwithstanding the provisions of any Notice of Award or Intent to Award issued by the City, Contractor/Vendor shall furnish to the City such certificates of coverage and certified copies of policies pursuant to the City's Insurance requirements in order to satisfy this provision, the documentation required by this part must be sent to the following address: ATTN: RISK MANAGEMENT DIRECTOR, 17007 Panama City Beach Parkway, Panama City Beach, Florida 32413.
- ii. Regardless of the coverage provided by any insurance, the successful Contractor/Vendor shall indemnify, save harmless and defend the City, its agents, servants, or employees from and against any and all claims, liability, losses and/or causes of action which may arise from any negligent act or omission of the successful Contractor/Vendor, its sub-contractors, agents, servants, or employees during the course of performing services or caused by the goods provided pursuant to these Bid documents and/or resultant contract.

If any third-party claim is made against the City that, if sustained, would give rise to indemnification liability of the Contractor/Vendor under this Agreement, the City shall promptly cause notice of the claim to be delivered to the successful Contractor/Vendor and shall afford the Contractor/Vendor and its counsel, at the Contractor's/Vendor's sole expense, the opportunity to join in defending or compromising the claim. The covenants contained in this paragraph shall survive the termination of this Agreement.

PCB24-32 ITB SLUDGE DEWATERING POLYMER

9. ATTORNEY'S FEES

In the event of any litigation hereunder, each party shall be responsible for its own attorney's fees and court costs at all trial and appellate levels and at any mediation or arbitration.

10. TIME

Time is of the essence in this Agreement.

11. FORCE MAJEURE

The Contractor's/Vendor's failure or inability to perform the stated scope of work at any time as a result of circumstances beyond its control, such as, but not limited to, war, terrorism, strikes, fires, floods, hurricanes, acts of God, power failures, or damage or destruction of any facility related thereto, shall not be deemed a breach of this Agreement.

12. REMEDIES

In the event of failure of the Contractor/Vendor to deliver product in accordance with the contract terms and conditions, the City, after due written notice, may procure the products from other sources and hold the Contractor/Vendor responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies that the City may have. Failure to cure a breach of a material term hereunder within 24 hours of Contractor's/Vendor's receipt of written notice thereof shall entitle the City to terminate this Agreement. All rights and remedies conferred upon the parties in this Agreement shall be cumulative and in addition to those available under the laws of the State of Florida.

13. ASSIGNMENT

This Agreement may be assigned with the written consent of the City Council.

14. SEVERABILITY

In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

15. CHOICE OF LAW & VENUE

This Agreement shall be governed by the laws of the State of Florida. Any legal proceeding regarding this Agreement shall be brought in the 14th Judicial Circuit in Bay County, Florida.

16. MODIFICATIONS

No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the City and Contractor/Vendor.

PCB24-32 ITB SLUDGE DEWATERING POLYMER

17. WAIVER

Failure by the City to enforce any provision of this Agreement shall not be deemed a waiver of the provision or modification of this Agreement. A waiver by the City of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms and conditions of this Agreement.

18. NOTICES

Any notice required by this Agreement shall be directed to the parties as follows:

A. As to City:

City Representative: Drew Whitman

Title/Position: City Manager

17007 Panama City Beach Parkway, Panama City Beach, FL 32413

Phone: 850-233-5100

B. As to Contractor/Vendor:

Contract Representative: Boyd Stanley

Title/Position: Sr. Vice-President

Email Address: bids@polydyneinc.com

Mailing Address: 1 Chemical Plant Road, Riceboro, GA 31323

Phone: (800) 848-7659 Opt. 2

19. ENTIRE AGREEMENT

This Agreement, and any exhibits or appendixes attached hereto and incorporated herein, constitutes the entire agreement between parties pertaining to the subject matter hereof, and supersedes all prior and contemporaneous agreements, understandings, negotiations, and discussions of the parties, whether oral or written, and there are no representations, warranties, covenants, or other agreements among the parties.

The term "Agreement" means and includes the following documents, all of which are incorporated into this Agreement by reference:

Advertisement for Bids
 Information for Bidders
 Scope of Work/Specifications
 Bid Proposal Form
 Drug Free Work Place Statement
 Public Entity Crimes Statement
 Non-Collusion Affidavit
 E-Verify

PCB24-32 ITB SLUDGE DEWATERING POLYMER

Terms and Conditions
 Notice of Award
 Agreement
 Exhibit A
 Any Additional Exhibits or Appendices

ADDENDA (S)

No. 1, dated May 17, 20 24

No. _____, dated _____, 20 _____

No. _____, dated _____, 20 _____

No. _____, dated _____, 20 _____

IN WITNESS WHEREOF, the Contractor/Vendor has executed this Agreement as of the day and year first written above.

Signed in the presence of: Contractor/Vendor

Witness 1: Rebecca Beasley(Print Name): Rebecca BeasleyWitness 2: Alexa Loper(Print Name): Alexa Loper

Polydyne inc.

By: Boyd StanleyContractor/Vendor
Boyd Stanley, Sr. Vice-President

**THE CITY OF PANAMA CITY
 BEACH, FLORIDA,**
 a municipal corporation

By: _____
 Drew Whitman, City Manager

ATTEST:

City Clerk

PCB24-32 ITB SLUDGE DEWATERING POLYMER

BID PROPOSAL FORM

TO: City of Panama City Beach, Florida

SUBMITTED: _____ May 21st, 2024.

PCB24-32 ITB SLUDGE DEWATERING POLYMER

The Undersigned, as Bidder, hereby declares that they have examined the bid specification and informed themselves fully regarding all terms and conditions pertaining to the product specifications.

The Bidder proposes and agrees, if this proposal is accepted, to contract with the **City of Panama City Beach** for the firm, fixed unit price as listed to furnish and deliver sludge dewatering polymer, as specified in **PCB24-32 ITB Sludge Dewatering Polymer** bid specifications.

ADDENDUM: It is the sole responsibility of the bidder to determine if any addenda has been issued.

Facility Address	Preapproved Polymer	Unit Price Per Pound (\$/LB)	Estimated Annual Polymer Use (LBS)	Total Estimated Annual Cost
206 N Gulf Blvd, Panama City Beach, FL 32413	Cedar Flocc 12537	\$ N/A	70,000	\$ N/A

Facility Address	Alternative Polymer – Product Name & Manufacturer	Unit Price Per Pound (\$/LB)	Estimated Annual Polymer Use (LBS)	Total Estimated Annual Cost
206 N Gulf Blvd, Panama City Beach, FL 32413	Clarifloc SE-2031 Polydyne Inc.	\$ 1.350/LB.	70,000	\$ 94,500.00

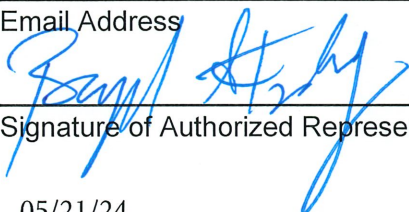
NOTE:

1. BIDS shall exclude Florida sales tax. All other applicable taxes and fees shall be included.
2. All prices are to be quoted FOB DESTINATION – FREIGHT AND DELIVERY INCLUDED. Delivery shall be FOB: Wastewater Treatment Facility, 206 N Gulf Blvd., Panama City Beach, FL 32413
3. The City reserves the right to reject any and all bids received.
4. Bids shall be valid for a period of 90-days after opening.

PCB24-32 ITB SLUDGE DEWATERING POLYMER

By submission of this BID, Bidder certifies that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any other competitor.

BIDDER:

Polydyne Inc.	Boyd Stanley, Sr. Vice-President
Name of Business	Name of Bidder
One Chemical Plant Rd., Riceboro, GA 31323	(800) 848-7659 Option 2
Address	Phone Number
bids@polydyneinc.com	
Email Address	
	
Signature of Authorized Representative	
05/21/24	
Date	

[END OF BID PROPOSAL FORM]



CITY OF PANAMA CITY BEACH
17007 Panama City Beach Parkway, Panama City Beach, Florida 32413
PCB24-32 - ITB - Sludge Dewatering Polymer
Friday, May 24, 2024
10:00AM

Opened at 10:00AM - Closed at 10:09AM

	CONTRACTOR/VENDOR	DATE/TIME BID RECEIVED	PAPER or DEMANDSTAR	BID FORM	CONFLICT OF INTEREST	DRUG FREE WORKPLACE	E-VERIFY	NON-COLLUSION	PUBLIC ENTITY CRIMES	REQUIREMENTS	PRODUCT INFO/MSDS	REFERENCES	W9	BID PRICE	RESPONSIVE BID - Minimum Requirements Provided
1	Univar Solutions USA LLC	05/19/24 @ 5:54PM	DemandStar												Provided letter of NO BID
2	Polydyne Inc.	05/22/24 @ 2:10PM	DemandStar	X	X	X	X	X	X	X	X	X	X	\$1.35/LB	X
3	Brenntag Mid-South, Inc.	05/23/24 @ 9:07AM	DemandStar												Incomplete - No Bid
4	CedarChem, LLC	05/24/24 @ 7:28AM	DemandStar	X	X	X	X	X	X	X	X	X	X	\$1.40/LB	X
5	Industrial Chemicals	05/24/24 @ 9:51AM	DemandStar	X	X	X	X	X	X	X		X	X	\$1.55/LB	
6															
7															
8															
9															
10															
11															
12															

Bid tabulation is preliminary - bids are still reviewed for responsibility and are not finalized until awarded by City Council.



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Ray Morgan, Fire

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Staff requests approval to hire six new full-time lifeguards for the Beach Safety Division of the Fire Department.

4. AGENDA:

CONSENT AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** Yes

Detailed Budget Amendment Attached: Yes

6. IDENTIFY STRATEGIC PRIORITY:

Public Safety

Quality of Life

N/A

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

The Beach Safety Division of the Fire Department is constantly striving to provide the very best protection for residents and guests along our beaches in a fiscally responsible manner. Growth, and the increasing number of people enjoying our beaches, has increased the calls for service for our lifeguards. In 2023, the Beach Safety Division entered the water 2,779 times to either perform a rescue or help someone back to shore. Our calls for service this year are on track to exceed 2023. Currently the Beach Safety Division is staffed with nine full-time and six seasonal guards. The challenge for Beach Safety is recruiting and retaining a large enough roster of qualified seasonal guards to supplement staffing levels. The demanding physical requirements, the temporary nature of seasonal work, and competing agencies increasing their own staffing levels has decreased our seasonal roster from six active seasonal guards, resulting in a lack of resources for scheduling and creating an unsustainable workload for our full-time guards.

Staff is requesting to do away with the seasonal lifeguard positions and reallocate the seasonal funding to hire six full-time lifeguards. This request is budget neutral for the remainder of this fiscal year but does result in an increase in the annual budget of approximately \$21,500 in fiscal year 2025 and each year thereafter increasing based upon pay adjustments and related increases in benefits. The additional full-time personnel will allow Beach Safety to staff two additional roving patrols, resulting in an increased year round ability to decrease the need for rescue through public contacts and preventive actions, while maintaining an enhanced operational readiness for emergencies. Future budgets will included funding for these additional positions.



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Erica McKenzie, Legal

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Staff recommends that the Council approve this ordinance upon its second reading.

4. AGENDA:

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Quality of Life
Transportation
Public Safety

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

At the Council meetings on May 9 and June 13, Staff was directed by Council to look at options for the Council to consider when receiving a request for a second "large" special event for the same date as an already scheduled large event. In response to that direction, the City Attorney drafted Ordinance No. 1647 for consideration upon first reading by the Council.

Because two large events on the same day have the potential for greater impacts to the public, this ordinance provides the Council with the discretion to impose conditions determined by the criteria in Section 4-21(3) of the City's Code of Ordinances. The ordinance outlines the circumstances under which a second "large" event may be permitted, including protection of public health, safety, and welfare, availability of adequate resources to mitigate the adverse effect and increased congestion on existing traffic patterns, ability to provide an appropriate level of medical aid services, ability to provide telecommunication services, and ability to provide adequate parking and transportation services for the expected attendance.

If approved, this ordinance will take effect immediately and be applied to all pending and future special event permits for large special events taking place on the same day as a previously approved large special event.

[Ord 1647 Special Events.2nd Reading.pdf](#)
[Ord 1647.Business Impact Statement.02.pdf](#)
[Notice Affidavit Ord 1647pdf](#)

ORDINANCE NO. 1647

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 4, ARTICLE II, OF THE CITY'S CODE OF ORDINANCES RELATED TO SPECIAL EVENTS; REQUIRING THAT ANY SECOND LARGE EVENT ON THE SAME DAY AS A PREVIOUSLY PERMITTED LARGE EVENT RECEIVE CONDITIONAL APPROVAL BY THE CITY COUNCIL; SETTING FORTH CRITERIA FOR APPROVAL OF A SECOND LARGE EVENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Chapter 4 Article II, Section 4-25 of the Panama City Beach Code of Ordinances related to Limitations on Special Events is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 4-25. Limitation of *Special Events*.

- (1) Notwithstanding anything to the contrary herein, permits for large events occurring wholly or partially on the sandy beach shall be restricted to the following limits for any one (1) calendar day:
 - a. One (1) large event with deemed attendance in excess of ten thousand (10,000) persons; or
 - b. Multiple large or medium events with aggregate deemed attendance of twelve thousand (12,000) persons where the deemed attendance of no single event is greater than five thousand (5,000) persons; or
 - c. Multiple large or medium events with aggregate deemed attendance of fifteen thousand (15,000) persons where the deemed attendance of no single event is greater than two thousand five hundred (2,500) persons; or
 - d. A total of six (6) large or medium events regardless of deemed attendance.
 - e. Permits shall be issued in the order that substantially complete applications with the required fee are filed.
- (2) No *Special Event* shall be permitted to take place, in whole or in part, at Aaron Bessant Park on any Friday, Saturday, or before 12:00 p.m. and after 8:00 p.m. on Sunday between the last Monday in May ("Memorial Day") and the first Monday in September ("Labor Day") in any given year.
- (3) **In the event that a *Special Event* permit has been issued for a large event (a "First Large Event"), any proposed large event on the same calendar day as a previously permitted large event (a "Second Large Event") shall be subject to conditional approval. Because two large events on the same day may have greater impacts to the public, the City Council has discretion to impose conditions it determines necessary to satisfy the required finding in this section. If any additional conditions are imposed, they must be determined by the criteria set forth in section 4-21(3) of this Code and the factors set forth herein. A Second Large Event shall be permitted provided that the Council finds that, considering any conditions imposed:**
 - (a) The Second Large Event is to be located, designed, and operated so that the public health, safety, and welfare are protected.**

- (b) The Second Large Event, considering any resources necessary for the First Large Event, will be able to provide the resources necessary to mitigate the adverse effect and increased congestion on existing traffic patterns in the City.
- (c) The Second Large Event, considering any resources necessary for the First Large Event, will be able to provide the medical aid resources necessary to mitigate the burden on the community's public health resources, including the capacity of the community's hospital services.
- (d) The Second Large Event, considering any resources necessary for the First Large Event, will be able to provide adequate parking facilities and transportation services necessary to accommodate the anticipated attendance.
- (e) The Second Large Event, considering any resources necessary for the First Large Event, will not unduly hinder telecommunication services necessary for public safety around the event, which may require the use of portable communication towers to enhance service on telecommunication devices.
- (4) The City Council shall conduct a quasi-judicial hearing to render its decision on whether to grant or deny conditional approval to a Second Large Event. The City Council's decision, including its reasons therefor, shall be announced at the conclusion of the hearing and entered onto the record, which shall constitute the Council's final order in any subsequent proceedings, and which may, but shall not be required to, express findings of fact and conclusions of law. Any person aggrieved by the City Council's decision is entitled to timely seek review of the decision by certiorari in the Circuit Court of Bay County, Florida.

SECTION 2. CONFLICT WITH OTHER ORDINANCES OR CODES. All Ordinances or parts of Ordinances of the Code of Ordinances of the City of Panama City Beach, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this ordinance shall remain in full force and effect.

SECTION 4. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon passage.

PASSED, APPROVED, AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this _____ day of July, 2024.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tettermer, Mayor

ATTEST:

Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this _____ day of July, 2024.

Stuart Tettermer, Mayor

Posted on pcbfl.gov on the 1st day of July, 2024.

Posted on publicnoticesbaycountyfl.gov on the 1st day of July, 2024.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published. This Business Impact Estimate may be revised following its initial posting.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 4, ARTICLE II, OF THE CITY'S CODE OF ORDINANCES RELATED TO SPECIAL EVENTS; REQUIRING THAT ANY SECOND LARGE EVENT ON THE SAME DAY AS A PREVIOUSLY PERMITTED LARGE EVENT RECEIVE CONDITIONAL APPROVAL BY THE CITY COUNCIL; SETTING FORTH CRITERIA FOR APPROVAL OF A SECOND LARGE EVENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ See Section 166.041(4)(c), Florida Statutes.

If no exemption applies, in accordance with the provisions of controlling law, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

When the City receives a request for a second "large" special event for the same date as an already scheduled large event, there is potential for greater impacts to the public. This ordinance provides the Council with the discretion to impose conditions determined by the criteria in Section 4-21(3) of the City's Code of Ordinances. The ordinance outlines the circumstances under which a second "large" event may be permitted, including public health, safety and welfare protected, availability of adequate resources to mitigate adverse effect and increased congestion on existing traffic patterns, ability to provide an appropriate level of medical aid services, and ability to provide adequate parking and transportation services for the expected attendance.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City if any: **Direct economic impact is difficult to determine. Conditions placed on permit issuance may require financial expenditure by the event holder. However, conditions may not be placed at all; therefore, the immediate and direct impact is none, absent required conditions or permit denial which will be fact dependent.**

(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

(a) **See general response to #2.** (b) **None.** (c) **None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **This ordinance will only apply to permit applicants fitting the criteria set forth in the ordinance; therefore, its expected application will be very limited.**

4. Additional information the governing body deems useful (if any):

AFFIDAVIT OF PUBLICATION

Column Software, PBC
331 NW 26th St, Suite 304
Miami, FL, 33127

Before the undersigned authority personally appeared Hayden Lipsky, who on oath says that he or she is an agent of Column Software, PBC; that the attached copy of advertisement, being a legal advertisement or public notice of Display Ad (document upload) in the matter of Notice Ord 1647, was published on the publicly accessible website of FL, hosted by Column Software, PBC on

Jul 1, 2024

and that the fees charged are legal.

Affiant further says that the website complies with all legal requirements for publication in chapter 50, Statutes; and affiant further says that he or she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication on said website.

Notice ID: WJ0GCP5cfKKcxCOwwHBH
Publication Fee: \$0.00

Hayden Lipsky

Agent

VERIFICATION

State of Pennsylvania
County of Lancaster

Signed or attested before me on this: 07/02/2024

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Published in Bay County
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the following ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and second reading at its special meeting to be conducted at **5 P.M on THURSDAY, JULY 11, 2024**, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit,

ORDINANCE NO. 1647

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 4, ARTICLE II, OF THE CITY'S CODE OF ORDINANCES RELATED TO SPECIAL EVENTS; REQUIRING THAT ANY SECOND LARGE EVENT ON THE SAME DAY AS A PREVIOUSLY PERMITTED LARGE EVENT RECEIVE CONDITIONAL APPROVAL BY THE CITY COUNCIL; SETTING FORTH CRITERIA FOR APPROVAL OF A SECOND LARGE EVENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on www.pcbfl.gov. All persons wishing to be heard on the adoption of this Ordinance are invited to appear.

Any person requiring a special accommodation to participate in this meeting because of a disability or physical impairment should contact Lynne Fasone, the Panama City Beach City Clerk, Lynne. Fasone@pcbfl.gov or by phone at 850-233-5100 at least (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 or (800) 955-8771 (TDD).

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone, City Clerk



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Cole Davis, Legal

2. MEETING DATE:

July 11, 2024

3. REQUESTED MOTION/ACTION:

Approve first reading of Ordinance No. 1649 amending the regulations for licensing cats and dogs and for keeping livestock and fowl in the City limits.

4. AGENDA:

REGULAR AGENDA

**5. IS THIS ITEM BUDGETED
(IF APPLICABLE)?:** N/A

Detailed Budget Amendment Attached: N/A

6. IDENTIFY STRATEGIC PRIORITY:

Quality of Life

N/A

N/A

7. BACKGROUND: WHY IS THE ACTION NECESSARY? WHAT GOAL WILL BE ACHIEVED?

At the City Council meeting on June 13, the Council directed Staff to review the City's animal control code to remove licensing for cats and dogs, and to make the permit requirements for livestock and fowl less burdensome for property owners seeking to keep these animals on their property with the permission of their neighbors. Within the City, there are currently two valid permits for the keeping of chickens, and no licenses issued for the keeping of dogs or cats.

The Ordinance was discussed by the Council at its June 27th meeting, and staff was directed to bring the Ordinance back for first reading with additional changes.

Accordingly, Ordinance 1649 repeals the requirement for licensing cats and dogs, and proposes that, rather than require an annual permit, a permit for fowl or livestock be valid unless written permission of neighboring owners is revoked. If new neighbors take possession, new written permission must be obtained. Furthermore, no roosters are permitted under this draft.

[Ord 1649.Animal Control.First Reading.pdf](#)

ORDINANCE NO. 1649

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING CHAPTER 5, ARTICLE II, OF THE CITY'S CODE OF ORDINANCES RELATED TO ANIMAL CONTROL; AMENDING THE REQUIREMENTS FOR KEEPING LIVESTOCK OR FOWL IN THE CITY LIMITS; REPEALING THE LICENSURE REQUIREMENTS FOR THE KEEPING OF DOGS AND CATS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; LIBERAL INTERPRETATION; MODIFICATIONS; CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Chapter 5, Article II, Section 5-3 of the Panama City Beach Code of Ordinances related to Animal Control, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 5-3. Keeping livestock or fowl.

- (a) It shall be unlawful to keep any livestock or fowl within the city without first obtaining the written permission of the owners or occupants of all property abutting on the premises on which any such livestock or fowl are to be kept, and without further obtaining the written permission of the City Manager. ~~Each such permission shall expire and automatically terminate after one (1) year, and no such permission given, or contract for permission made, for a period longer than one (1) year shall be effective or enforceable after the day which is one (1) year after such permission was given or contract was made.~~ **Each such permission shall remain in effect unless revoked by an abutting owner or occupant at which point the owner shall have thirty (30) days to dispose of the livestock or fowl. If the livestock or fowl owner is made aware that the person or entity who provided the written permission no longer owns or occupies the abutting property, written permission must be obtained within thirty (30) days of the owner receiving actual knowledge of such change in ownership or occupancy.**
- (b) Any livestock or fowl kept within the city without the permission required by subsection (a) shall be subject to impoundment.
- (c) In the event that anyone shall obtain permission to keep livestock or fowl in the City, the pen, yard, place, or sty shall conform to the regulations as to sanitary conditions that the State Department of Health and Rehabilitative Services or the county health unit or department or the Chief of Police shall require.
- (d) It shall be unlawful to keep any rooster within the City under any circumstances.**

SECTION 2. From and after the effective date of this ordinance, Chapter 5, Article II, Section 5-31 of the Panama City Beach Code of Ordinances related to Animal Control, is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 5-31. Licensing required.

- (a) Any person owning or keeping ~~or keeping any dog or cat or a~~ potbellied pig over five (5) months of age within the city must obtain a license as herein provided.
- (b) Written application for licenses shall be made to the licensing authority and shall include name and address of applicant, a description of the animal, the appropriate fee, and a rabies certificate issued by a licensed veterinarian.
- (c) If not revoked, licenses for the keeping of ~~dogs, cats and~~ potbellied pigs shall be for a period of one (1) year.
- (d) Application for a license must be made within thirty (30) days after obtaining a ~~dog, cat or~~ potbellied pig over five (5) months old. This requirement shall not apply to a nonresident keeping a ~~dog, cat or~~ a potbellied pig within the city for not more than sixty (60) days, nor to properly licensed animals owned by seasonal tourists.
- ~~(e) License fees shall not be required for seeing eye dogs or governmental police dogs.~~
- ~~(e)(f)~~ Upon acceptance of the license application and fee, the licensing authority shall issue a durable tag stamped with an identifying number and the year of issuance. Tags shall be designed so that they may be conveniently fastened or riveted to the animals' collar or harness.
- ~~(g) Dogs must wear identification tags on collars at all times when off the premises of the owners.~~
- ~~(f)(h)~~ The licensing authority shall maintain a record of the identifying numbers of all tags issued.
- ~~(g)(i)~~ The licensing period shall be from October 1 to September 30 of each year. All persons owning a ~~dog, cat or~~ potbellied pig over five (5) months old shall make an application for and secure an animal license ~~for their dog or cat~~ within the period commencing on September 1 and ending November 30 of each year. Persons applying for a license outside of the annual application period shall pay fifty (50) percent of the fee provided herein.
- ~~(h)(j)~~ A license shall be issued after payment of the applicable fee **of \$10 for each potbellied pig.**
 - ~~(1) For each unneutered male dog \$10.00~~
 - ~~(2) For each unneutered male cat \$5.00~~
 - ~~(3) For each unspayed female dog \$10.00~~
 - ~~(4) For each unspayed female cat \$5.00~~
 - ~~(5) For each neutered male dog \$2.00~~
 - ~~(6) For each neutered male cat \$2.00~~
 - ~~(7) For each spayed female dog \$2.00~~
 - ~~(8) For each spayed female cat \$2.00~~
 - ~~(9) For each potbellied pig \$10.00~~
- ~~(i)(k)~~ A duplicate license may be obtained upon payment of a one-dollar (\$1.00) replacement fee.
- ~~(j)(l)~~ No person may use any license for any animal other than the animal for which it was issued.
- ~~(k)(m)~~ Persons who fail to obtain a license as required within the time period specified in this section shall be required to (1) furnish the City satisfactory evidence of compliance within ten (10) days after receipt of a written notice of violation and (2) pay a late fee of ten dollars (\$10.00). Failure to comply within said ten (10) days shall be an offense punishable as provided in section 1-2 of this Code.

SECTION 3. CONFLICT WITH OTHER ORDINANCES OR CODES. All Ordinances or parts of Ordinances of the Code of Ordinances of Panama City Beach, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this ordinance shall remain in full force and effect.

SECTION 5. SCRIVENER'S ERRORS. It is the intention of the City, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Panama City Beach, Florida, and to that end, the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Attorney without public hearing, by filing a corrected or recodified copy with the City Clerk.

SECTION 6. ORDINANCE TO BE LIBERALLY CONSTRUED. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 7. MODIFICATIONS. It is the intent of the City that the provisions of this ordinance may be modified as a result of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted by the City.

SECTION 8. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____ 2024.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tettemer, Mayor

ATTEST:

Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this ____ day of _____ 2024.

Stuart Tettemer, Mayor

Posted on pcbfl.gov on the ____ day of _____, 2024.

Posted on publicnoticesbaycountyfl.gov on the ____ day of _____, 2024.