

November 17, 2015

Workshop Meeting, Restore Act Applications

5:30 P.M.

Regular Public Meeting

6:00 P.M.

2775 Garrison Avenue

Port St. Joe, Florida



City of Port St. Joe

Bo Patterson, Mayor-Commissioner
William Thursbay, Commissioner, Group I
David Ashbrook, Commissioner, Group II
Phil McCroan, 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.

2775 Garrison Avenue

Tuesday November 17, 2015

Call to Order

Consent Agenda

Minutes

- Regular Commission Meeting 11/3/15 Pages 1-4

PSJRA

- Update

City Attorney

- Resolution 2015-10 Lighthouse Utilities Fees Pages 5-7
- Ordinance 520, Accessory Buildings Pages 8-9
 - First Reading
- Ordinance 521, Design Standards Pages 10-11
 - First Reading
- Ordinance 522, Port Security Fencing Page 12
 - First Reading
- Short Term Rentals- Update Pages 13-19

Old Business

- 102 Stone Drive- Update
- Electronic Sign at Frank Pate Park- TDC Page 20
- Christmas Lights
 - Duke Energy Quote Pages 21-22
- Restore Act Applications

New Business

- Special Event Permit- Denise Jones Page 23
- Carpet Country Sewer- Mayor Patterson

Public Works

- Water Line Upgrade on Long Avenue Pages 24-28
- Presnell RV Resort- Request to Bid Lift Station Page 29
- Boardwalk Subdivision- Sewer Pages 30-33

Surface Water Plant

- Surplus Property Page 34

Waste Water Plant

- Update

City Engineer

- **Golf Cart Crossing- Update**
- **Wastewater Lagoon Study**

Pages 35-36

Code Enforcement

- **Update**

Page 37

Police Department

- **New Police Officer Position- Request to Fill**

City Clerk

- **Christmas on the Coast- Update**
- **Auto Accident Repair Bill- Request for Payment**

Pages 38-44

Citizens to be Heard

Discussion Items by Commissioners

Motion to Adjourn

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, November 3 2015, AT 6:00 P.M.**

The following were present: Mayor Patterson, Commissioners Ashbrook, Buzzett, McCroan, and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce and Attorney Tom Gibson were also present.

CONSENT AGENDA

Minutes

A Motion was made by Commissioner McCroan, second by Commissioner Ashbrook, to approve the Minutes of the Regular Meeting on October 20, 2015, and the Workshop Meeting of October 27, 2015. All in favor; Motion carried 5-0.

CDBG Grant Application: Public Hearing, Bruce Ballister

Mr. Ballister noted this was the first Public Hearing for the continuation of the North Port St. Joe Water Improvement Project. Per the CDBG program administrator, the CATF meeting held earlier this year is adequate for the project. No one from the public spoke on the issue. There will be a Fair Housing Workshop in January for this project. The second required public hearing will be scheduled for late January pending official notice of the next active grant cycle's opening date.

PORT ST. JOE REDEVELOPMENT ASSOCIATION (PSJRA) - Bill Kennedy

Mr. Kennedy complimented the Commission on the new meeting location, noted the PSJRA had approved four façade grants at their meeting today, they are working on upgrades to George Core Park and the Cape San Blas Keepers' Quarters.

CITY ATTORNEY – Tom Gibson

Resolution 2015-09 Waste Hauler Fees - A Motion was made by Commissioner Buzzett, second by Commissioner McCroan, to adopt Resolution 2015-09. All in favor; Motion carried 5-0.

Ordinance 520 Accessory Buildings: First Reading - A Motion was made by Commissioner Buzzett, second by Commissioner Ashbrook, to modify the Ordinance to prohibit swimming pools in the front yard of a residence and bring it back to the Commission. Voting in favor of the Motion were Commissioners Ashbrook, Buzzett, and McCroan. Voting nay were Mayor Patterson and Commissioner Thursbay. Motion carried 3-2.

Commissioner Thursbay requested the record reflect he apologized to the citizens of Port St. Joe for the passage of this Ordinance.

Patton Park Lots: Update - The lots are currently being advertised.

Parcel #04908-000R: Discussion of Possible Sale – Staff will review the options for a sale and bring a recommendation to the Commission within 60 days.

Port Fencing: Discussion - A Motion was made by Commissioner Buzzett, second by Commissioner Ashbrook, for all fencing to be in compliance with Homeland Security regulations. This will be sent to the PDRB for their recommendation. All in favor; Motion carried 5-0.

Commissioner Buzzett requested that dialog be established with the St. Joe Company concerning the abandoned well on the mill site as an exchange for other property in the City.

CITY MANAGER'S REPORT – Jim Anderson

Old Business

102 Stone Drive: Update – As of today, there is no approved foundation plan for the site from the building department. Mr. Creel is continuing to work on the issue.

Mr. Mike has found a lot that he could move his modular home to but the price is much too high for the City to consider. Discussion will continue with Mr. Mike.

Ward Ridge Building: Discussion – Commissioners are pleased with the site; microphones and internet capabilities need to be provided and Staff is to work on cosmetic issues.

Pickle Ball Court: Commissioner Buzzett shared that the majority of the pickle ball players live at the beach and would rather play out there than drive the 15 miles to St. Joe. As of now, the attempts to establish a Pickle Ball Court are moot.

Electronic Sign at Frank Pate Park: TDC – No action was taken on this issue.

Christmas Lights: A Motion was made by Commissioner Buzzett, second by Commissioner Ashbrook, to use \$2,000 from the Jetty Park docking fee funds to purchase lights to be used anywhere in town. All in favor; Motion carried 5-0.

Mr. Anderson noted that employees have repeatedly asked about having the day after Christmas returned to their holiday schedule. Several years ago, the day was moved to Veterans Day and employees were not aware they would be giving up the day. John Grantland and Lynn Todd shared that their employees would have more time with their families at Christmas as children are out of school at that time.

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to reinstate the day after Christmas as a holiday. This will bring the total number of City Holidays to eleven. All in favor; Motion carried 5-0.

Amos Pittman addressed the Commissioners concerning the lighting on MLK Boulevard. Staff will check the area and make a recommendation to the Commission.

FDOT SCOP Grant (Garrison Avenue Road Paving): Update – Mr. Anderson attended a meeting in Chipley earlier today on the project. He noted the formal application will need to be submitted, project design, pre project work, inspection services, and other issues will need to be addressed. It is anticipated that work could begin as early as the summer of 2016.

New Business

RESTORE Act Applications – A Motion was made by Commissioner Buzzett, second by Commissioner Thursbay, to submit the following projects on behalf of the City: Centennial Building Improvements; Washington Improvement Group Program & Building Improvements; Wastewater Lagoon Study; Downtown Water, Sewer & Stormwater Replacement; Cape Sewer Beacon Hill Sewer System, and North Port St. Joe Sewer. All in favor; Motion carried 5-0. The deadline for submitting the applications is November 30, 2015.

Short Term Rentals: Mayor Patterson – David Griswold shared his thoughts on the issue with the Commission. Mr. Griswold has both short and long term rentals in Port St. Joe and feels that short term rentals should not be allowed past Tenth Street. The local LDR references this and Mr. Gibson will research the issue for the Commission.

Public Works – John Grantland did not have any updates for the Commission. Mayor Patterson thanked Mr. Grantland for handling several situations for him.

Surface Water Plant – Larry McClamma did not have anything to share.

Wastewater Plant – Lynn Todd referenced a phone call she had received earlier in the day concerning the rental of a Hydro Meter. Concerns were expressed about aerial herbicide spraying and more information will be gathered before approving the use of a meter.

City Engineer - Clay Smallwood, III

Golf Cart Crossing Update – FDOT is currently reviewing the submitted application.

Wastewater Lagoon Study: This item was discussed earlier in the meeting and funding sources are being sought for the project.

Long Avenue Sewer Line Evaluation: To properly determine the scope of work, the sewer line needs to be videoed. Cost of road paving and repairs to the lines will be driven by the video findings. A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to proceed with videoing of the line with the \$23,200 Task Order for Preble-Rish, Inc. All in favor; Motion carried 5-0. Costs for videoing will come from the budgeted Capital Cape Sewer Line item.

Code Enforcement

Mr. Burkett's report was reviewed. Mayor Patterson encouraged citizens to take pride in the community where they live and requested that no trash be dumped on the roadways.

Police Department – Chief Herring shared that Jesse Burkett had been hired to fill a vacancy in the Police Department. Officer Burkett began working with the department November 2, 2015. One new budgeted position remains in the Police Department and Chief Herring anticipates filling the position over the next few months.

City Clerk – Charlotte Pierce

Lighthouse Power: Update – Clerk Pierce noted that a light was placed in the lighthouse on November 27, 2015. This is not the final light but is being used until the correct bulb is located.

Mrs. Pierce noted that the handout folder contained the work schedule of Code Enforcement Officer Richard Burkett and a notice from the FL Municipal Insurance Trust concerning a vacancy on their board. If any Commissioner is interested in serving on the FMIT Board of Directors, they were asked to see Mrs. Pierce.

Citizens to be Heard

Letha Mathews, President of the Washington Improvement Group, questioned what had been done regarding the break in at the Food Bank. Johanna White had told Ms. Mathews that a light and camera were to be installed and she asked for an update on the progress. Ms. Mathews was advised that the City was not aware of any installation and asked that she check with Mrs. White to see if this was something Career Source was handling.

Discussion Items by Commissioners

Commissioners Thursbay, Buzzett, nor McCroan had anything to discuss.

Commissioner *Ashbrook* noted the problems that are being caused by bears in the neighborhood and the lack of help by the FWC with the issues. He encouraged all residents to have their eyes open, dogs on a leash, and keep your children close.

Mayor Patterson asked Mr. Anderson to get with Townsend Marine and see if their quote to remove the sail boat from St. Joseph Bay was still firm.

A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, to adjourn the Meeting at 7:28 P.M.

Approved this _____ day of _____ 2015.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

RESOLUTION NO. 2015-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PORT ST. JOE APPROVING AN AGREEMENT WITH LIGHTHOUSE UTILITIES COMPANY FOR CERTAIN SERVICES IN CONNECTION WITH THE OPERATION OF THE CAPE SAN BLAS SEWER SYSTEM; APPROVING A FEE SUCH SERVICES, PROVIDING FOR SUCH FEES TO BE PASSED ON TO SEWER CUSTOMERS; PROVIDING FOR REPEAL OF ANY RESOLUTION IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe, Florida (City) provides sewer services for the benefit of the public in the area served by the Cape San Blas Sewer System; and

WHEREAS, Lighthouse Utilities Company (LUC) provides water services in the same service area; and

WHEREAS, LUC has the ability and resources to provide information and services related to billing and collections to City more effectively and efficiently than City has been able to obtain such information and services; and

WHEREAS, it is in the best interest of the City Commission, the people of the City of Port St. Joe and the customers served by the system for City to enter into an agreement with LUC;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Port St. Joe, Florida as follows:

1. City shall enter into a service agreement based upon the terms outlined in the letter attached hereto as Exhibit A and the City Manager is authorized to execute such agreement on behalf of City.
2. Fees charged by LUC shall be shown on individual Cape San Blas Sewer System customer bills beginning with the first billing cycle after execution of a service agreement.
3. This Resolution is effective immediately upon passing.

THIS RESOLUTION ADOPTED this _____ day of _____, 2015.

CITY COMMISSION OF THE CITY
OF PORT ST. JOE, FLORIDA

BY: _____
James "Bo" Patterson, Mayor-Commissioner

Attest: _____
Charlotte M. Pierce, City Clerk



LIGHTHOUSE UTILITIES COMPANY

P. O. BOX 428

PORT ST. JOE, FLORIDA 32457

PHONE: 850-227-7427

11-3-2015

Mr. Jim Anderson, City Manager
City of Port St. Joe
P. O. Box 278
Port St. Joe, Florida 32457

Re; Cape San Blas Area Sewer Billing Support.

Dear Mr. Anderson,

Thank you for engaging Lighthouse Utilities Company, Inc. (LUCI) about providing monthly support for the City of Port St. Joe's (CITY) sewer system south of US 98 as it coincides with LUCI's Florida Public Service Commission territory.

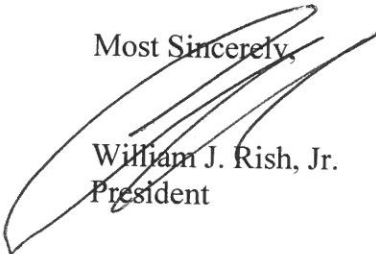
As you are aware, LUCI has provided the CITY with use of our electronically read meter system since the inception of the sewer system at no charge. However, as the connections have exponentially increased, this has become a cumbersome endeavor for the CITY to keep a timely and accurate customer register as homes are sold. In an effort to alleviate this problem going forward, I would propose the following;

1. Real time customer billing changes via emails to your billing liaison as they are requested of LUCI via the LUCI website.
2. Monthly hard copy customer consumption report that the CITY billing liaison would be given on or about the 15th of each month.
3. Up to 2 hours of clerical support and 2 hours field support monthly by appointment on designated days.

LUCI will provide the above information and services for a standard fee of \$3.00 per month per active account. We would be flexible about the length, but would anticipate an initial term of 2 to 5 years with reasonable extension and termination language.

Please contact me anytime at 850-227-5569 to discuss further.

Most Sincerely,


William J. Rish, Jr.
President

ORDINANCE 520

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING SECTIONS 1.03 and 3.01(4) OF THE LAND DEVELOPMENT REGULATION CODE; PROVIDING DEFINITIONS; PROVIDING FOR LOCATION OF ACCESSORY STRUCTURES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Be it enacted by the people of the City of Port St. Joe, Florida as follows:

Section 1. The definition of “accessory structure” contained in Section 1.03 of the Land Development Regulation Code (“LDRs”) which reads as follows:

Accessory structure (Appurtenant structure) means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal investment and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Is hereby amended to read:

Accessory structure (Appurtenant structure) means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal investment and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, above ground swimming pools and hay sheds.

Section 2. Section 3.01(4) of the LDRs which reads as follows:

Accessory buildings and uses incidental to each single family dwelling, where not used or operated commercially, including private garages for the accommodation of automobiles, sheds for the housing of pets, children's playhouses, greenhouses, tool sheds, workshops, and servant's quarters shall be permitted in residential districts. Side lot set back lines which apply to the primary residential structure on any lot shall apply to such accessory buildings. Rear set back lines shall be five feet where an alley is adjacent to the property and ten feet where there is no alley.

Is hereby amended to read:

Accessory buildings, accessory structures and uses incidental to each residential dwelling, where not used or operated commercially, including private garages for the accommodation of automobiles, sheds for the housing of pets, children's playhouses, greenhouses, tool sheds, workshops, and servant's quarters shall be permitted in residential districts. Side lot set back lines which apply to the primary residential structure on any lot shall apply to such accessory

buildings. Rear set back lines shall be five feet where an alley is adjacent to the property and ten feet where there is no alley. No accessory building or structure shall be located in the front yard.

3. REPEAL: All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

4. SEVERABILITY: If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

5. EFFECTIVE DATE: This ordinance shall become effective upon adoption.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this ____ day of _____, 2015.

THE CITY OF PORT ST. JOE

By: _____
James "Bo" Patterson
Mayor-Commissioner

ATTEST:

Charlotte M. Pierce
City Clerk

The following commissioners voted yea:
The following commissioners voted nay:

Ordinance 521

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING THE LAND DEVELOPMENT CODE OF THE CITY; PROVIDING FINDINGS OF FACT; PROVIDING FOR DESIGN STANDARDS WITHIN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR FOUNDATION REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City of Port St Joe (City) recognizes the unique location and susceptibility of the City to hurricane force winds, tidal waves and coastal flooding and the City desires to mitigate the possible effects of these forces on buildings within the City, and

Whereas the City finds that the high water table, the very high salt content of the soils and flood waters which inundate the City from time to time makes it necessary to regulate the type and grade of any metal objects which are installed for the purpose of securing any building to any site, and

Whereas the City recognizes that because of the severity of the wind forces during storm events additional care should be taken in providing enough weight to assist in resisting the uplift loads of all wood floor and other off grade buildings and preventing displacement of such buildings.

Whereas the City desires to protect the Architectural character of the City, the City wishes to mitigate the effects of plain front residential buildings which might take away from the character of the neighborhood in all areas of the City,

Now, therefore, be it enacted by the people of the City of Port St. Joe, Florida as follows:

Section 1. Section 3.01 of the Land Development Code of the City of Port St. Joe ("Code") is hereby amended to add subparagraph (7) which reads as follows:

- a. All off grade buildings shall be supported and tied to a continuous reinforced concrete footing of sufficient size to resist the gravity, wind and uplift forces which might be imposed on such buildings. Dry stack blocks as piers for support of any structure is prohibited,
- b. Any bolts, anchors, straps, tie downs or other type hardware which originates less than 12 inches above grade or ground should be of stainless steel material. The use of any galvanized material is prohibited due to the possible damage of the coatings during installation. This shall not apply to any such items permanently encased in concrete.
- c. All new or remodeled buildings shall provide some type of architectural protrusion or other architectural design such as dormers on the roof, extended entry way, decorative wing walls or other design which alters the straight line or rectangular shape of the front of the structure.

d. The crawl space of an off grade building (that area located between the grade and the lowest floor member) shall be shielded by some architectural feature which is compatible with the design and architecture of the building so that the line of sight from any public road or alley does not include any portion of the underside of the structure. Such feature shall be included as part of any building permit application.

Section 2. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

Section 4. EFFECTIVE DATE. This Ordinance shall become effective as provided by law.

This Ordinance was adopted in open regular meeting after its second reading this _____ day of _____, 2015.

THE CITY OF PORT ST. JOE BOARD OF
CITY COMMISSIONERS

James "Bo" Patterson, Mayor-Commissioner

Attest : _____
Charlotte M. Pierce
City Clerk

Ordinance 522

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA
AMENDING A PORTION OF THE LAND DEVELOPMENT
REGULATION CODE OF THE CITY RELATIVE TO PORT SECURITY,
PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT
HEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING
FOR AN EFFECTOVE DATE.

Be it enacted by the people of the City of Port St. Joe, Florida as follows:

Section 1. Section 5.11 of the Land Development Regulation Code (Code) is hereby amended to add paragraph (t) which reads as follows:

Port Security. Fencing required for Port security may be chain link or wire in compliance with Department of Homeland Security regulations for property zoned as industrial and located between the seaward extension of the south line of the property described at Official Records Book 278, page 303 and the Gulf County Canal. The fence shall be far enough from the Highway 98 right-of-way to allow for a buffer. The property owner shall comply with the buffer requirements of Section 5.05 of the Code between the fence and the Highway 98 right-of-way. A Class B buffer shall be required.

Section 2. REPEAL: All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

Section 3. SEVERABILITY: If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

Section 4. EFFECTIVE DATE: This ordinance shall become effective upon adoption.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this ____ day of _____, 2015.

THE CITY OF PORT ST. JOE

By: _____
James "Bo" Patterson
Mayor-Commissioner

ATTEST:

Charlotte M. Pierce, City Clerk

Zimbra**janderson@psj.fl.gov**

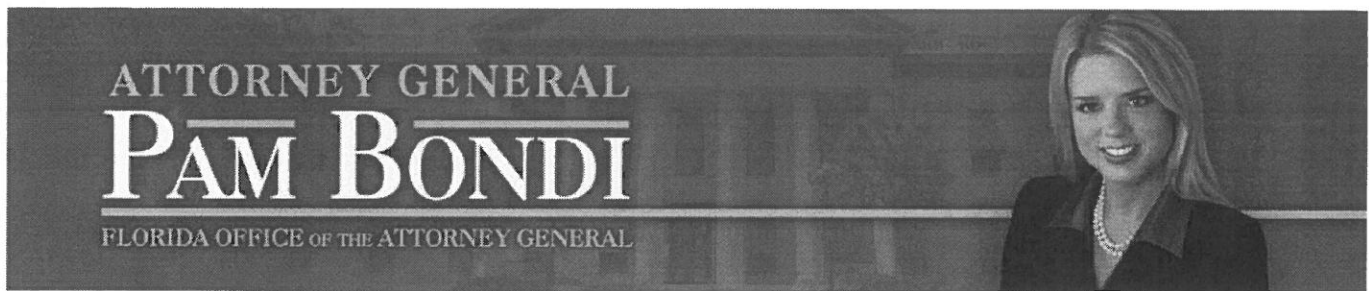
vacation rentals

From : Thomas Gibson <tgibson@psjlaw.com> Fri, Nov 06, 2015 02:19 PM
Subject : vacation rentals
To : janderson@psj.fl.gov
Cc : bo patterson <bpatterson@psj.fl.gov>,
Rex Buzzett <rbuzzett@psj.fl.gov>,
pmccroan@psj.fl.gov, william thursbay
<wthursbay@icloud.com>,
wthursbay@psj.fl.gov, david ashbrook
<dashbrook@psj.fl.gov>

This is the latest Attorney General's opinion on the subject. It's not what we want to hear.

http://myfloridalegal.com/_85256236006EB5E1.nsf/0/5DFB7F27FB483C4685257D900050D65E?Open&Highlight=0,vacation,rental

Tom Gibson
Rish, Gibson & Scholz P.A.
P.O. Box 39
Port St. Joe, Florida 32456
850-229-8211
tgibson@psjlaw.com



Advisory Legal Opinion - AGO 2014-09

 [Print Version](#)

Number: AGO 2014-09

Date: November 13, 2014

Subject: Vacation Rentals -- Municipalities -- Land Use

Mr. Kerry L. Ezrol
City Attorney
City of Wilton Manors
3099 East Commercial Boulevard
Suite 200
Fort Lauderdale, Florida 33308

RE: VACATION RENTALS - MUNICIPALITIES - LOCAL GOVERNMENTS - LAND USE -
regulation of vacation rentals by municipalities. s. 509.032, Fla. Stat.

Dear Mr. Ezrol:

You ask the following questions:

1. Does section 509.032(7)(b), Florida Statutes, permit the city to regulate the location of vacation rentals through zoning?
2. May the city prohibit vacation rentals which fail to comply with the registration and licensing requirements in section 509.241, Florida Statutes?

In sum:

1. Section 509.032(7)(b), Florida Statutes, as amended by Chapter 2014-71, Laws of Florida, allows a local government to regulate vacation rentals, but continues to preclude any local law, ordinance or regulation which would prohibit vacation rentals or restrict the duration or frequency of vacation rentals.[1] It would appear therefore, that zoning may not be used to prohibit vacation rentals in a particular area where residential use is otherwise allowed.

2. Section 509.032(1), Florida Statutes, makes the Division of Hotels and Restaurants of the Department of Business and Professional Regulation the regulatory agency for transient lodging facilities.

14

Section 509.241(1), Florida Statutes, makes operation of such facilities without a license a misdemeanor of the second degree. The statute specifically recognizes that local law enforcement may provide immediate assistance in pursuing an illegally operating facility, but does not otherwise authorize a local government to prohibit the operation of a vacation rental without proper licensure by the state.

Question One

Section 509.032(7), Florida Statutes, as amended by Ch. 2014-71, Laws of Florida, provides:

"(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodgings and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

(c) Paragraph (b) does not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern designation."

Prior to its amendment, the statute, in relevant part, provided:

"(b) A local law, ordinance, or regulation may not *restrict the use of vacation rentals*, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011." (e.s.)

This earlier provision was interpreted by this office to preempt local regulation of the rental of vacation homes. This office also advised that a local zoning ordinance for single-family homes adopted prior to June 1, 2011, could not now be interpreted to restrict the rental of such homes as vacation rentals, when the ordinance did not restrict the rental of such property and the county had no regulations governing vacation rentals prior to June 1, 2011.[2]

As originally introduced, Senate Bill 356, repealed the provisions in paragraphs (b) and (c) of section 509.032(7), Florida Statutes (2013),

prohibiting local laws, ordinances, or regulations affecting vacation rentals.[3] The bill was amended, however, to reinstate the prohibition against local action which would prohibit vacation rentals or regulate the duration or frequency of vacation rentals.[4] The legislative analysis attendant to the amendment states that the amendment "maintains the current prohibition against local laws, ordinances, or regulations that prohibit vacation rentals." [5] Finally, the staff analysis prepared for an identical bill proposed in the House of Representatives, for which Senate Bill 356 was substituted, reflects that the bill "removes the preemption to the state for the regulation of vacation rentals" and recognizes that "[l]ocal governments may regulate vacation rentals, provided those regulations do not prohibit vacation rentals or restrict the duration or frequency of vacation rentals." [6]

It is clear that municipalities may zone land to pursue a number of legitimate objectives related to the health, safety, morals, or general welfare of the community.[7] Municipalities have the power to regulate the use of land and buildings within prescribed districts through zoning.[8] Zoning is generally defined as the legislative division of a region into districts with different regulations within the districts for land use, building size, and the like.[9] While a municipality may enact zoning ordinances and regulations, a legislative enactment on the same subject matter controls.[10] Therefore, to the extent a municipal ordinance conflicts with a state statute in regard to the prohibition against any local act which seeks to prohibit vacation rentals, the municipal ordinance must fail.[11]

Thus, while a local government may regulate vacation rentals, it may not enact a local law, ordinance, or regulation which would operate to prohibit vacation rentals. To the extent a zoning ordinance addresses vacation rentals in an attempt to prohibit them in a particular area where residences are otherwise allowed, it would appear that a local government would have exceeded the regulatory authority granted in section 509.032(7)(b), Florida Statutes.

Question Two

A municipality has home rule powers to enact legislation on any subject upon which the State Legislature may act, except, among other things, any subject that is expressly prohibited by the Constitution or any subject that is expressly preempted to state or county government by the Constitution or by general law.[12]

Section 509.261(1), Florida Statutes, provides:

"Any public lodging establishment or public food service establishment that has operated or is operating in violation of this chapter or the rules of the division, operating without a license, or operating with a suspended or revoked license may be subject by the division to:

16

- (a) Fines not to exceed \$1,000 per offense;
- (b) Mandatory completion, at personal expense, of a remedial educational program administered by a food safety training program provider approved by the division, as provided in s. 509.049; and
- (c) The suspension, revocation, or refusal of a license issued pursuant to this chapter." (e.s.)

Moreover, section 509.241(1), Florida Statutes, makes it a misdemeanor of the second degree to operate a public lodging establishment without a license. The statute further provides that local law enforcement shall provide immediate assistance in pursuing an illegally operating establishment. Where the Legislature has prescribed the manner in which something is to be accomplished, there is an implied prohibition against its being done any other way.[13]

This office has recognized that a municipality has the authority to prescribe penalties for violations of its ordinances, but derives no authority from its home rule powers to exceed penalties prescribed by law.[14] Section 509.271, Florida Statutes, provides that "[a] municipality or county may not issue an occupational license to any business coming under the provisions of this chapter until a license has been procured for such business from the [D]ivision [of Hotels and Restaurants]." Clearly, therefore, a municipality may require through its licensing tax ordinance that a vacation rental obtain a license in order to conduct business within the municipality.[15] This would appear to be an appropriate regulation which the city could impose upon vacation rentals within its jurisdiction.

Section 205.053, Florida Statutes, provides the manner in which business tax receipts are to be sold, penalties which may be imposed for delinquent taxes, and penalties which may be imposed for failure to obtain a local business tax receipt. The section further provides that any person who engages in any business covered by the chapter who does not pay the required tax within 150 days after the initial notice of tax due "is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250."16 Where the Legislature has prescribed a penalty for violation of a particular act, a city may not impose more severe sanctions.

When discussing the effect of the amendment to section 509.032, Florida Statutes, an example of how such regulation might be implemented was a local ordinance requiring that the name and contact information for a local representative be posted in a vacation rental owned by out-of-state individuals.[17] The sponsor of the amendment addressed the committee and emphasized that the changes would remove the preemption on local government regulation of vacation rentals and allow local ordinances to address local concerns.[18]

Accordingly, while the amendment of section 509.032(7), Florida Statutes, by Chapter 2014-71, Laws of Florida, allows a local government to regulate vacation rentals, such regulations may not impose penalties which conflict with those prescribed by law.

Sincerely,

Pam Bondi
Attorney General

PB/tals

[1] The statute continues to grandfather in any local law, ordinance, or regulation adopted on or before June 1, 2014.

[2] See Inf. Op. to Mr. Albert J. Hadeed, Flagler County Attorney, dated October 22, 2013.

[3] See SB 356, filed November 5, 2013.

[4] See 486775 - Strike All Amendment by Rep. Hutson, adopted April 29, 2014.

[5] See The Florida Senate House Message Summary, SB 356, 1st Eng., House Amendment 1 - 486775, dated April 30, 2014.

[6] See House of Representatives Staff Analysis, Local & Federal Affairs Committee, CS/HB 307, dated April 11, 2014.

[7] See *Scurlock v. City of Lynn Haven, Florida*, 858 F.2d 1521, 1525 (11th Cir. 1988). And see *Gulf & Eastern Development Corporation v. City of Fort Lauderdale*, 354 So. 2d 57 (Fla. 1978) (zoning is a legislative function which reposes ultimately in the governing authority of a municipality).

[8] See s. 2(b), Art. VIII, Fla. Const., granting municipalities the authority to exercise any power for municipal purposes except as otherwise provided by law.

[9] Black's Law Dictionary (8th ed.), "zoning," p. 1649.

[10] See *Rinzler v. Carson*, 262 So. 2d 661 (Fla. 1972) (municipality may not forbid what the Legislature has expressly authorized, nor may it authorize what the Legislature has expressly forbidden).

[11] See *City of Miami Beach v. Rocio Corp.*, 404 So. 2d 1066, 1069 (Fla. 3d DCA 1981) (municipal ordinances are inferior to state law and must fail when conflict arises).

[12] See s. 166.021, Fla. Stat.

[13] See *Alsop v. Pierce*, 19 So. 2d 799 (Fla. 1944) (express statutory direction as to how a thing is to be done is implied prohibition of its being done in any contrary manner).

[14] See Op. Att'y Gen. Fla. 81-76 (1981) (exercise of municipal home rule power in setting severity of penalties is limited by those prescribed by statute).

[15] See s. 205.042, Fla. Stat., authorizing a municipality to levy, by appropriate resolution or ordinance, a business tax for the privilege of engaging in or managing a business, profession, or occupation within its jurisdiction.

[16] Section 205.053(3), Fla. Stat.

[17] See Senate Committee on Community Affairs, discussion of SB 356, dated February 4, 2014. Other discussion included parking controls and limitation on the number of unrelated persons occupying a house.

[18] *Id.* Sen. John Thrasher discussing circumstances in Flagler County which gave rise to need for amendment and return home rule power to local governments.

Florida Toll Free Numbers:

- Fraud Hotline 1-866-966-7226

- Lemon Law 1-800-321-5366

Zimbra**janderson@psj.fl.gov**

Re: Frank Pate Park Sign

From : Jennifer Jenkins
<jennifer@visitgulf.com>

Fri, Nov 13, 2015 11:05 AM

Subject : Re: Frank Pate Park Sign

To : Jim Anderson
<janderson@psj.fl.gov>

Hi Jim - my thoughts, as we discussed, you and I will review each event as the requests come in. If there is a school event or an event from a non profit that would be attractive to visitors we can post it. If there is a local community event that simply doesn't fit we won't put it on the digital sign, however, we could reconstruct the sign so the existing manual marquee is on the bottom and could still be used.

Thoughts?

Jennifer Jenkins
Gulf County Florida TDC

Sent from my iPhone



Holiday Lighting - Options Receptacles and Decorations

Duke Energy offers the following options for Holiday Lighting Receptacles and Decorations:

A. Receptacles

1. Duke Energy will install customer owned receptacles, risers and other related material, provided such material meets Duke Energy's specifications. Receptacles must be outdoor rated and UL Listed. Customer will retain ownership of these receptacles and maintenance will be performed on an as needed basis at cost plus per occurrence. A material list will be supplied if this option is selected.

Cost to install customer owned receptacles: \$130.24 per location

If location does not have existing secondary, the cost to run service for the receptacles will be in addition to the above cost.

2. Duke Energy will purchase and install the receptacles, risers, and other related material. Customer will retain ownership of the installed receptacles and maintenance will be performed on an as needed basis at cost plus per occurrence.

Cost to purchase and install customer owned receptacles: \$256.24 per location

If location does not have existing secondary, the cost to run service for the receptacles will be in addition to the above cost.

3. Governmental customers may also choose to rent the Holiday Lighting Receptacles. Duke Energy will purchase and install the receptacles, risers and other necessary material. Duke Energy will retain ownership of the receptacles and will perform all necessary maintenance as part of the rental agreement.

Cost to rent Holiday Lighting Receptacles: \$3.90 each per month (12 months annually)
Minimum term – 10 years

If location does not have existing secondary, the cost to run service for the receptacles will be in addition to the above cost.

There are now two options for the energy use for the Holiday Decorations: Customers may choose dusk to dawn (a photoelectric cell will be installed), or 24 hour burning (no photoelectric cell will be installed). Billing for the energy use will be determined by this choice and will be billed for the months the decorations are installed.

For option 1 & 2 a pole attachment agreement will need to be executed or on file, prior to commencement of this work.

B. Mounting Holiday Decorations:

1. Duke Energy will supply necessary labor and vehicles to mount and remove your Holiday Decorations.
Cost per location with existing brackets: \$83.88 per location
(Covers installations and removals)

Additional cost per location without existing brackets: \$15.00 per location
(Brackets supplied by City)
2. *Upon installation, if decorations which are lighted are found to be defective, Duke Energy will communicate with the City for further guidance. Additional costs can be avoided by testing decorations prior to the request for installation. Duke Energy will not be responsible for damage to decorations during installation and removal.*
3. *Cities are requested to provide traffic control.*
4. Municipalities may choose to mount their own decorations.
5. Whichever method of decoration installation is chosen, a pole attachment agreement will need to be executed or on file, prior to commencement of this work. In addition, an insurance certificate must be provided to Duke Energy to cover the scope of work.

JESUS CELEBRATION

When: Saturday, November 21, 2015

Time: 1PM to 6PM

Place: from Avenue "C" to Avenue "E"

My name is Denise Jones, resides at
308 Ave D, Port St Joe,

This is a request for a block
party to celebrate Jesus, along with
covenant partners and allies. There
will be gospel music, ministering of the
word of God, food and fellowship. My
allies and I desire to see change (for the better)
in the lives of men and women.

In closing, we appreciate in
advance for your approval of this
evangelistic move of God.

Sincerely,

Denise Jones

308 Ave D

Port St Joe FL 32456

(850) 227-5917 or 630-3588

Long Avenue 3" Water Main Replacement

Project Background:

The purpose of this project is to alleviate water pressure and quality issues for 17 residential connections on Long Avenue from 19th Street to 22nd Street. Currently these 17 connections are on the existing 10" cast iron water main located on the West side of Long Avenue. We have had several residents with pressure issues between these points and while each resident has had issues with their lines leading into their homes we have discovered that our service lines are not operating at full flow due to internal conditions. What we are proposing is to install roughly 2,200 LF of new 3" pipe from 19th Street and Juniper to 22nd Street and Long Avenue. This will connect to the new lines that we installed as part of our Phase II Project we completed at the beginning of the year. In comparison since our existing main is located on the West side of Long Avenue and if we were to replace all 17 connections with new services its cost would be roughly \$18,000.00 since each would require a bore and we would still be servicing on an old line. This project will eliminate the need for any future roadway work under Long Avenue as it relates to water service as when this and the new water main are installed each side of Long Ave. will be independent of each other with no roadway crossings. Below is a cost estimate of the project and if approved Public Works is seeking permission to Bid the materials and other work as required. Once the Bids are received this will come back in front of the Board for final approval.

Long Avenue Water Extension

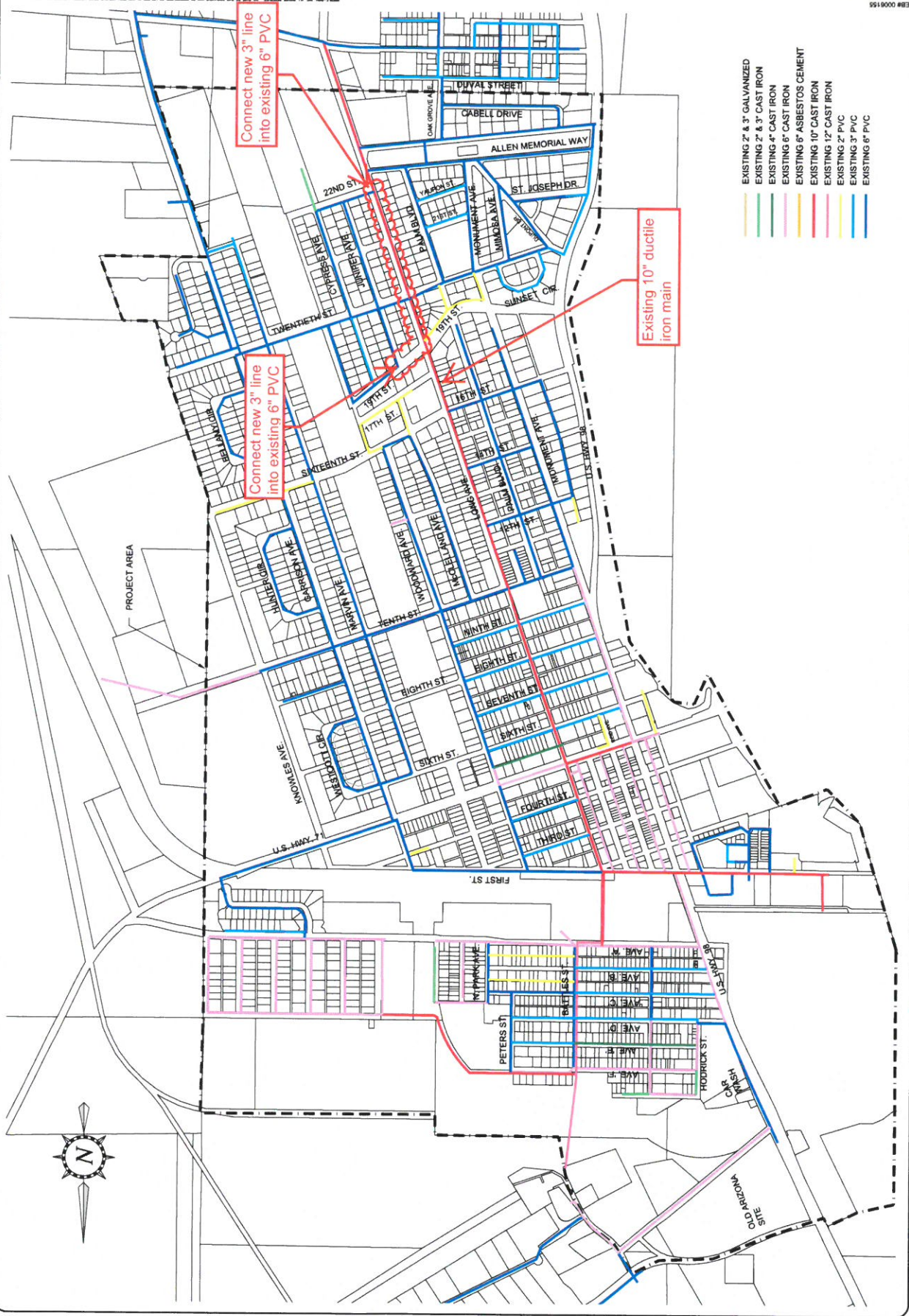
Item #	Description	Quantity	Cost Estimate
1	Permitting	LS	\$0.00
2	Materials	LS	\$7,500.00
3	Hot Taps X2	LS	\$2,500.00
4	Bores X3	LS	\$3,000.00
5	Concrete	8CY	\$1,000.00
Total Estimate			\$14,000.00

DATE	FEB 2015
SCALE	1" = 100'
DRAWN	LCE
CHECKED	HCS
SHEET	PC 10

PROJECT NO. 019.193
 LONG AVENUE SKETCH
 PSJ WATER IMPROVEMENTS
 CITY OF PORT ST. JOE, FLORIDA

PREBLE-RISH INC.
 CONSULTING ENGINEERS AND SURVEYORS
 CIVIL SURVEYING * SITE PLANNING
 201 EAST WASHINGTON STREET
 PORT ST. JOE, FL 32456
 PHONE: 904.237.2200
 FAX: 904.237.2201
 EMAIL: INFO@PREBLE-RISH.COM
 2015-2016

NO.	DATE	BY	REVISION
5			
4			
3			
2			
1			



- EXISTING 2" & 3" GALVANIZED
- EXISTING 2" & 3" CAST IRON
- EXISTING 4" CAST IRON
- EXISTING 6" CAST IRON
- EXISTING 6" ASBESTOS CEMENT
- EXISTING 10" CAST IRON
- EXISTING 12" CAST IRON
- EXISTING 2" PVC
- EXISTING 3" PVC
- EXISTING 6" PVC

Connect new 3" line
into existing 6" PVC

Connect new 3" line
into existing 6" PVC

Existing 10" ductile
iron main



John Grantland

From: Pope, John <John.Pope@dep.state.fl.us>
Sent: Thursday, November 12, 2015 6:39 AM
To: Clay Smallwood
Cc: Grubbs, Scott; John Grantland
Subject: Re: PSJ Long Ave - 3" Line

Clay: The City is approved to proceed with this project. The new water mains must be pressure tested, disinfected, and bacteriologically assayed prior to placing them into service. It is not necessary to certify the project complete or to request clearance from the Department. John

John H. Pope
Potable Water Section Supervisor
Florida Department of Environmental Protection
Northwest District
(850) 595-0633

From: Clay Smallwood <SmallwoodC@preble-rish.com>
Sent: Wednesday, November 11, 2015 3:24 PM
To: Pope, John
Cc: Grubbs, Scott; John Grantland
Subject: RE: PSJ Long Ave - 3" Line

John,
Thank you for taking time on your day off to respond! To the best of my knowledge and belief the changes described below will comply with the applicable requirements in Part III of Chapter 62-555, F.A.C., including applicable requirements in the engineering references listed in Rule 62-555.330, F.A.C. In addition, the water main will not pass through any conflict manholes, will not be installed in areas contaminated by low-molecular-weight petroleum products or organic solvents, and will not remain dry following completion of construction.

If you need any more information just let me know. Thanks again for your timely response!

Clay Smallwood, P.E.
Project Manager
Cellphone: 850.819.5013

PREBLE-RISH INC
CONSULTING ENGINEERS & SURVEYORS

324 Marina Drive, Port St. Joe, FL 32456
PHONE: 850.227.7200 • FAX: 850.227.7215
www.preble-rish.com



Preble-Rish Consulting Engineers | Professional ...

Preble-Rish, Inc. (PRI) is a professional engineering and surveying firm, established in 1991. From its first office in Port St. Joe, the firm has expanded across ...

[Read more...](#)

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From: Pope, John [mailto:John.Pope@dep.state.fl.us]
Sent: Wednesday, November 11, 2015 3:37 PM
To: Clay Smallwood
Cc: Grubbs, Scott; John Grantland
Subject: RE: PSJ Long Ave - 3" Line

Clay: The construction of smaller-sized water main to replace larger existing main is a new one for me. The revised interpretation of Rule 62-555.520(1)(c)2., Florida Administrative Code, requires only notification to replace existing potable water main with new water main of the same size, no more than two pipe sizes larger than the existing main, or no larger than the minimum size required by Recommended Standards for Water Works, which, for systems not providing fire protection, is 3-inch pipe.

Since the proposed 3-inch pipe will not, itself, provide fire protection, it seems that this project would qualify for notification only in lieu of a permit. The main purpose of the revised rule interpretation was to provide relief to those water systems desiring to upgrade or relocate water main; however, this particular downsizing does appear to qualify.

You've provided a sketch and a description of the proposed project so all we'll need are assurances that the project will comply with the applicable standards contained within Chapter 62-555, F.A.C., including the incorporated engineering standards in Rule 62-555.330, F.A.C.. John

Sent from my Windows Phone

From: [Clay Smallwood](#)
Sent: 11/11/2015 9:13 AM
To: [Pope, John](#)
Cc: [Grubbs, Scott](#); [John Grantland](#)
Subject: PSJ Long Ave - 3" Line

John,

The City of PSJ would like to install approximately 2,200 LF of new 3" water line from the intersection of Juniper Ave/19th Street to the intersection of 22nd Street/Long Ave as shown in the attached. Along this stretch, there are approximately 17 existing residences that would have their service line swapped from the existing 10" ductile iron main to this new 3" line. The existing 10" would stay in service providing fire flow and connectivity to the rest of the water system as it does currently.

For permitting do we need to submit the "General Permit for Construction of Water Main Extensions" and one set of signed & sealed drawings?

Thanks in advance for the help!

Clay Smallwood, P.E.
Project Manager
Cellphone: 850.819.5013

PREBLE-RISH INC

CONSULTING ENGINEERS & SURVEYORS

324 Marina Drive, Port St. Joe, FL 32456
PHONE: 850.227.7200 • FAX: 850.227.7215
www.preble-rish.com

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Boardwalk Subdivision Sewer Extension

Project Background:

The purpose of this project is to install three sewer forcemains within the Boardwalk Subdivision. The City was approached roughly about a month ago about the possibility of installing sewer in this subdivision. Currently there are 50 potential connections with 8 individuals willing to pay the impact fees and 6 of those wanting to connect when it's built. This translates into \$15,993.00 in impact fees and \$2,400.00 in tap fees for a total of \$18,393.00. Below is a cost estimate of the project and if approved Public Works is seeking permission to Bid the materials and other work as required. Once the Bids are received this will come back in front of the Board for final approval.

Boardwalk Subdivision Sewer Extension

Item #	Description	Quantity	Cost Estimate
1	Permitting	LS	\$5,260.00
2	Materials	LS	\$7,500.00
3	Hot Taps X3	LS	\$3,500.00
4	Bores X1	LS	\$1,000.00
5	Concrete	12CY	\$1,380.00
Total Estimate			\$18,640.00



PREBLE-RISH INC
CONSULTING ENGINEERS & SURVEYORS

November 3, 2015

Via Email at janderson@psj.fl.gov

Mr. Jim Anderson, City Manager
City of Port St. Joe
P.O. Box 278
Port St. Joe, FL 32457

**RE: Boardwalk Subdivision Sewer – Scope of Services
Preble-Rish Project No. 19.000**

Dear Mr. Anderson,

Preble-Rish, Inc. (PRI) is pleased to provide this proposal for professional services. It is our understanding the City wishes to extend a low pressure sewer collection system to serve the Boardwalk Subdivision on Cape San Blas – specifically Florida Avenue, Boardwalk Avenue, and Pebble Beach Avenue. The proposed collection system would connect to the existing Cape Sewer Forcemain along S.R. 30E. This project will include design, FDEP permitting, and record drawings. A "Project Area Map" is attached and highlights the project area. The following list defines the services that will be provided in order to complete this project.

I. DESIGN AND PERMITTING

- Design low pressure collection system improvements including necessary details and specifications
- Prepare and submit FDEP Wastewater Collection System Permit Application
- Respond to all Requests for Additional Information from FDEP
- Provide plans, details, and specifications that conform to the City's standards for sewer system construction
- Create record drawings in AutoCAD format from hand drawn as-builts provided by the City
- Prepare and submit FDEP Clearance Request

PRI proposes to provide the services described above for a lump sum fee of **\$5,260.00**.

The following services are not included in this proposal:

1. Permit Application Fees – per FDEP the fee for the City is \$0.00
2. Coastal Construction Control Line (CCCL) Permitting
3. Inspection Services
4. Wetland delineation/permitting
5. FDOT Permitting
6. Surveying/Legal Descriptions for utility easements (this can be provided under a separate proposal if necessary)

We appreciate the opportunity to provide continuing engineering services for the City of Port St. Joe. If this proposal is acceptable, please sign in the space provided below. Should you have any questions or need additional information, please give me a call at 850.227.7200.

Sincerely,

PREBLE-RISH, INC.


Clay Smallwood, P.E.
Project Manager

Accepted By: _____
Jim Anderson, City Manager

Date: _____

K:\019.000 City of Port St. Joe\Proposal\110315 Anderson.docx

324 MARINA DRIVE, PORT ST. JOE, FL 32456 P (850) 227-7200 F (850) 227-7215

PANAMA CITY • BLOUNTSTOWN • SANTA ROSA BEACH
FT. WALTON BEACH • FREEPORT • TALLAHASSEE • MONTICELLO • QUINCY • CRAWFORDVILLE
PENSACOLA • LAKE CITY • MARIANNA • DAPHNE, AL • PORT-AU-PRINCE, HAITI

PROJECT AREA MAP



The Gulf County Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

John Grantland

From: Michael Lacour <lacour6@gtcom.net>
Sent: Friday, October 30, 2015 1:16 PM
To: jgrantland@psj.fl.gov
Cc: janderson@psj.fl.gov
Subject: Boardwalk Subdivision:

I met with the group from Boardwalk and they said they have 8 residents that are willing to pay the \$1999.20 impact fees, of those 6 would want to pay the tap and grinder pump fee's now for installation during construction,

They want to know if \$15,993 in impact fees and \$2,400 in tap fee's is enough to get us to do the job of installing service lines down all three roads,

They said they didn't think that saw cutting drive way's would be a problem, although they would prefer boring but understand the additional bore costs would be problematic.

They wanted to know if we could work up costs estimates and determine which side of the roads we would potentially install sewer main lines,

Big Fish has one new construction project underway in the subdivision and they hoped we could have some idea if the commission would approve installation by the Nov 17th meeting,

Mike

1996 Ford
Explorer
#3 Police Vehicle

City of PST
Property Sticker
0481

V.I.N. 1FMZU61EXYUB63411

Tag # 122940

Zimbra**janderson@psj.fl.gov**

HWY 98 Golf Cart Crossing

From : Clay Smallwood
<SmallwoodC@preble-rish.com>

Thu, Nov 12, 2015 04:47 PM

Subject : HWY 98 Golf Cart
Crossing

To : Jim Anderson
<janderson@psj.fl.gov>

Jim,

We've taken a preliminary look at four intersections (1st, 2nd, 3rd, & 4th Streets) and compared the existing conditions to the requirements listed in FDOT's Traffic Engineering Manual for a golf cart crossing. One item we did not consider at this time is the existing traffic counts. We'll perform the study and take that into consideration after the City chooses a preferred intersection.

1st Street

We reviewed 8 out of 9 requirements and this intersection appears to meet 6 of the 8. The west bound lane of 1st Street does not have an exclusive left turn lane, however FDOT does say they will consider other lane configurations on a case by case basis. The angle of the intersection does not fall within the 90-105 degree range FDOT recommends.

2nd Street

Currently, 2nd Street is one way leaving HWY 98 in both directions (towards Reid & towards Baltzell). The traffic patterns including signs would need to be adjusted on both sides for this intersection to be considered. In addition, the islands between HWY 98 and Reid Ave would need to be reworked to

accommodate 2 way traffic. If 2nd Street was made for 2 way traffic, I believe you would only have room for angled parking on one side of the road instead of both as it is currently.

3rd & 4th Street

Between HWY 98 and Reid, these roads are one way towards Reid. The traffic patterns would need to be changed to accommodate 2 way traffic for either of these intersections to be considered. In addition, the islands between HWY 98 and Reid Ave would need to be reworked and I believe you would only have room for angled parking on one side of the road instead of both as it is currently.

In summary, the intersection at 1st Street is probably the most congested of the four. However, since the traffic patterns on 2nd – 4th Streets would need to change, 1st Street is also probably the cheapest intersection to create a golf cart crossing. Once the City decides which intersection they would like to pursue we'll proceed with the traffic count, study, and completing the application.

Code Enforcement 2015 Activity
As of 11/10/15

	Open		Closed		Total		Increase
Unlawful							
Accumulation	72		145		217		4
Substandard							
Structure	4		9		13		
Abandoned							
Vechicle	10		13		23		4
Unlawful							
Sewer							
Land regulation							
Violation	13		9		22		13
Business Lic.							
Violation							
Special Master							
Hearings							
Building							
Demolition	5		12		17		
Waste							
Violation	25		376		401		15
Sign							
Violation			93		93		5
Parking Regulations			4		4		
Total	129	Total	661	Total	790	Total	41

11-4-15

To Charlotte Pierce,

Here is the estimate from
5 Star Collision.

Also the report # from when
the City Police Officer Russell Burch
responded. Report # 2015110046.

The officer and I both took photos
of the concrete, rebar & vehicle damage.
My iPad is not connected to printer -
I will send you photos via email
if you would like.

Thank You,

Terri Hays

2015 Marvin Ave.

Port St Joe, Fla 32456

Home # 850-229-9989

Work # 850-229-2999

Preliminary Estimate

Customer: HAYS, DANNY

Job Number:

Vehicle: 2004 CHRY PT CRUISER TOURING 4D WGN 4-2.4L-FI

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		FRONT BUMPER					
2		O/H front bumper				2.5	
3	Repl	Bumper cover w/o accent w/dream cruiser	5086116AB	1	639.00	Incl.	2.6
4		Add for Clear Coat					1.0
5		Add for fog lamps				0.4	
6		FRONT LAMPS					
7	Repl	RT Fog lamp assy	5288796AD	1	108.00	Incl.	
8	#	HAZARDOUS WASTE REMOVAL		1	5.00		
SUBTOTALS					752.00	2.9	3.6

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			752.00
Body Labor	2.9 hrs @	\$ 44.00 /hr	127.60
Paint Labor	3.6 hrs @	\$ 44.00 /hr	158.40
Paint Supplies	3.6 hrs @	\$ 28.00 /hr	100.80
Subtotal			1,138.80
Sales Tax	Tier 1 \$ 1,138.80 @	7.0000 %	79.72
Grand Total			1,218.52

IF YOU RECIEVE AN INSURANCE CHECK AND DEPOSIT THAT CHECK, THERE WILL BE A 3% CHARGE WHEN USING A CREDIT CARD.

Limited lifetime warranty, except for rust - no warranty on rust - no limit on mileage

PAYMENT DUE IN FULL WHEN COMPLETED - CASH, CHECK, VISA, OR MC

A \$20.00 PER DAY STORAGE FEE WILL BE CHARGED ON VEHICLES THAT ARE LEFT ON THE PROPERTY. THIS FEE IS CHARGED TO THE INSURANCE COMPAINES ALONG WITH TEAR DOWN CHARGES AND TOW BILLS. IN THE RARE INSTANCE THAT THERE IS NO INSURANCE COMPANY INVOLVED THESE CHARGES WILL BE COLLECTED FROM THE CUSTOMER.

5 STAR COLLISION CENTRE'

Workfile ID:
State ID:

fe03324f
MV-41279

**** FREE ESTIMATES ****

770 HIGHWAY 98, PORT SAINT JOE, FL 32456

Phone: (850) 229-7827

FAX: (850) 227-9898

Preliminary Estimate

Customer: HAYS, DANNY

Job Number:

Written By: JESSICA SHERRILL

Insured: HAYS, DANNY

Policy #:

Claim #:

Type of Loss:

Date of Loss:

Days to Repair: 0

Point of Impact:

Owner:

HAYS, DANNY
(850) 229-9989 Business

Inspection Location:

5 STAR COLLISION CENTRE'
770 HIGHWAY 98
PORT SAINT JOE, FL 32456
Repair Facility
(850) 229-7827 Business

Insurance Company:

VEHICLE

Year: 2004

Body Style: 4D WGN

VIN: 3C4FY58B44T286305

Mileage In:

Make: CHRY

Engine: 4-2.4L-FI

License:

Mileage Out:

Model: PT CRUISER TOURING

Production Date:

State:

Vehicle Out:

Color: Int:

Condition:

Job #:

TRANSMISSION

Overdrive

5 Speed Transmission

POWER

Power Steering

Power Brakes

Power Windows

Power Locks

Power Mirrors

DECOR

Dual Mirrors

Body Side Moldings

Privacy Glass

Console/Storage

Overhead Console

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Cruise Control

Rear Defogger

Keyless Entry

Alarm

Rear Window Wiper

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Player

SAFETY

Drivers Side Air Bag

Passenger Air Bag

SEATS

Cloth Seats

Bucket Seats

WHEELS

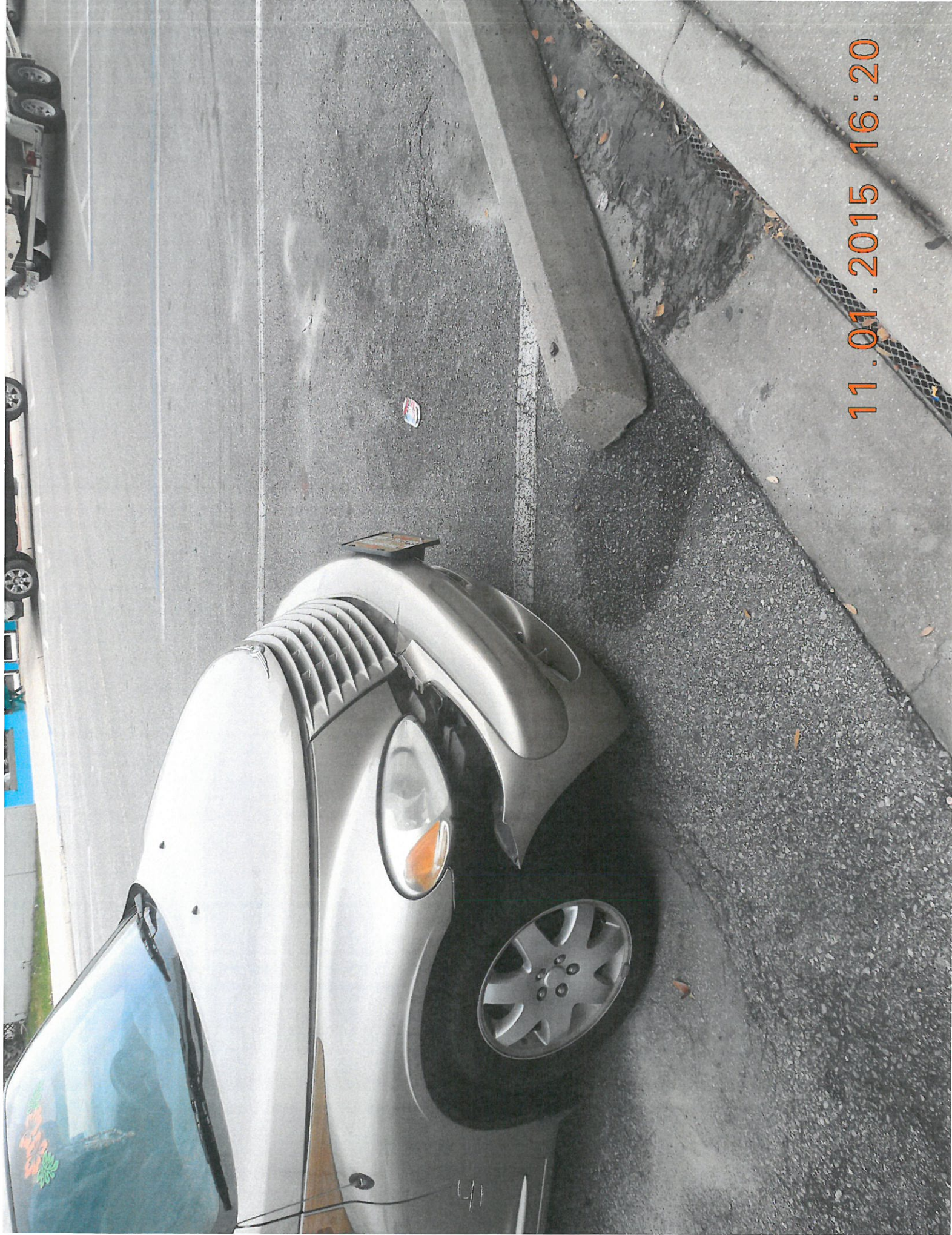
Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

OTHER

Fog Lamps



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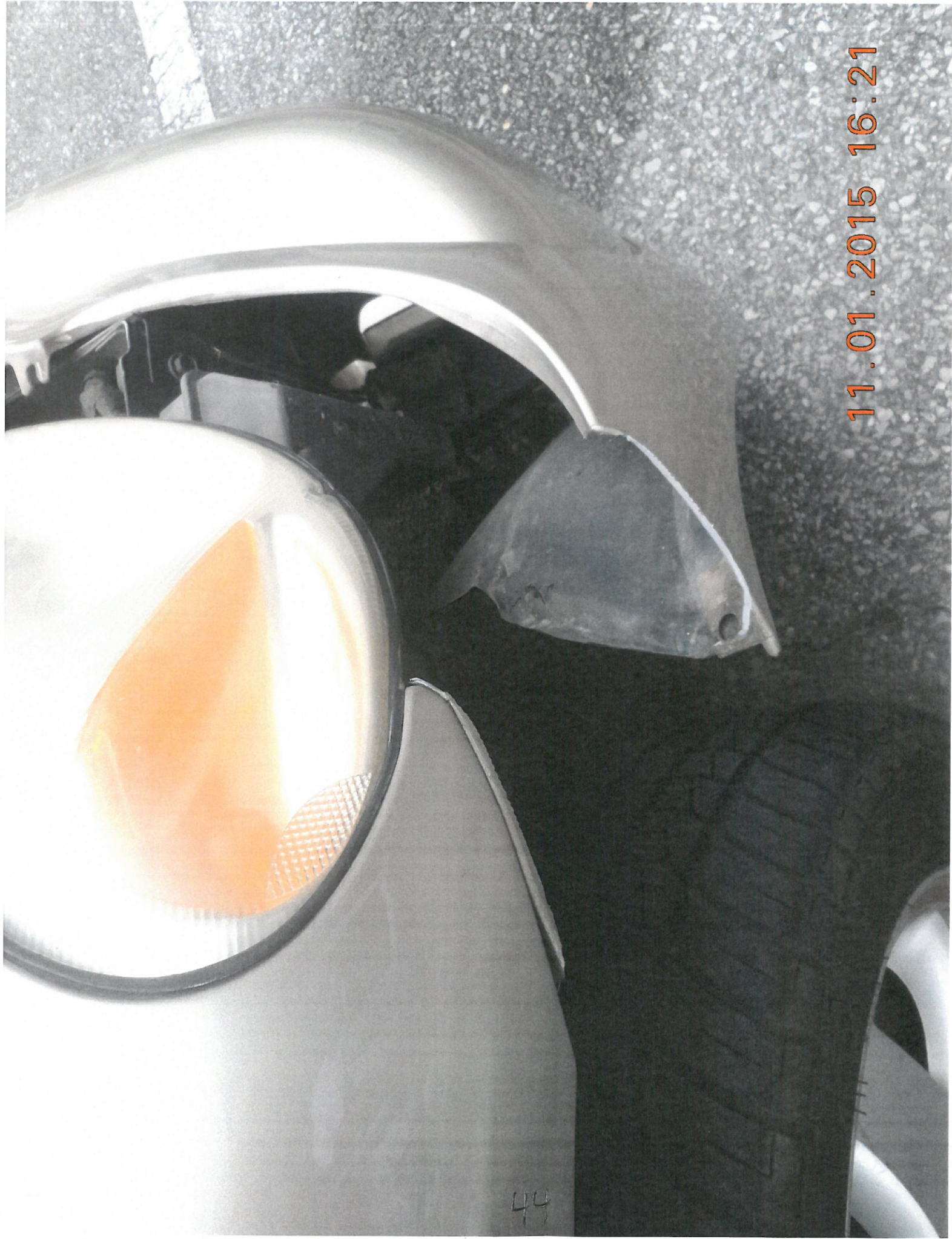


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43

11.01.2015 16:21



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