

Public

March 20, 2012

Regular Public Meeting
6:00 p.m.

Commission Chamber
City Hall
Port St. Joe, Florida



City of Port St. Joe

Mel Magidson, Mayor-Commissioner
Bill Kennedy, Commissioner, Group I
Bo Patterson, Commissioner, Group II
Lorinda Gingell, Commissioner, Group III
Rex Buzzett, Commissioner, Group IV

[All persons are invited to attend these meetings. Any person who decides to appeal any decision made by the Commission with respect to any matter considered at said meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Board of City Commission of the City of Port St. Joe, Florida will not provide a verbatim record of this meeting.]

BOARD OF CITY COMMISSION

**Regular Public Meeting
6:00 p.m.
City Hall
Commission Chamber
Tuesday March 20, 2012**

Call to Order

Consent Agenda

Minutes

- **January 31, 2012 Special Meeting Minutes** **Pages 1-4**
- **January 31, 2012 Workshop Meeting Minutes** **Pages 5**
- **February 21, 2012 Regular Meeting Minutes** **Pages 6-19**
- **March 6, 2012 Regular Meeting** **Pages 20-26**
- **March 13, 2012 Workshop Meeting** **Pages 27-28**

City Attorney

- **Gulf Pines Hospital Appraisal**

City Manager Report

Old Business:

- **City Clerk Vacancy- Update**
- **Channel Markers**

New Business:

- **Garrison/Madison Multi-Path Change Order #2 (3 & 4 Handouts)** **Pages 29-30**
- **Fireworks- Discussion**
- **Road Bond Money** **Page 31**
- **STAC House Renovation** **Page 32**
- **Waste Pro, Pick-up days- Update**
- **Port Authority Building Request**
- **Fair Point Communications Contract** **Page 33**

Public Works

- **Update**

Surface Water Plant

- **Water Plant Deficiencies- Update**

Waste Water Plant

- **Plant Permit Revision** **Pages 34-35**

City Engineer

- **Headworks and Sprayfield Project- Update**
- **Water Distribution System Phase I, Change Order #1** **Page 36**

Code Enforcement

- Update

Police Department

- Update

Grants

- Update

PSJRA

- Update

Interim City Clerk

Citizens to be Heard

Discussion Items by Commissioners

Motion to Adjourn

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD
IN THE COMMISSION CHAMBERS AT CITY HALL, JANUARY 31,
2012 AT 6:00 P.M.**

The following were present: Mayor Magidson, Commissioners Gingell, Buzzett, Kennedy and Patterson. City Manager Charlie Weston, City Attorney Tom Gibson and City Clerk Jim Anderson were also present.

Garrison/Madison Multi-Path Change Order:

Mr. Weston noted that at our last meeting we talked about a possible Change Order to correct a problem with unstable soil. The Change Order amount is \$10,152.56.

Mayor Magidson asked, "Are we still within the project budget?"

Mr. Weston responded, "Yes, we still have approx. \$61K left in the project budget."

Commissioner Buzzett asked, "Is removal of three feet of soil enough?"

Clay Smallwood, III, responded, "Three to five feet is typical."

Commissioner Gingell asked, "Anyway to know of this type of problem ahead of time?"

Mr. Smallwood responded, "We could have guessed, but this particular area is under the road."

Hambrick Water & Sewer Fee Agreement:

Attorney Gibson noted that James P. Hambrick is trying to save on water and sewer fees at 218 Long Avenue to include an additional building. As long as Mr. Hambrick considers it as one parcel, the Land Development Regulations will allow it.

Mayor Magidson indicated that Mr. Hambrick currently has two parcels consisting of two lots.

Commissioner Gingell asked, "How will this be flagged in case the lots are converted back to two parcels?"

Attorney Gibson responded, "It will be recorded at the Court House."

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve the Water-Sewer Fee Agreement for James P. Hambrick. Motion carried 4-0. Mayor Magidson abstained due to James P. Hambrick being a client of his Law Firm. (See attached voting conflict Form).

The Special Meeting was adjourned at 6:10 P.M.

Approved this _____ day of _____ 2012.

Mayor Magidson

Jim Anderson, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Magidson, Jr. -Melvin- C		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City Commission	
MAILING ADDRESS 218 Gautier Memorial Lane		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Port St. Joe	COUNTY Gulf	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED January 31, 2012		NAME OF POLITICAL SUBDIVISION: City of Port St. Joe	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Mel C. Magidson Jr., hereby disclose that on January 31, 20 12:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of James Hambrick, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

James Hambrick is a client of my law firm.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

**MINUTES OF THE WORKSHOP MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD
IN THE COMMISSION CHAMBERS AT CITY HALL, JANUARY 31,
2012 AT 6:15 P.M.**

The following were present: Mayor Magidson, Commissioners Gingell, Buzzett, Kennedy and Patterson. City Manager Charlie Weston, City Attorney Tom Gibson and City Clerk Jim Anderson were also present.

City Manager Search:

Mr. Weston noted that the Commission was presented with six candidates for consideration. The purpose tonight is to try and narrow the search down to three. An outlined sheet for each Commissioner to consider has been presented.

Mark Gibson has withdrawn his name for consideration because he is concerned about being able to sell his home.

The consensus after discussion was to narrow the search down to two candidates and interview Ted Lackey and Jim Anderson for the City Manager Position.

The interviews will be scheduled for Monday February 6, 2012.

The Workshop Meeting was adjourned at 6:33 P.M.

Approved this _____ day of _____ 2012.

Mayor Magidson

Jim Anderson, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD
IN THE COMMISSION CHAMBERS AT CITY HALL, FEBRUARY 21,
2012 AT 6:00 P.M.**

The following were present: Mayor Magidson, Commissioners Gingell, Buzzett, Kennedy and Patterson. City Manager Charlie Weston, Attorney Tom Gibson and City Clerk Jim Anderson were also present.

Consent Agenda:

Mayor Magidson congratulated James Hamilton on his retirement and presented him with a certificate for his twelve years of service to the City.

Minutes:

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve the Minutes from the January 12th, February 6th, February 9th Workshops and the February 9, 2012, Special Meeting.

Regular Agenda:

City Attorney:

**Ord. 477, Gulf Pines Hospital Comprehensive Plan and Future Land Use Map
Amendment:**

Motion by Commissioner Kennedy, 2nd by Commissioner Gingell, to have the 1st reading of Ord. 477. All in Favor; Motion carried 5-0.

Attorney Gibson noted that the Planning and Development Review Board has reviewed Ord. 477 and gave a recommendation to the City Commission for approval. Base on this recommendation, the Commission can adopt Ord. 477 tonight.

Motion by Commissioner Buzzett, 2nd by Commissioner Kennedy, to adopt Ord. 477. All in Favor; Motion carried 5-0.

Ord. 478 Repealing of the Town Center PUD:

Motion by Commissioner Gingell, 2nd by Commissioner Patterson, to have the 2nd reading of Ord. 478. All in Favor; Motion carried 5-0.

A workshop was scheduled for Monday February 27, 2012, at 5:00 for public input on the proposed ordinance.

Port Authority Request:

Tommy Pitts of the Port Authority noted that they plan to add property to the Port Master Plan based on the acquisition of former Arizona Chemical Property and the Joe Company Property. The Port Authority has also requested that Jetty Park be included. We have the possibility of small cruise vessels docking at Jetty Park and may need to expend funds for improvements. By including Jetty Park in the Port Planning Area, it would allow for possible grants. This would not change how the City utilizes the property. No vessel will dock at Jetty Park without City approval.

Attorney Gibson noted that he will be unable represent the City or the Port Authority in this matter.

City Manager, Charlie Weston:

Centennial Building Acoustics:

Mr. Weston recommends signing a contract with Eric Davidson for \$3,000 to put a plan together. We will use \$2,000 out of Parks and Recreation and \$1,000 out of the Building Department.

Motion by Commissioner Gingell, 2nd by Commissioner Buzzett, to enter into a \$3,000 contract with Eric Davidson. All in Favor; Motion carried 5-0.

Frank Pate Park Boat Ramp:

Mr. Weston noted that the City needs to mark the boat channel at Frank Pate Park. We need to get the Coast Guard to provide us with the specifications for the channel.

Garrison/Madison Multi-Path Update:

Mr. Weston noted that the project is on schedule to be completed next month.

CDBG Grant Application, Water Distribution System:

Mr. Weston noted that Jordan and Associates are working with our engineers to put the application together.

Cell Tower Upgrade Request Update:

Mr. Anderson indicated that he has contacted Mr. Duke with Utility Services. Mr. Duke will be in town in the next few weeks to review the tower.

City Audit:

Ben Vance who performed the City's independent audit gave a presentation to the City. He appreciates the professionalism of City staff, there were no findings due to accountability and feels bringing in an outside CPA, Roberson & Associates, has helped tremendously. The City has gone from a very troubled system to one that is consistent. He did note that the City needs to adopt procedures for each job description.

Mayor Magidson noted that this may be the first time in the history of the City there have not been any audit findings.

Mr. Weston is proud of the City staff and the progress that has been made.

Press Release:

Mayor Magidson indicated that the Joe Co. has signed a lease agreement for 20 acres with Eastern Ship Building today.

City Manager Contract:

Mayor Magidson noted that, based on our negotiations with Mr. Anderson at the February 9, 2012, Workshop, we need to vote on his contract.

Motion by Commissioner Buzzett, 2nd by Commissioner Patterson, to approve the City Managers contract for Jim Anderson as presented. All in Favor; Motion carried 5-0.

City Clerk Vacancy:

Mr. Weston recommends that the Commission appoint Charlotte Pierce as Interim City Clerk on March 1, 2012. He also recommends advertising the Clerk Position and closing it on March 15, 2012.

Motion by Commissioner Kennedy, 2nd by Commissioner Gingell, to appoint Charlotte Pierce as the Interim City Clerk on March 1, 2012, and advertise for a City Clerk. All in Favor; Motion carried 5-0.

Joint City/County Workshop:

Mr. Weston will work with Don Butler, County Administrator, on potential dates. All in Favor; Motion carried 5-0.

Public Works:**Road Striping:**

Mr. Grantland provided the Commission with a Road Striping Plan for consideration.

Commissioner Buzzett asked, "What is the estimated cost to stripe the roads?"

Mr. Grantland responded, "Approx. \$8K-\$9K, I will get some quotes."

Commissioner Gingell asked, "Since the County collects gas tax, would this be part of that?"

County Commission Chairman Yeager noted that the Gas Tax proceeds are used for the Road Bonds. We may get a better price if the City and County go together on the Road Striping.

Mayor Magidson asked, "Is the Road Bond Money spent?"

County Commissioner Yeager responded, "Yes." He recommends that John Grantland talk with Don Butler about the road striping.

Surface Water Plant:

Larry McClamma will start interviews for the Water Plant Operator Trainee Positions on Monday and plans to have a recommendation on March 2, 2012.

Mr. Weston noted that a letter has been sent to Marshall Brothers in reference to the cracks in the Membrane Tank Wall and a meeting is scheduled for February 23, 2012, at 3:00 P.M.

Waste Water Plant:

Lynn Todd noted that staff had a field visit to view the disk filtration system in Ft. Walton Beach.

Ms. Todd also indicated that all six of the City's master meters will be calibrated on March 8, 2012.

City Engineer:

Headworks and Sprayfield:

Clay Smallwood, III, noted that Progress Energy should be starting the work on the power.

Water Distribution System Phase I Replacement:

Mr. Smallwood indicated that the bore contractor should get started on February 27, 2012.

Code Enforcement:

Mr. Weston noted that the reason Mr. Burkett is not attending the Commission Meetings is because he is paid hourly on a part time basis. Mr. Weston stated that Mr. Burkett is doing good work.

Mayor Magidson indicated that Mr. Burkett is prompt to return his calls.

Police Department:

Sgt. Rusty Burch noted that the Police Department is looking at solid curbing along Hwy 98 to avoid turning across the double lines. He feels that it's a dangerous situation and would like permission to contact DOT.

Commissioner Kennedy asked, "Is there a ticket for turning across a double yellow line?"

Sgt. Burch responded, "Yes, the fine would be \$128."

Mr. Weston noted that this is something that we need to look into.

Grants:

Mrs. Pierce thanked the Commission for the opportunity to serve as the Interim City Clerk. She also provided the Commission with report of the grant activity for the past two weeks.

PSJRA:**Billy Joe Rish Parking Lot:**

Gail Alsobrook noted that the pre-construction meeting was held on February 15, 2012, and the project should be completed in May 2012.

Ms. Alsobrook also indicated that the PSJRA is looking at the possibility of a pocket park on Langston Drive.

Ms. Alsobrook noted that the PSJRA is looking at a five year plan and that she has accepted a part-time position as Interim Tourist Development Chairman.

Citizens to be Heard:

Christy McElroy:

Ms. McElroy provided the Commission with Search Brief concerning Homeless Shelters. See attached Ex. (A).

Ms. McElroy is requesting that the Commission be proactive and consider the measures outlined in the brief.

Commissioner Gingell asked, "Have you shared this information with the County?"

Ms. McElroy responded, "Yes."

Commissioner Comments:

Commissioner Gingell noted that she attended the NJROTC inspection. Approx. 50 cadets performed an excellent program.

Commissioner Buzzett indicated that this is Mr. Weston's last official meeting and thanked him for his time and effort as City Manager.

Mayor Magidson noted that a reception will be held for Mr. Weston on February 28, 2012 from 5:00 P.M. - 6:00 P.M. at the TDC building.

Motion by Commissioner Kennedy, 2nd by Commissioner Gingell, to adjourn at 7:25 P.M.

Approved this _____ day of _____ 2012.

Mayor Magidson

Jim Anderson, City Clerk

Executive Summary

There are over 60 Churches and over 20 Social Service Organizations in Gulf and Franklin County that provide much needed services and support to our Community and our Citizens.

Panama City Rescue Mission has chosen to move into our County and is now operating under the name of Hope Center.

The information in this brief and attached documents and the intent is to provide you with facts on Panama City Rescue Mission, several of their Affiliates and solutions of Protection for the Health, Safety and General Welfare of our Citizens.

Please review this information in order to make decisions for the future of Gulf County and our Citizens.

Section I. Panama City, FL Rescue Mission and their affiliates, the Pattern of Crime Statistics associated with that Shelter and surrounding area

Section II. Background information on Panama City Rescue Mission outreach, Panama City Rescue Mission and affiliates concerning lawsuit Billy Fox filed against the City of Springfield, FL, and discussions between Billy Fox and Panama City Officials on Relocation of the Panama City Rescue Mission

Section III. Examples of Ordinances and Solutions other Cities have utilized based off of Behavior in order to Protect the Health, Safety and General Welfare of Citizens:

Christy McElroy has consulted an attorney on this information.

Logic and Concerns related to Protecting the Health, Safety and General Welfare of Citizens of our County:

Section I.

Examples Panama City, FL Rescue Mission's Pattern of Crime Statistics of the Area:

1) WMBB News 13 ABC, Posted July 08, 2011;

"According to the Bay County Sheriff's Office records 250 people arrested last year list the Rescue Mission as their home address."

Chief John Van Etten says the Mission and surrounding area more than keeps his officers busy. "We just took one year stats from June to June and we had over 7500 calls for service within the half-mile radius of the Panama City Rescue Mission, which represents about fourteen percent of all of our calls for service in Panama City."

2) Panama City News Herald, Posted Thurs, Jan 12, 2012;

"The number of homeless people in downtown Panama City is overwhelming city services, an expert on homelessness (Dr Robert G. Marbut) said Thursday."

Marbut said, "He read two reports, one from the Bay County Sheriff's Office and the other from the Panama City Police Department that indicated an exceedingly high amount of arrests and police activity around the Panama City Mission area."

Marbut said, "The numbers are six or seven times higher than San Antonio or St. Petersburg."

3) Panama City News Herald, Posted November 25, 2011,

"Investigators are searching for a man wanted in connection to a kidnapping and sexual assault."

"A man contacted the Bay County Sheriff's Office on Thursday after he freed himself and returned to Bay County after being raped, kidnapped, bound and left in his car in Pensacola, authorities said."

"The suspect had checked into the Rescue Mission earlier that day under the name Troy Whitehead, but investigators said they believe that might not be his real name."

4) Data Pulled from Panama City, FL Police Department for the Month of July, 2011,

Forty seven arrests for the month of July, 2011 listed their address as; 609 Allen Ave, Panama City Rescue Mission.

Various arrests included but are not limited to;

Sex Offender, Trespassing, Reckless driving with property damage, Narcotic Equipment possess, Possess new legend drug without prescription, disorder intoxication public place cause disturbance, possess of Methamphetamine, criminal Mischief

5) Panama City, FL News Herald Posted May 15, 2011,

Bethel Village: Expanding service or expanding problems? (Bethel Village in Springfield, FL is operated by the same Executive Director of Panama City Rescue Mission/ Billy Fox)

“Springfield Police Chief Philip Thorne said in April the most serious issue at the property occurred that month when a domestic violence incident occurred. Fox said during a city commission meeting it was an isolated event and the first time it happened in six years. Thorne said last month, that since April 2004 when the Rescue Mission obtained the property, police have responded to the location 29 times, which includes calls for illness, injuries, thefts, trespass and other issues. He said he would not classify any of the issues as serious but noted that the number does not include responses that occurred in the surrounding area.”

6) Panama City News Herald Posted June 30, 2009,

P.C. Police release fatal stabbing victim's name

“Authorities released the identity of a man slain Monday in Panama City.”

“Phillip Cotton, 48, was found dead in his apartment behind the Salvation Army at 1824 W. 15th St., police reported. Authorities said Timothy C. Hance, 30, stabbed Cotton multiple times after confronting the man. Hance also lives at the apartments.”

“Panama City police said the ordeal began after Hance and 47-year-old Dino Soukeras stole \$10 in change from a Rescue Mission thrift store on 11th Street and broke into another Rescue Mission thrift store on Panama City Beach.”

“When they returned to the apartments Monday morning, Soukeras went to bed, but Hance wanted more money to buy drugs, investigators said. Hance stabbed Cotton in the back and stomach multiple times and later confessed to the crime, according to an arrest affidavit.”

“Hance faces charges of murder, burglary and attempted armed robbery, according to Panama City police. Soukeras faces a burglary charge.”

2011

7) Panama City News Herald Posted August 30, 2012

Officer bitten on the head outside rescue mission

“A police officer was bitten on the head by a man who had been asked to leave the Panama City Rescue Mission after a confrontation with a staff member Tuesday afternoon.”

“Staff at the shelter called police after Karim Bien-Aime, 31, had an altercation with a staff member that ended when the man poked the staff member and was asked to leave, according to Billy Fox, executive director of the Rescue Mission. The suspect then moved outside, but “by the time police arrived the guy was out of control,” said Fox, who was not present at the time.”

“There are a number of communicable diseases the officer might have been exposed to, Becker added. In some cases, police obtain a court order for blood tests on a suspect accused of biting an officer.”

“The Rescue Mission is taking steps to get a legally binding order to prohibit the man from returning, Fox said. Bien-Aime was a new face at the mission and could be welcomed back at some point in the event meets certain requirements, Fox said.”

“Bien-Aime was released from the Bay County Jail Aug. 18, where he had been held on charges that included theft and resisting an officer, said Warden Rick Anglin. He was booked into the jail again Tuesday on charges of battery on a law enforcement officer, Anglin said.”

Section II. Outreach, Springfield, FL lawsuit, Relocation of Panama City Rescue Mission

1) WJHG-TV Nov. 17, 2010, Billy Fox, was quoted “saying the Mission serves six Florida counties and is also really the better place to go in lower Alabama and southern Georgia.”

2) Panama City News Herald Posted December 05, 2011,

“Springfield Residents will have another chance to voice their opinions about the expansion of the Panama City Rescue Mission’s Bethel Village program in Springfield.”

“It will be second public hearing on the development order. In February, Circuit Court Judge Michael Overstreet ruled when the City Commission denied a development order for expansion in April 2010 the decision was made with out competent and substantial evidence.” (Billy Fox/ PC Rescue Mission filed this Lawsuit)

3) Panama City News Herald Posted January 10, 2010;

Plan envisions “Manger Campground” for homeless// Read Plan Advocate’s preliminary proposal meant to alleviate downtown, problems, he says

“The plan proposes a six-month lease on property owned by First United Methodist Church near U.S. 231 and State 77 to test this method of offering people without shelter.”

“The Rev. Billy Fox, executive director of the Panama City Rescue Mission, is not on board.”

4) WJHG Posted June 29, 2011/ Panama City Rescue Mission Standing its Ground

“Panama City Billy Fox says he’ll sell the mission for \$10,000,000 Million Dollars.”

The Panama City Rescue Mission has been operating in the downtown Panama City location for the last 25 years. City officials say it’s standing in the way of their revitalization plans, which now include a possible \$39 million dollar hotel and marina deal with the Embassy Suites.

“Billy Fox said, we evidently have a very valuable piece of property down here, it seems like it’s extremely valuable. Well a good businessman says, if I’ve got an extremely valuable piece of property, I’ll set a very high price on it.”

5) Bay County Property Appraiser values the Panama City Rescue Mission and Lots at \$206,458.

Section III. Examples of Ordinances and Solutions other Cities have utilized based off of Behavior in order to Protect the Health, Safety and General Welfare of Citizens:

1) Volusia County, FL

Sec. 94-1 Use of county rights-of-way

2) Pinellas County Ordinance

Sec.98-1 Distribution of materials or goods, solicitation of contributions from occupants of vehicles.

3) City Council approves panhandling ordinance

Posted on 11/18/2011 by Benjamin Olivo

City Council unanimously toughened the city's aggressive solicitation law on Thursday.

The changes kick in 10 days and prohibit solicitation within 50 feet of ATMs, banks, parking garages, charitable contribution meters, parking meters/pay stations, bus stops, outdoor dining areas and marked crosswalks. Violators could face a \$500 fine, and be charged with a class C misdemeanor.

Two weeks ago, Councilman Diego Bernal raised concerns over the definition of "solicit," suggesting the code's language be amended to just cover money, and not other "things of value."

On Thursday, Bernal agreed to retract his request; because he said he felt confident police and the judicial system would use its best discretion while enforcing the law, being mindful that the law is intended to target "professional panhandlers" and not the homeless.

"If our goal is to weed out professional panhandlers, then we should do that," Bernal said.

There was also talk of resurrecting a kind of food voucher program at Haven for Hope, which downtown residents could have on hand to give instead of money. Although anyone can go to the center's Prospects Courtyard and receive a free meal.

Related

- E-N: [City OKs Project Quest, panhandling crackdown](#)
- [Bernal was right to question panhandling ordinance](#)
- [Panhandling ordinance sent back for revisions](#)

After multiple delays, the San Antonio City Council has approved a new ordinance that further cracks down on aggressive panhandling.

A vote on the ordinance, which bans solicitation within 50 feet of ATM's, parking meters, bus stops and outdoor restaurants, had been delayed so that council members could further discuss the details.

Olga Kucerak, with the Downtown Resident's Association, signed up during Citizens to be heard and she is glad to see the ordinance finally approved.

"I live downtown, I work downtown, it is a safety issue among the aggressive panhandlers and I'm not talking about the ones who just want a bite to eat," Kucerak told the council.

Deborah Mendez, who owns a small business in La Villita, also signed up to speak and told the council that she believes panhandling has hurt the local tourism industry.

"They (tourists) state, 'the city is beautiful but I will not return when I am harassed by people on the street to give them money, particularly when I'm walking with my children.'"

District 1 City Councilman Diego Bernal, who had his concerns about the new ordinance, had a message for Municipal Judge John Bull, who will be doling out possible fines to those in violation of the ordinance.

"He should be as discretionary and thoughtful and creative as possible in administering the punishment of this ordinance," Bernal told his council colleagues. "If our goal was to weed out professional panhandlers then we should be able to do that all the while being thoughtful and careful with the folks who really are destitute or the most vulnerable among us."

The ordinance goes into effect 10 days from Thursday, and there will be a review in about six months.

By: Christian Bove

4) Municipal Zoning: Based off of William & Mary Bill of Rights Journal Volume 4/ Issue 3 Article 13

Volume 4.3 III. Permissible Restrictions of Church-Sponsored Homeless Programs / Page 1280-1287

5) Pittsburg, Penn Chapter 9.99 Homeless Shelters

Sections:

9.99.010 Findings and purpose

9.99.020 Definitions

9.99.030 Permit required

9.99.040 Application

9.99.050 Burden of proof

9.99.060 Public hearing-Decision-Term

9.99.070 Permit Fee

9.99.080 Revocation

9.99.090 Exception

9.99.100 Violation-Penalty

6) Discharge Planning:

Key Concepts Local Implementation of 10 Year Plans to End Homelessness

7) The Courts: The Law and the Homeless- Restrictive Ordinances

8) CDC / MMWR / Recommendations and Reports/ April 17, 1992/ 41 (TT-5); 001 Prevention and Control of Tuberculosis Among Homeless Persons Recommendations of the Advisory Council for the Elimination of Tuberculosis

MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, MARCH 6, 2012, AT 6:00 P.M.

The following were present: Mayor Magidson, Commissioners Buzzett, Gingell, Patterson and Kennedy. City Manager Jim Anderson, City Attorney Tom Gibson, and Interim City Clerk Charlotte Pierce were also present.

Mayor Magidson welcomed the new City Manger, Jim Anderson, and stated he was looking forward to working with him.

Consent Agenda:

Minutes:

Motion by Commissioner Buzzett, second by Commissioner Gingell, to approve the Minutes of the January 24, 2012, Workshop and the February 7, 2012, Regular Meeting. All in Favor; Motion carried 5-0.

Regular Agenda:

City Attorney:

Ordinance 478, Second Reading - Repealing the Town Center PUD

Motion by Commissioner Gingell, second by Commissioner Patterson, to read by title only Ordinance 478, Repealing the Town Center PUD and Ordinance # 334 and #345 and amending the Zoning Map. All in Favor; Motion carried 5-0.

Motion by Commissioner Gingell, second by Commissioner Kennedy, to adopt Ordinance 478, Repealing the Town Center PUD. All in Favor; Motion carried 5-0.

Port Authority Request

The Port St. Joe Port Authority has requested to expand the Port Planning Area to include Jetty Park and the old City Headworks site. Motion by Commissioner Buzzett, second by Commissioner Patterson, to grant the request and include a Memorandum of Understanding. All in Favor; Motion carried 5-0.

The Commissioners expressed their concerns for Jetty Park, Eco Tourism, parking, and a Memorandum of Understanding with the Port Authority for the use of Jetty Park.

Mr. Gibson anticipates that the process will take several months. The Port Authority will most likely adopt a Resolution in March expanding the area, the PDRB Board would receive the request at their April meeting, it would be transmitted to the Department of Economic Opportunity for their review, the request would be returned to the City for adoption and then there would be an appeals committee. The process would likely be finished by July.

A motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to allow

the attorney to enter into contract negotiations or a Memorandum of Understanding on the proper use and proper procedures to use at Jetty Park. All in Favor; Motion carried 5-0.

Ordinance 479 - Road Abandonment

Motion by Commissioner Gingell, second by Commissioner Patterson, to read Ordinance 479 Road Abandonment of a portion of Sixth Street located between Woodward Avenue and the Northerly extension of the East line of Lot 1, Block 38 St. Joseph's Addition Unit 3. All in Favor; Motion carried 5-0.

Motion by Commissioner Gingell, second by Commissioner Kennedy, to adopt Ordinance 479. All in Favor; Motion carried 5-0.

City Manager Report:

Old Business:

504 Plan Approval

Motion by Commissioner Buzzett, second by Commissioner Gingell, to Adopt the 504 Facilities Accessibility Evaluation for the City of Port St. Joe as presented by Bruce Ballister of the Apalachee Regional Planning Council. The Americans with Disabilities Act of 1990 requires that the City review its public facilities and generate a plan to achieve compliance with the subject and act upon that plan within three years. Mr. Ballister evaluated the City Hall, Centennial Building, STAC House, and Fire Station. All buildings required modification for compliance with the act. Mr. Ballister recommended that the work for the STAC House be moved back one fiscal year and the chair lift for the Centennial Building be moved to a later fiscal year. A copy of the report is attached. All in Favor; Motion carried 5-0.

Centennial Building Acoustics Update

Mr. Anderson reported that a contract has been signed with Eric Davidson for architectural design.

Madison Street / Garrison Avenue Multi-use Path

The contractor will be requesting Change Orders for rain days and additional piping.

Fire Department Air Packs – Bid Award

A City fire truck is currently out of service due to the lack of certified air packs. Motion by Commissioner Kennedy, second by Commissioner Gingell, to award bid # 2011-11 to Sunbelt Fire for the purchase of 6 air packs for \$24,102.00. All in Favor; Motion carried 5-0.

Motion by Commissioner Kennedy, second by Commissioner Gingell, to use \$19,400 of remaining BP Funds, \$3,000 Fire Department contingencies and \$1,000 Fire Department Communications. All in Favor; Carried 5-0.

Boat Channel Markers

Commissioner Buzzett requested that the channel markers at Frank Pate Park be kept on the

Agenda until the issue is resolved. Mayor Magidson asked Commissioner Kennedy to spearhead the project.

New Business:

Scout Troop #47 – Community Expo and Yard Sale

Mayor Magidson encouraged the Commission and citizens to support the event on March 31, 2012. Commissioner Buzzett requested the City support this project with garbage cans, pickups etc., as we have with the Scallop Festival and Chamber events.

Retiree's sick and annual leave payout

Motion by Commissioner Buzzett, second by Commissioner Kennedy, to approve the request of retirees Charles W. Weston and James B. Hamilton. All in Favor; Carried 5-0.

City Clerk Vacancy Update

Mr. Anderson stated he has received seven applications and March 15, 2012, is the closing date. A discussion was held concerning the hiring and Mayor Magidson requested that the Gulf Coast Workforce Board be involved in the process.

Utility Billing Clerk – Request to advertise

City Manager, Jim Anderson, requested that he be allowed to advertise for the Utility Billing Clerk. The Commission agreed by consensus and suggested that it be in the local paper and on the City Website.

CDBG Grant Administrator – Request to go out for bid

Bruce Ballister, Apalachee Regional Planning Council, addressed the Commission concerning his work history with the City. Mr. Ballister reminded the Commission that by using ARPC as the grant administrator, it was not necessary to go through the normal procurement process. He has been the grant administrator for the North Port St. Joe Sewer Project Phases I and II and has written the Phase III grant. ARPC has expended approximately \$26,000 up front on Phase III but the City did not proceed with the grant due to the match requirement. The survey data is still current but cautioned we are in the fifth year of the grant application period.

The Commission stressed to Mr. Ballister that the Water Distribution Grant was time sensitive, needed his immediate attention and that all deadlines must be met. Mr. Ballister assured the Commission that he would start on the project immediately and that he understood the sensitive nature of the project.

A Motion was made by Commissioner Kennedy, second by Commissioner Patterson, to proceed with the project using the Grant Administrator services of the ARPC and Mr. Ballister. All in Favor; Carried 5-0.

Motion by Commissioner Gingell, second by Commissioner Buzzett, to authorize Mayor Magidson to sign the contract with ARPC. All in Favor; Carried 5-0.

Covenant Hospice – Request to waive rental fee

The Commission discussed the ramifications of waving the fee. This request has been honored in the past, other non-profit entities have been granted a waiver and in the future, each waiver request will be addressed case by case. Motion by Commissioner Buzzett, second by Commissioner Gingell, to grant the request. All in Favor; Carried 5-0.

Workforce Board – College volunteers

Mr. Anderson shared that the students from Auburn University would be in town March 11 – 14, 2012. Diana Sealey Burkett will be coordinating the program for improvements to elderly citizen's homes, yard clean up and the Washington Gym.

City Flag Presentation

The City Manager shared that recently retired City Manager, Charles Weston, presented a City flag to the City of Port St. Joe. Mr. Weston had the flag designed and presented it as a gift to the City.

Public Works

John Grantland reported that all five lateral transfers have taken place in his department. A request by Mr. Grantland to increase the work and pay of Matthew Richter was approved by a motion from Commissioner Patterson, second by Commissioner Kennedy. All in Favor; Carried 5-0.

Surface Water Treatment Plant – Larry McClamma

Motion by Commissioner Buzzett, second by Commissioner Gingell, to approve the hiring of four Operator Trainees for the Surface Water Plant. All in Favor; Carried 5-0.

Membrane Tank Wall Cracks Update

The contractor is reviewing the project and will be making their recommendations very soon.

Mr. McClamma reported that the City had passed the Disinfectant By-Product Sampling with DEP. The City results were lower than the state rate in every category. These were the lowest numbers for the SWTP since beginning operation in 2009.

Wastewater Plant – Lynn Todd

Ms. Todd related that the worker transition is complete, she will have an employee retiring in June and that work is continuing on the Headworks and Sprayfield.

City Engineer – Clay Smallwood, III

Headworks and Sprayfield Project Update

Work is progressing on the project. Construction is moving along on the removal of the gravity fed system on Highway 98.

Water Distribution System Phase I Improvements Update

Phase I - Ground has been broken and work begun in the Bird Alley area. The First Street area will be the next work site with Garrison Avenue and the adjacent circles to follow.

Mr. Smallwood anticipates having the DEP Permit for Phase II in about 30 days.

Billy Joe Rish Parking Lot

The project has been kicked-off and completion is anticipated in approximately 75 days.

Port St. Joe Pathway for Health and History (Port City Trail)

There is a manufacture's problem with the light bulbs along the trail. Mr. Michael Bloodworth, who installed the lighting system, is waiting on the replacement bulbs to correct the problem.

Code Enforcement Update

Mr. Anderson reported that Mr. Burkett has been busy with spring cleanup. The County will be working with the City during the cleanup time.

Police Department – Chief David Barnes

Chief Barnes has been talking with FL DOT concerning buffers for the entrance areas to the Goodwill and McDonald's properties.

Commissioner Kennedy noted there is a safety issue with a large pine tree on the West side of Highway 98 near St. Joseph Drive that will be a traffic hazard when it falls. He asked Chief Barnes to check on the tree.

Chief Barnes requested the public's help with a panhandler. The man asks for gas and food money to go see his mother who has recently had surgery in Pensacola. He is driving a 1999 grey Ford truck with no front bumper. Please call 227-1115 if you are approached by this individual.

Grants Update – Charlotte Pierce

Ms. Pierce provided the Commission with a report of the grant activities for the past two weeks.

Port St. Joe Redevelopment Agency – Gail Alsobrook

Ms. Alsobrook has submitted a grant for a Coastal Partnership Initiative for a Planning Grant for the bay and George Core Park.

Langston Drive does not qualify for the USDA Rural Business Enterprise Grant. Ms. Alsobrook would like to revise the narrative for the grant and provide sidewalks and landscaping for Martin Luther King, Jr., Boulevard. She will need a PER from Preble Rish, a Resolution from the City for Mayor Magidson to obtain a USDA RBEG Grant and the PSJRA will provide \$10,000 in funding for the project. There will be no City funding involved. Motion by Commissioner Gingell, second by Commissioner Kennedy, to apply for the grant. All in Favor; Motion carried 5-0. This will be Resolution 2012-01.

Interim Clerk – Charlotte Pierce

Ms. Pierce noted that the City had been served with two law suits in the past couple days. She asked that the Commissioners speak with Attorney Tom Gibson for more information on the suits.

Citizens to be Heard

Pastor James Wiley gave a power point presentation of an upcoming Ministerial Association event on December 3, 2012 at Constitution Park. The opening date for the Florida Constitution Convention was December 3, 1838, and this will be the 174th anniversary of the convention. The purpose of the upcoming event is to reaffirm the foundation of the Florida Constitution and that faith in God is the foundation of our state and nation. Pastor Wiley anticipates including spiritual, governmental, and public leaders, governmental entities, service organizations and the community in the project. Mayor Magidson offered a Proclamation from the City and encouraged the involvement of our community.

Debbie Cook, owner of the Tiki Palms Inn, requested assistance from the City with a Code Enforcement issue in her neighborhood. Mayor Magidson advised Mrs. Cook that the issue would be reviewed.

Ann White asked for clarification on crossing double yellow lines on US Highway 98. She stressed to the Commission that there were more problems in the City with the reduction of 4 lanes of traffic down to two. Mrs. White was concerned that the City would become a Ticket Trap. Chief Barnes explained that there was no problem crossing a double yellow line if you were entering a private residence. There is a problem entering a business parking lot when making a left hand (Westerly) turn, across a double yellow line, through a left turn lane.

Jeff Goldsberry, Waste Pro, expressed his appreciation to the Commission for the opportunity to serve the City of Port St. Joe, offered his assistance with cleanup projects and stated he was looking forward to working with Mr. Anderson.

Commissioner Kennedy asked for help with getting the recycling containers to the schools. Mr. Goldsberry assured Commissioner Kennedy that containers were being built and will be delivered soon.

Discussion Items by Commissioners

Commissioner Kennedy is concerned about the through traffic between Eighth and Tenth Streets on the Port City Trail and would like to be able to keep through traffic off that section.

Commissioner Gingell is concerned about access for residents and has some suggestions as to how to accomplish preventing through traffic while allowing resident access.

Commissioner Kennedy would like for the City to consider the possibility of a trade or allow some concessions with the Gulf County School Board for Lamar Faison Fields. He feels that this would be a benefit to both entities.

Citizens enjoying the Port City Trail have expressed concerns about the "nervous section" or wooded area between Twentieth and Twenty Second Streets to Commissioner Kennedy. In the past, the St. Joe Company has thinned certain areas of their property and he would like to

know if that would be possible for this section of the trail. Jorge Gonzales, of the Joe Company, noted that he would work with Commissioner Kennedy on the issue.

Commissioner Patterson asked John Grantland for an update on the striping of City roads. Mr. Grantland responded that the county is in the process of obtaining quotes. Clay Smallwood reported that PRI is in the process of combining the two lists as it would be an advantage to both the City and County.

Commissioner Gingell – Nothing at this time.

Commissioner Buzzett – Nothing at this time.

Mayor Magidson would like to see the FWC “Premium Parking Space” at the City Boat Ramp moved as the agency does not use it. Chief Barnes reported that the space is left vacant for all emergency and rescue vehicles.

Motion by Commissioner Patterson, second by Commissioner Gingell, to adjourn the Meeting at 8:03 P.M.

Approved this _____ day of _____ 2012.

Mel C. Magidson, Jr., Mayor

Charlotte M. Pierce, Interim City Clerk

MINUTES OF THE WORKSHOP MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, MARCH 13, 2012, AT 5:30 P.M.

The following were present: Mayor Magidson, Commissioners Buzzett, Gingell, Patterson and Kennedy. City Manager Jim Anderson, City Attorney Tom Gibson, Interim City Clerk Charlotte Pierce, and Surface Water Treatment Plant Supervisor Larry McClamma were also present.

Mayor Magidson indicated that the purpose of the meeting is to discuss the Surface Water Plant and the Gulf Pines Hospital Appraisal.

Gulf Pines Hospital

Attorney Gibson advised the Commission that the IRS will not review the City's request for discharge from tax lien without a fair market value appraisal.

After a brief discussion, Commissioner Buzzett requested that he be allowed to talk with interested parties in the hospital neighborhood to see if funds could be raised to offset the cost of the appraisal. The anticipated cost is \$3,500 to \$4,000. Commissioner Buzzett will give the Commission a report on his endeavors at the next meeting, March 20, 2012.

Mr. Gibson anticipates that it will take 30 to 60 days to finish the application.

Commissioner Patterson expressed his concern about the lack of lighting on Langston Drive. Commissioner Kennedy offered a temporary solution of relocating a solar light from the OZONE Baseball Field on Tenth Street to the site. Mayor Magidson asked that John Grantland check in to moving the light.

Surface Water Treatment Plant

Siemens provided the equipment, CDM the process design, Marshall Brothers was the General Contractor, PRI was the City Engineer, TPA did the electrical and Gilbert Griffin was the Preble-Rish (PRI) Site Inspector.

City Manager Jim Anderson presented a time line of meetings and correspondence relative to the issue as follows:

December 22, 2011 – Philip Jones, PRI, visited the plant to view the cracks in the membrane tank.

January 20, 2012 – David Kozan from CDM visited the plant.

January 27, 2012 – Mr. Kozan issued an opinion of corrective action that was discussed with City Staff on February 8, 2012, and Exhibit A outlines his recommendation.

February 13, 2012 – Philip Jones, PRI, sent a letter to Marshall Brothers outlining the problems and CDM's recommendation with a requested response time of two weeks.

February 23, 2012 – City Staff, Commissioner Buzzett, PRI, CDM and Marshall Brothers met to review the problem. Exhibit B outlines the meeting and the response from Marshall Brothers.

Exhibit C – pictures presented by Mr. McClamma of issues at the plant.

Mayor Magidson expressed his displeasure with the problems: the plant has been in operation less than 3 years, has major problems, no one is willing to take responsibility for the issues and he wants the deficiencies corrected.

Each Commissioner expressed their concerns about the leakage on the membrane filtration tank on the inside of the plant and the clarifier tanks outside the plant, chemical pump room floors that have been eaten up by acids used, hypochlorite, sulfuric, and caustic soda pumps, and the paint peeling on floors throughout the building.

The Commission is requesting answers to the issues: Is the plant design bad? Is construction the problem? or is it the technique that was used the issue?.

Mr. McClamma shared that Raw Pump #1 has failed twice since being brought on line. Raw Pumps 2 and 3 have each failed once. All pump motors have been rebuilt by AAG in Panama City. Pump #1 is anticipated to be back on line tomorrow.

PRI employees Willie Payne and Clay Smallwood, III, were present and offered to assist the City in meetings and contacts with all parties involved.

Mr. Anderson is waiting on the official response from Marshall Brothers on the Surface Water Treatment Plant issues. Mr. Payne expects that it will be received by Friday.

The City Manager also reminded the Commissioners of the reception tomorrow from 2:00 P.M. – 4:00 P.M. at the Washington Gym for the Auburn University students that have been spending their spring break in Port St. Joe performing community projects.

The 2012 Election Notice was provided to each Commissioner.

Mayor Magidson adjourned the meeting at 6:32 P.M.

Approved this _____ day of _____ 2012.

Mel C. Magidson, Jr., Mayor

Charlotte M. Pierce, Interim City Clerk

Change Order

No. 2

Date of Issuance: 2/24/2012

Effective Date: _____

Project: Garrison – Madison
Sidewalk

Owner: City of Port St. Joe

Owner's Contract No.: _____

Contract: FPID 428174-1-58-01

Date of Contract: 8/17/2011

Contractor: Anderson Columbia Co., Inc.

Engineer's Project No.: 19.183

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

A 15' section of 18" pipe located at Structure 70 must be removed and replaced with a section of 12" pipe.

This change is necessary to provide a suitable connection with the structure and adequate coverage of the pipe.

Attachments (list documents supporting change):

Contractor's price quote and FDOT approval.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$420,176.42

[Increase] [Decrease] from previously approved
Change Order No. 1:

\$10,152.56

Contract Price prior to this Change Order:

\$430,328.98

[Increase] [Decrease] of this Change Order:

\$1,429.28

Contract Price incorporating this Change Order:

\$431,758.26

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☐ Calendar days

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] from previously approved Change Orders
No. _____ to No. _____:

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 2/24/12

Approved by Funding Agency (if applicable): _____

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 3/2/2012

Date: _____

EJCDC C-941 Change Order

Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

Page 1 of 2

McClure, Jerry D

From: McClure, Jerry D
Sent: Wednesday, February 15, 2012 9:07 AM
To: 'charlie weston'
Subject: Garrison-Madison Pipe at ST-70
Attachments: 1-23-12 007.jpg; 71206 Garrison Madison 12 inch ADS Change Order.pdf

Charlie,

As shown in the attached photo, there is an issue with the diameter of the 15 LF of 18" pipe placed at ST-70, as called for in the plans. The result is a poor connection to the structure and no coverage over the pipe. After consultations with Clay, we have concluded that the pipe needs to be removed and replaced with a length of 12" pipe and corresponding 12" mitered end section in order to provide a proper connection and suitable coverage.

Also attached is the price proposal in the amount of \$1,429.28 as submitted by Anderson Columbia for this additional work. With the deletion of one 18" M.E.S., the actual net cost increase to the contract will be \$617.92. The pricing is commensurate with the applicable FDOT item average unit costs, and we are recommending that a change order be prepared in order to compensate the contractor for this additional work. With your concurrence I will initiate the change order process.

Thanks

Jerry McClure
Project Manager

Atkins

2639 North Monroe Street, Building C, Tallahassee, Florida, 32303 | Tel: +1 (850) 575 1800 | Fax: +1 (850) 575 0105 | Cell: +1 (850) 519 5808 | Email: jerry.mcclure@atkinsglobal.com | Web: www.atkinsglobal.com/northamerica www.atkinsglobal.com

ROAD BOND FUNDS REMAINING 02/29/2012	22,947.98
LESS:	
CITY OF WEWAHITCHKA FUNDS	(3.24)
CITY OF PORT ST JOE FUNDS	<u>(4,085.25)</u>
SUBTOTAL	<u>(4,088.49)</u>
ROAD BOND FUNDS BALANCE AVAILABLE FOR BID #1112-05 PIPE	18,859.49
BID AWARD #1112-05 HD SUPPLY	(21,689.30)
AMOUNT TO BE PAID FROM SCRAP GRANT	<u><u>(2,829.81)</u></u>

DON AND TOWAN

I HAVE INCLUDED THE ABOVE INFORMATION REGARDING THE PIPE BID RECENTLY AWARDED TO HD SUPPLY.

DON, AS YOU CAN SEE THERE ARE STILL FUNDS OWED TO THE CITY OF WEWAHITCHA AND THE CITY OF PORT ST JOE.

IT WOULD BE GREAT IF WE COULD GET THIS FUND CLOSED OUT AS SOON AS POSSIBLE AFTER PAYING FOR THE PIPE. THIS IS ONLY POSSIBLE IF WE CAN DISBURSE THE REMAINING FUNDS TO EACH OF THE CITIES.

DON, IS IT POSSIBLE FOR YOU TO CONTACT BOTH OF THE CITIES REGARDING THEIR BALANCES ABOVE AND SEE IF WE CAN GET THIS ACCOMPLISHED?

THANK YOU FOR YOUR HELP IN THIS MATTER.

Carla A. Hand, CPA, CGFO

Finance Officer

Gulf County Clerk of Courts



CARPET COUNTRY
ABBEY CARPET & FLOOR
 P.O. BOX 1125
 PORT ST. JOE, FL 32457
 Telephone: 850-227-7241 Fax: 850-229-9405

Page 1

ES200501

QUOTE

Sold To CITY OF PORT ST JOE P.O BOX 278 PORT ST. JOE, FL 32457	Ship To CITY OF PORT ST JOE P.O BOX 278 PORT ST. JOE, FL 32457
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Quote Date 03/02/12	LOCAL # 850-229-8261	PO Number STACK HOUSE / CARPET	Quote Number ES200501
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Inventory	Style/Item	Color/Description	Quantity Units	Price	Extension
	PULL UP GLUED DOWN CARPET		220.00 SY	0.00	0.00
	SALISBURY 20 12'	BROWN 308	220.00 SY	0.00	0.00
	GLUE DOWN INSTALLATION		220.00 SY	0.00	0.00
GLUE SUPPLIED/ MUST SEAL SEAMS					
ECC185-4	ADHESIVE CARPET	ADHESIVE CARPET	5.00 PA	0.00	0.00
A150S3H	METAL GOLD 1.5" FLAT	1.5" GOLD FLAT	36.00 LF	0.00	0.00
A393W-SBH	METAL GOLD 1.5" SN	GOLD 1.5" STAIRNOSE	12.00 LF	0.00	0.00
	AS PER AGREEMENT		1.00 EA	3,200.00	3,200.00

CARPET COUNTRY REQUIRES 50% DOWN AND BALANCE DUE UPON SATISFACTORY COMPLETION.

Carrying charge on any unpaid balance will be 1 1/2 % per month of such sum from the date of completion of installation. Should an attorney be employed to collect any unpaid balance due under this contract, then a reasonable attorney's fee shall be paid by Buyer.

The above specifications, installations and conditions are hereby accepted. You are authorized to proceed with this order and payment will be made as outlined above.

Accepted for Carpet Country by:

Buyer's acceptance of Contract

Date

Date

— 03/02/12 —

9:57AM —

Sales Representative(s):

KENNY PEAK

Material: 0.00

Service: 3,200.00

Misc. Charges: 0.00

Sales Tax: 0.00

Misc. Tax: 0.00

QUOTE TOTAL: \$3,200.00



City of Port St. Joe

Telephone Service Comparison

Existing Charges

B1 Single Lines:

32 / @ \$19.02= \$608.64
1 / @ \$25.38 = \$25.38

Business Rotary Lines:

5 / @ \$24.71 = \$123.55
LLPR 1/ @ \$12.60 = \$12.60

Standard DSL:

1 / @ \$44.95= \$44.95

High Speed DSL:

33/ @ \$64.95= \$129.90
SIP#'s 2 / @ \$4.00= \$8.00

Features:

Dir NonP 21/ @ \$1.10= \$23.10
WireGrd 5/ @ \$3.95= \$19.75
Toll Rest 2/@ \$2.50= \$5.00
CallFrd 1/ @ \$3.50= \$3.50
St. Talk 1/ @ \$3.95= \$3.95

Grand Total: \$1008.32

Monthly Savings: \$176.44

Annual Savings: \$2117.28

Multi Line Discount Plan

B1 Single Lines:

32/ @ \$15.03= \$480.96
1 / @ \$21.57= \$21.57

Business Rotary Lines:

5 / @ \$20.51= \$102.55
LLPR 1/@ \$12.60 = \$12.60

Standard DSL:

1 / @ \$44.95= \$44.95

High Speed DSL:

2 / @ \$54.95= \$109.90
SIP#'s 2 / @ \$4.00= \$8.00

Features:

Dir NonP 21/ @ \$1.10= \$23.10
WireGrd 5/ @ \$3.95= \$19.75
Toll Rest 2/@ \$2.50= \$5.00
CallFrd 1/ @ \$3.50= \$3.50
St. Talk 1/ @ \$0.00= \$0.00

New Grand Total: \$831.88



Florida Department of Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

March 14, 2012

BY ELECTRONIC MAIL
(janderson@psj.fl.gov)

Mr. Jim Anderson
City Manager
City of Port St. Joe
Post Office Box 278
Port St. Joe, Florida 32457

Dear Mr. Anderson:

We received your minor permit revision request (file number FL0020206-011-DW1/MR) on October 12, 2011 for the City of Port St. Joe wastewater treatment plant (WWTP) with additional information received on January 19, February 27 and 29, 2012. This letter is to advise you that your request is hereby approved.

Specifically, this application is for a reduction to the total reuse capacity from 3.23 to 2.95 MGD AADF with initial construction of 1.9 MGD sprayfield. Surface water discharge, D-001 will cease discharge even with only 1.9 MGD reuse capacity being initially constructed.

- R-001 sprayfield capacity is reduced from 2.63 to 2.60 MGD. Initial construction will be 5 zones, 4 through 8, for 1.9 MGD. Future construction of 3 zones, 1 through 3, will add 0.70 MGD.
- R-002 rapid infiltration basin (RIB) reuse permitted capacity will be reduced from 0.60 to 0.35 MGD AADF. Both RIBs 1 & 2 would be future construction.

This minor permit revision contains the following changes:

1. Permit Cover Pages (1R thru 3R) revised to show changes to WWTP mods and to R-001 & R-002.
2. Permit Condition I.B.1 (page 9R) revised to show changes in flow capacity for R-001.
3. Permit Condition I.B.8 (page 11R) revised to show changes in flow capacity for R-002.
4. Permit Condition III.8 (page 17R) revised to delay construction of 5 monitoring wells until their respective land application projects are constructed.
5. Permit Condition IV.3 (page 18R) revised to show active R-001 sprayfield zones, application rates and reuse permitted capacity.
6. Permit Conditions IV.9 (page 19R) revised to show R-002 RIBs, new application rates and reuse permitted capacity.
7. Permit Condition V (page 19R) revised to show reduced staffing requirements when flow is less than 2.0 MGD.
8. Permit Condition VI.2 (page 20R) revised to update Improvement Schedule to match the consent order schedule and to provide for future construction of land application.

Therefore, we have attached revised permit conditions, DMR replacement pages for R-001 to reflect the previously mentioned changes. Please replace the old pages and use the new DMR pages upon use of R-001 sprayfields.

The expiration date and all other terms and conditions of the permit FL0020206 remain in effect. Attach this notice to other documents required to be kept as a part of this permit.

If you have any questions, please contact Jonathan May at 850-595-0609 or by email at jonathan.may@dep.state.fl.us.

Sincerely,

David P. Morres
Program Administrator

DPM/jm

Enclosures: Revised Permit Cover Pages 1R thru 3R for changes to R-001 & R-002
Revised Permit Condition I.B.1 (page 9R) for change to flow capacity for R-001
Revised Permit Condition I.B.8 (page 11R) for change to flow capacity for R-002.
Revised Permit Condition III.8 (page 17R) for ground water monitoring plan changes.
Revised Permit Condition IV.3 (page 18R) to show R-001 application rates.
Revised Permit Condition IV.9 (page 19R) to show R-002 application rates.
Revised Permit Condition V.1 (page 19R) to show WWTP staffing requirements.
Revised Permit Condition VI.2 (page 20R) for updated improvement schedule.
Revised DMR R-001 - 2 pages
DMR R-002 to be provided after future construction.
R-001, R-002 & GW Monitoring Well Locations.

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DEP NWD Panama City Office

Change Order

No. 1

Date of Issuance: _____ Effective Date: _____

Project: Water System Phase I Improvements	Owner: City of Port St. Joe	Owner's Contract No.:
Contract:	Date of Contract:	
Contractor:	Engineer's Project No.: 19.184	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

SRF requires the Owner Purchased Material and Tax Savings be removed from the Contractor's Contract.
Therefore this is a deductive Change Order to remove MSC PO 20120074-00 and Tax Savings from Contract.

Attachments (list documents supporting change):

Copy of MSC PO 201200174-00

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 2,072,888.19

[Increase] [Decrease] from previously approved
Change Orders No. _____ to No. _____:

\$ _____

Contract Price prior to this Change Order:

\$ 2,072,888.19

Decrease of this Change Order:

\$ 400,495.99

Contract Price incorporating this Change

\$ 1,672,392.20

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☒ Working ☐ Calendar days

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] from previously approved Change Orders
No. _____ to No. _____:

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 3/13/12

Approved by Funding Agency (if applicable): _____

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 3-13-12

Date: _____