

**November 6, 2018
Regular Meeting
6:00 P.M.
2775 Garrison Avenue
Port St. Joe, Florida**



City of Port St. Joe

Bo Patterson, Mayor-Commissioner
Eric Langston, Commissioner, Group I
David Ashbrook, Commissioner, Group II
Brett Lowry, Commissioner, Group III
Scott Hoffman, 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 6, 2018

Call to Order

Consent Agenda

Minutes

- Regular Meeting 10/2/18 Pages 1-3
- Emergency Meetings 10/8, 10/12, 10/15, 10/17, 10/18, 10/19, 10/22
10/23, & 10/24/18 Pages 4-24

Bldg. Dept.- Update

PSJRA- Update

City Attorney

- Golf Cart Ordinance- Draft Pages 25-33

Old Business

- Hurricane Michael- Update

New Business

- Capital City Bank- Temporary Structure at Frank Pate Park

Public Works

- Update

Surface Water Plant

- Update

Waste Water Plant

- Update

Finance Director

- Update

City Engineer

- Langston Drive Sidewalk- Update
- Trail Lighting
- Road Paving
 - Update On Current Projects
 - Expenditure of Remaining Funds

Code Enforcement

- Update

Police Department

-

City Clerk

- **Christmas on the Coast- 12/8 at 6:00**

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, October 2, 2018, AT 6:00 P.M.**

The following were present: Mayor Patterson, Commissioners Hoffman, Langston, and Lowry. City Manager Jim Anderson, City Clerk Charlotte Pierce, and City Attorney Adam Albritton were also present. Commissioner Ashbrook was attending a Water Management Workshop in Tallahassee.

CONSENT AGENDA

Minutes

A Motion was made by Commissioner Langston, second by Commissioner Lowry, to approve the Minutes of the Regular Meeting of September 18, 2018, and the Workshop Meeting of September 27, 2018, with the North Port St. Joe Project Area Coalition. All in favor; Motion carried 4-0.

Mayor Patterson noted that Commissioner Ashbrook is attending a Water Management District Public Workshop in Tallahassee tonight and would not be with us this evening.

Legal Services Contract (Handout)

Mayor Patterson: Let's go to our City Attorney. We have a legal service contract handout, everybody has a copy.

Attorney Albritton: Yes, Mayor, that is under your Consent Agenda.

Mayor Patterson: That was part of the Consent Agenda?

Attorney Albritton: Yes, sir.

Mayor Patterson: All right, we are good then. I am glad you told me that.

PORT ST. JOE REDEVELOPMENT AGENCY (PSJRA) - There was not an update from the PSJRA.

City Attorney – Mr. Albritton did not have anything to update the Commission on. He did share that the Golf Cart Committee met earlier today and anticipates having a draft for the Commission to review soon.

CITY MANAGER'S REPORT – Jim Anderson

Old Business

Fresh Water Canal – Calvin Winder, representing Deseret Ranches, shared their views about crossing the Freshwater Canal and possible alternatives.

Commissioner Hoffman expressed his concerns that the City was asked to pay for improvements to benefit Deseret Ranches and Wimico Timber.

After discussion, cost estimates will need to be obtained and provided for the Commission before any decision will be made.

Port St. Joe High State Championships Sign – Research is continuing on this.

NPSJ P.A.C Zoning Request Workshop – Mr. Anderson shared that a second letter will need to be sent to the property owners asking if they favor rezoning. City Planner, Ray Greer, is working on the letter for the City.

New Business

RFQ for Triumph Funds Grant Writer – Commissioner Ashbrook: A Motion was made by Commissioner Lowry, second by Commissioner Langston, to advertise for a Grant Writer that has experience in securing Triumph Funds. All in favor; Motion carried 4-0.

Seventh Street and Highway 98 Bayfront Property – Commissioner Ashbrook: A Motion was made by Commissioner Langston, second by Commissioner Lowry, to clear the access path to the bay. All in favor; Motion carried 4-0. Mr. Grantland estimated to cost to be \$1,500 - \$1,800 for tree removal and grading of the path.

Additional Part-Time Code Enforcement officer – Mayor Patterson: A Motion was made by Commissioner Hoffman, second by Commissioner Lowry, to advertise for an additional part-time Code Enforcement Officer. All in favor; Motion carried 4-0.

Fire Department ISO Rating – Mr. Anderson announced that Fire Chief John Ford had been notified of the recent Public Protection Classification Survey results and the City's ISO rating has dropped from a 6 to a 5. He noted this is very positive for the City as it can provide a reduction in Fire Insurance rates to the citizens of Port St. Joe. Mr. Anderson congratulated the Volunteer Fire Department on their accomplishment.

Public Works – John Grantland

Eventide Sewer – A Motion was made by Commissioner Lowry, second by Commissioner Langston, to proceed with the installation of the Eventide Sewer. All in favor; Motion carried 4-0. Cost will be covered by residents hooking up to the sewer.

Clifford Sims Park Repairs – A Motion was made by Commissioner Langston, second by Commissioner Hoffman, for the sea wall cap to be removed to determine the issue and make the needed repairs by Jason White Construction, LLC at a cost of \$5,450. All in favor; Motion carried 4-0.

RFP Yard Debris Removal – A Motion was made by Commissioner Lowry, second by Commissioner Langston, for an RFP to grind and remove debris from the lay down yard. All in favor; Motion carried 4-0,

Patton Park Subdivision Sewer – Discussion was held on gravity vs low pressure sewer for the homeowners. Staff will provide the cost for each system before a decision is made.

Surface Water Plant – Larry McClamma

Computer Upgrades – A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to upgrade the plant's computer system. All in favor; Motion carried 4-0. This is a sole source item that is in the budget.

Wastewater Plant – Kevin Pettis shared there is 1' 9" of free board in the lagoon and they are not in the panic zone. Employees have been working longer shifts to accomplish this, there is a slight amount of Algae, but not as bad as in the past as the Sonic Disrupters are making a difference. Repowering of the plant is in process.

Finance Director – Mike Lacour

FRDAP Grant Application Cycle – The FRDAP Committee met on September 26, 2018, and recommended that the two previous grants, STAC House Basketball Court and Playground and the 10th Street Ballpark and Parking be resubmitted. Each will be in the amount of \$50,000. A Motion was made by Commissioner Lowry, second by Commissioner Langston, to resubmit the grants. All in favor; Motion carried 4-0.

City Engineer – Clay Smallwood, III

Langston Drive Sidewalks Update – FL DOT has agreed to provide additional funding to complete the project. Work should kick off in the next 60 days.

Trail Lighting – Duke Energy is working on prices for this.

Road Paving - Update on Current Projects:

Expenditure of Remaining Funds – A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to include the Intersection of First Street at Reid Avenue and Williams Avenue as the projects to spend the remaining Road Paving funds on. All in favor; Motion carried 4-0.

Commissioner Langston asked that Chief Herring look at the possibility of speed bumps on Apollo Street.

Code Enforcement no action was required.

Police Department – Chief Matt Herring

Stop Sign Request – 13th and Marvin Avenue: Based on what officers are seeing, Chief Herring did not recommend that signs be place there at this time. The department will continue to monitor and if data changes, a recommendation will be brought to the Commission.

Chief Herring noted that in the past, requests for signs had been submitted in writing, he and John Grantland had looked at the area, and then made a recommendation. This procedure gives Staff a change to look at the area, gather data, and make a decision based on information gathered.

City Clerk - Charlotte Pierce

Ghosts on the Coast, October 31, 2018, at 6: 00 P.M. – Clerk Pierce thanked the Police Department for delivering the information on Ghosts on the Coast and Christmas on the Coast to businesses.

Citizens to be Heard – Mayor Patterson reminded everyone that the 3 minute rule would apply; an additional 3 minutes could be granted by a motion, second, and vote of the Commission, or an audience member could yield their three minutes to the speaker.

Amy Rogers mentioned repairs that she felt were needed at Peters Park for the baseball field and tennis court and asked if they could be considered for a FRDAP Grant. Mr. Lacour responded that this was considered in the grants for this year but the Committee felt the existing grant requests would have the best chance of funding. She also asked is someone from FL Redevelopment could make a presentation to residents concerning the extension of the CRA. Her request will be given to Bill Kennedy, Port St. Joe Redevelopment Executive Director.

The following citizens reiterated their concerns about the 10th Street Ball Park: Robert Branch (provided a typed statement, a page entitled Characteristics and Functions of Wetlands, and a copy of the City Minutes for July 17, 2018, for the record), Christy McElroy (handed out a copy of the Gulf County Parks Subcommittee 10th Street Port St. Joe June 14, 2017 Minutes and a packet on Characteristics and Functions of Wetlands for the record), Dan Doty, Fred Morris, and A. W. Rogers.

Discussion Items by Commissioners

Neither *Commissioners Hoffman, Lowry, Langston, nor Mayor Patterson* had anything else to discuss.

A Motion was made by Commissioner Langston, second by Commissioner Lowry, to adjourn the meeting at 7:35 P.M.

Approved this _____ day of _____ 2018.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

**MINUTES OF THE EMERGENCY MEETING FOR HURRICANE MICHAEL OF
THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE,
FLORIDA, HELD AT 305 CECIL G. COSTIN, SR., BLVD, OCTOBER 8, 2018, AT
3 P.M.**

The following were present: Mayor Patterson, Commissioners Ashbrook, Hoffman, and Lowry. City Manager Jim Anderson and City Clerk Charlotte Pierce were also present. Commissioner Langston was absent.

The Purpose of the meeting was to discuss Hurricane Michael.

Call to Order

Agenda

Hurricane Michael

Chief Herring relayed the most recent update from the Gulf County Emergency Management Meeting and noted that it does not look good at this time. It should be a major hurricane when it hits land, and they anticipate 8' in the bay on top of the ground. The next update will be at 6 P.M.

Resolution 2018-11

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to adopt Resolution 2018-11 declaring a State of Emergency for Hurricane Michael and entitling overtime pay to any employee that works more than 40 hours during the pay period in which the State of Emergency follows, or works more than 8 hours in any 24 hour period immediately before, during, or after the State of Emergency. All in favor; Motion carried 4-0.

Mr. Anderson shared that all essential personnel would report to work Tuesday, City Hall would close at noon and be closed on Wednesday. Sandbags will be available at Public Works for residents to fill and asked that they self-govern themselves to 15 bags.

Should cell phone service be lost due to the hurricane, Mr. Grantland has radios that will be used.

Citizens to be Heard

No one from the Public attended the meeting.

Discussion Items by Commissioners

There was no further discussion by Mayor Patterson or the Commissioners.

A Motion was made by Commissioner Ashbrook, second by Commissioner Lowry, to adjourn the Meeting at 3:10 P.M.

Approved this _____ day of _____ 2018.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

**Minutes from Emergency meeting City of Port St Joe, Friday, October 12, 2018
AT Noon, City Hall meeting Room,**

**Attendance: Bo Patterson, Scott Hoffman, Brett Lowry, Eric Langston and David
Ashbrook,**

Meeting called to order at 12:09pm

**Jim Anderson gave update on the fuel situation, no word as of yet on Gander
fuel, county has been working the issue,**

**Water update, water is up and running in City proper, water was turned on to St
Joe Beach, and turned back off due to low pressure, public works is going to
open water section by section to help locate major leaks in the system,**

Lighthouse connection is off, Hospital needs 35psi to open, not sure at this time,

**Fuel needs, diesel is needed at the WWTP, they also need a generator to
operate, lost one generator to the storm surge, we need Thompson pumps to
move sewerage at the plant and lift stations, ask at EOC for help with both
generators and pumps,**

**Discussion with Kenny Strange electric to provide a generator from his source by
tomorrow for \$25,000 per month plus installation costs,**

**Motion by David Ashbrook to authorize Strange to acquire generator for WWTP
to pump effluent, second by Eric Langston, further discussion 350K, 420V
generator will be delivered to WWTP tomorrow, motion passed vote 5-0,**

**Discussion about cancelling next Tuesday's commission meeting, motion by B.
Lowry to cancel, second by D. Ashbrook, motion passed by vote of 5-0,**

**Discussion about everyone meeting at the 9am and 4pm EOC meeting so
everyone is on the same page and knows what's going on,**

**Discussion about overtime for city employees working overtime during the
disaster recovery, staff recommendation to pay employee's double time and**

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half thru Friday October 12th, 2018, motion by B. Lowry to pay double time and half, second by D. Ashbrook, motion passed by vote of 5-0,

Discussion about overtime for city volunteer fire fighters working overtime during the disaster recovery, staff recommendation we review options with fire chief as fire fighters are not pay by an hourly rate. All agreed to table until a recommendation can be made,

Distribution of goods as soon as they become available, at the Centennial building and Washington Gym was discussed,

Updates to the city web site was discussed,

Meeting was recessed until after the 4pm EOC meeting, all were planning to attend, 12:49pm

**Minutes from Emergency meeting City of Port St Joe, Monday, October 15, 2018
at 1pm, Fire Dept. meeting Room,**

**Attendance: Bo Patterson, Scott Hoffman, Brett Lowry, Eric Langston and David
Ashbrook,**

Meeting called to order at 1:05pm

**Jim Anderson gave update on the need to enter into inter-local agreements with
Gulf County Board of County Commission for Debris Removal, RFQ for
infrastructure repair and support, Building inspection and the 12.5% FEMA pay
requests,**

**Motion by David Ashbrook to follow or piggy back the Gulf County contract for
Debris removal. Second by Scott Hoffman, motion passed vote 5-0,**

**Motion by Brett Lowry to follow or piggy back the Gulf County RFQ for
Infrastructure repair and replacement. Second by David Ashbrook, motion
passed vote 5-0,**

**Motion by David Ashbrook to follow or piggy back the Gulf County contract for
Building inspection. Second by Scott Hoffman, Duke Energy requires homes be
inspected prior to turning the power back on, motion passed vote 5-0,**

**Motion by Brett Lowry to follow or piggy back the Gulf County for a FEMA
agreement with regards to the 12.5% pay request for funding. Second by Eric
Langston, motion passed vote 5-0,**

**Water update, water is up and running, we still have major leaks but we are
producing 3 million gallons of water per day.**

**Discussion on setting up a distribution center at Washington Gym, County is
going to remove some fencing to allow for traffic in front of the gym, hope to
move the center tomorrow,**

Discussed setting up a shelter at Centennial building

**Fuel needs, the Governors Asst. Chief of Staff, said that they have contracted
with a private vendor to set up a portable fueling station. City if tasked with**

contacting Duren's about possibly using the parking lot to set up. Second option would be the Gulf Coast State College PSJ campus.

Discussed the need for additional FEMA tarps, now word on their arrival,

Discussed contacting Career Source to help local residence with finding jobs,

Meeting was recessed at 1:59pm until after the 9am Gulf County EOC daily meetings, to be held in the Gulf County meeting chamber daily, at the conclusion of the Gulf County meetings, approximately 10:30am

**Minutes from Emergency meeting City of Port St Joe, October 17, 2018 at
10:00am, Gulf County Board of County Commissioners, meeting room,**

**Attendance: Bo Patterson, Scott Hoffman, Brett Lowry, Eric Langston and David
Ashbrook absent, Jeremy Novak**

Meeting called to order at 10:18pm

**Motion by Brett Lowry, sec by Scott Hoffman to extend the declaration of
emergency resolution, motion passed vote 4-0,**

**Discussion about moving the next commission meeting back to the Ward Ridge
meeting room,**

**Discussion about the condition of the Washington Gym roof and the Centennial
Building roof, action needed to secure the two buildings,**

**Discussion about Distribution of goods as soon as they become available, at the
Centennial building and Washington Gym,**

Updates to the city web site was discussed,

**Gulf County representative Jeremy Novak was present and confirmed that the
state sunshine laws had been meet and that the meeting was properly posted
and notice was advertised.**

**He also discussed the pending Gulf County-City RFQ for consulting services to
guide both through the on-going process. The city needed to assign someone to
that county committee, Jim Anderson suggested the Mayor be name with Jim as
his designee. All present agreed.**

**Meeting was recessed at 10:37am until October 18, 2018 2pm, to be held at the
Ward Ridge Meeting room.**

**Minutes from Emergency meeting City of Port St Joe, October 18, 2018 at
2:00pm, City of Port St Joe Ward Ridge meeting room,**

**Attendance: Bo Patterson, Scott Hoffman, Brett Lowry, Eric Langston and David
Ashbrook,**

Meeting called to order at 2:08pm

**Discussion about the need for temporary structures in the city to allow
homeowners to place them on their property to aid in the rebuilding process.
Motion by Scott Hoffman, sec by David Ashbrook to establish a six month grace
period to allow temporary structures with the option to extend this grace
period. A free permit must be obtained at the city building department. Motion
passed 5-0,**

**Discussion by Bo Creel to amend is contract-agreement to waive the normal fee
for approval of temporary structures. Jim Anderson suggested we have our city
attorney review the contract and report back to the city commission,**

**Staff recommendation to establish a \$15.00 per hour straight time pay rate for
the Fire Department employees that worked from October 9, 2018 through
October 19, 2018, Motion by David Ashbrook, sec by Brett Lowry, no further
discussion motion passed 5-0,**

**Staff recommendation to allow the city to go out for bid on roof repairs for the
Centennial building and Washington gym as advised by the city attorney,
motion by Brett Lowry sec by Eric Langston, no further discussion, motion
passed 5-0,**

**Discussion to allow staff to make emergency spending decisions, motion by
Brett Lowry sec by David Ashbrook, motion passed 5-0,**

**Staff presented two repair options for the HVAC units at city hall, staff had to
option one was to make temporary repairs to just the outside units, the second
was to make full repairs outside units and inside air handlers, motion by Scott**

Hoffman sec by Brett Lowry to go with option two full repairs, no further discussion motion passed 5-0,

Staff discussed that we are working on damage mitigation quotes for city hall, fire department, Centennial building and Washington Gym,

Staff recommendation that we waive the late fees and disconnection for a one month period, further discussion by Commissioner Lowry suggested we extend that for two months, Motion by David Ashbrook Lowry to waive fees and disconnection for the next two months, no further discussion motion passed 5-0,

Discussion by Nick Brostell, updating the city that he is the EOC volunteer coordinator and to call him at 616-638-7760, city should document all volunteer hours, date, time in and out,

Discussion about 16th St lift station, motion to repair the lift station repair, motion by Brett Lowry sec by Scott Hoffman, no further discussion, motion passed 5-0.

Discussion about signing a contract for fiber phone and internet services at city facilities with Consolidated Communications, motion by Eric Langston sec by Brett Lowry, no further discussion, motion passed 5-0,

Update from Chief Matt Herring, on law enforcement and support from Orlando PD,

Discussion on the phone by city attorney Adam Albritton to waive his monthly fees for the month of October, to allow him to charge hourly for special project and pursue reimbursement from FEMA, Motion by Scott Hoffman, sec by David Ashbrook, no further discussion motion passed 5-0,

Report from Mel Magidson on job support from Career source at WIG,

Report from Danny Bolden on Washington Gym distribution center,

Report from Red Cross on shelters, financial aid contact number 877-272-7337,

Report from Bo Creel on Duke Energy Building inspection process, he needs all city addresses,

Report from Mark House asking for information about allowing outside contractors from Alabama and Georgia to work in the state,

Report from Kaye Eubanks on support from Christian groups in the city,

Meeting was recessed at 3:31pm until October 19, 2018 2pm, to be held at the Ward Ridge Meeting room.

**Minutes from Emergency meeting City of Port St Joe, October 19, 2018 at
2:00pm, City of Port St Joe Ward Ridge meeting room,**

Attendance: Scott Hoffman, Brett Lowry, Eric Langston and David Ashbrook,

Absent: Bo Patterson

Meeting called to order at 2:05pm

**Discussion from FEMA representative about current programs available to
citizens and the contact number to call for help 800-342-3362,**

**Discussion from our Insurance adjuster Greg Moon, insurance review is on-going
and he will be working to calculate your preliminary loss numbers over the
weekend, he plans to be back in the city on Monday,**

**Mike Lacour gave update on the Washington gym roof, the gym has large holes
in the roof and the damage needs to be mitigated, two options were presented,
one to tarp and sandbag the damaged areas of the roof only for \$6,600 quote
from All Clear LLC, second option was to shrink wrap the entire roof with a 10
mil polymer material for \$43,000.00, Motion by Scott Hoffman to use option
two, sec by Brett Lowry, motion passed 4-0,**

**Further discussion led to concerns about the building's use and possible falling
debris from the damaged areas, a decision was made to move the distribution
supplies to the back half of the building and lock the front doors and use the
side doors for access.**

**Discussion from Jeremy Novak about Gulf County-City RFQ for consulting,
Motion by Brett Lowry sec by Eric Langston, no further discussion motion
passed 4-0,**

**Jim Anderson discussion on St Joe Company request to issue development order
for Windmark Phase II, motion by Brett Lowry sec by Scott Hoffman, no further
discussion, motion passed 4-0,**

Discussion from Adam Albritton about possible consulting firms to assist the city in disaster recover efforts,

Ralph Rish asked the city to relax the LDR regulation on a 35 acre piece of property off of Jones Homestead road to allow 50 mobile homes for a three year period, motion by Scott Hoffman sec by Eric Langston, discussion, commissioners express a need to help residence who've lost homes to find affordable living arrangements, Mr. Rish was asked how much the home would rent for? He said \$600 to \$900, motion passed 3-0, with Commissioner Brett Lowry abstaining due to a business relationship with Mr. Rish.

Discussed the possibility of converting the Centennial building to a donation warehouse and finding other places to use as distribution centers.

Meeting was recessed at 3:17pm until October 22, 2018 2pm, to be held at the Ward Ridge Meeting room.

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>Lowery, Brett L</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Port St. Joe Board of City Commissioners	
MAILING ADDRESS <u>134 Gulf Coast Circle</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Port St. Joe, FL	COUNTY Gulf	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <u>10/19/2018</u>		NAME OF POLITICAL SUBDIVISION: City of Port St. Joe	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE	

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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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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, Brett Lowry, hereby disclose that on Oct 19th, 20 18 :

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

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, Ralph Rish ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

I abstain from voting on the issue presented due to having a business relationship with Mr. Rish.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

10/30/18

Signature

[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 from Emergency meeting City of Port St Joe, October 22, 2018 at
2:00pm, City of Port St Joe Ward Ridge meeting room,**

Attendance: Bo Patterson, Scott Hoffman, and Brett Lowry,

Absent: David Ashbrook, Eric Langston

Meeting called to order at 2:04pm

Water Plant Utility update: Larry McClamma discussed the water issues, an apparent fish kill turned up in the fresh water canal, a damn was built to block access, well are being used to pump water into the canal, samples have been taken to Graceville and we hope to have results in 48 hours,

Red Cross update: Hydie Oshea informed the board that a mobile cleaning and feeding station has been set up at the Episcopal Church and that the Oak Grove Church is being used by the Red Cross as a staging area,

Water & Sewer distribution update: John Grantland indicated that the water system is 100% all areas have water, Sewer is ok up to Jubilation subdivision, Stump hole has 3,000 of force main needs to be replaced, and he's working with FDOT to plan for installation of replacement line.

FEMA update: Brenda not present,

Insurance update: Greg Moon and Mike Lacour have visited 75% of our properties and Greg is working the various issues to calculate our property and equipment losses.

Waste Pro discussion, our commercial customers need daily pick up to deal with the cleanup, need a larger roll off at the Centennial Building,

FDOT update: the two traffic lights are working,

Discussion about the need for city representation on the Governor's Task force,

Discussion about the need for a city representative on the EOC team daily briefings at 7:30am, Brett Lowry indicated he would try to attend.

MINUTES OF THE EMERGENCY MEETING FOR HURRICANE MICHAEL OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT 305 CECIL G. COSTIN, SR., BLVD., OCTOBER 23, 2018, AT 2 P.M.

The following were present: Mayor Patterson, Commissioners Ashbrook, Hoffman, and Langston. City Manager Jim Anderson, City Clerk Charlotte Pierce, and Chief of Police Matt Herring were also present. Commissioner Lowry was absent.

The Purpose of the meeting was to update the Commission on Hurricane Michael recovery efforts.

Call to Order

Agenda

Hurricane Michael

Building Department Update – Bo Creel shared they are working 7 days a week and have additional staff. He cautioned that homeowners should have a permit before making repairs to their homes. Mortgage companies may not accept a mortgage if a permit was not obtained. Kelly is issuing permits at no cost to the residents. All subcontractors must be licensed, no roofing may be done by out of state unlicensed contractors. The Building Department is doing all they can to help but give them a call at 229-1093 if anything is needed.

Utilities Update

Mr. Anderson noted there are questions about the percentage of damage and rebuilding. Mr. Creel shared that all structures must meet the FL Building Code.

Bill Kennedy stated he is doing remediation to the cottages on Highway 98 and asked about the remediation requirements. Mr. Creel responded that any electrical outlets that were under water must be rewired.

Clare Morris asked if flyers and posters with information could be provided for residents.

Matt Terry reiterated what Mr. Creel had stated about permits. He noted that when doing an appraisal, if a permit was not obtained for repairs, he would have to note that in his report.

Mr. Anderson noted that sampling of the Chipola has been completed. FL DEP is waiting on the results of the sampling.

EOC Update – Chief Herring shared that officers are patrolling and the City officers are back to their normal shifts, Orange County officers are also patrolling with the County, and the curfew is still in effect. The Gulfport, Mississippi Fire Chief has been here and offered assistance to our local fire department.

City Insurance Update – Mr. Anderson shared that Mike Lacour has been working with the insurance adjuster and anticipates having his report shortly.

Trash Pickup Update – Mr. Anderson noted that Residential garbage was picked up last Sunday, the Commercial side is being worked on, a roll off is needed at the Centennial Building, and the focus will be on cleaning Reid Avenue up.

Kalen Collins gave an update from the Red Cross.

Mr. Anderson noted that the State of Emergency needs to be extended tomorrow, and the frequency of Emergency Meetings determined.

Clerk Pierce asked about Ghost on the Coast. A Motion was made by Commissioner Hoffman, second by Commissioner Langston, that the City will not host Ghost on the Coast this year. All in favor; Motion carried 4-0. Matt Terry shared the elementary school will be having an event. All candy received for the City will be shared with the school.

Bill Peevy noted the need for cleaning up the downtown area, and complimented the City of the work that has been accomplished since Hurricane Michael.

Citizens to be Heard

Chris Brumbaugh noted his concerns about communications after Hurricane Michael. He also asked for help with a generator at 103 Monica Drive.

Chester Davis asked for help with the Washington Gym roof and storing of supplies there.

Dannie Bolden noted that approximately 450 residents have been served at the Washington Gym.

Jim Muilenburg, Corps of Engineers, shared about the Blue Roof program and encouraged people to sign up at First Baptist Church from 8 A.M., to 6 P.M. for program assistance.

Discussion Items by Commission

Commissioner Langston asked if there was assistance available for residents with trees down on private property. Mr. Anderson responded that the City could not help but he recommended contacting some of the churches as they were covering these needs with volunteers.

Bill Peevy noted a problem they were having on Reid Avenue with parking and asked for assistance with the issue.

Commissioner Ashbrook shared that the Eco Lab truck would be here Friday with cleaning supplies and help would be needed for offloading at the Centennial Building.

He also asked for clarification on the vote pertaining to water bills. Mr. Anderson reminded the Commission that the vote was that water bills must still be paid but to waive the late fees and that water would not be cut off for the months of October and November.

Commissioner Ashbrook asked if the City's website was back up and if all the storm resources could be placed under a Storm Resources Tab.

Commissioner Hoffman gave an update on the Centennial Building; clothing donations have been moved to the STAC House and volunteers are needed there; state and federal deliveries will be discontinued, and noted a need to share the supplies being received.

Mayor Patterson provided a County damage report from the EOC Meeting earlier: 1,146 homes totally destroyed; 1,826 severely destroyed, and 3,524 have some damage for a total of 6,496 homes impacted. He noted the need to help people and to thank those that have been helping.

The meeting was recessed at 3:02 P.M., until 2:00 P.M., tomorrow.

Approved this _____ day of _____ 2018.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

MINUTES OF THE EMERGENCY MEETING FOR HURRICANE MICHAEL OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT 305 CECIL G. COSTIN, SR., BLVD., OCTOBER 24, 2018, AT 2 P.M.

The following were present: Mayor Patterson, Commissioners Ashbrook, Hoffman, and Langston. City Manager Jim Anderson, City Clerk Charlotte Pierce, and Chief of Police Matt Herring were also present. Commissioner Lowry was absent. Attorney Albritton joined the meeting at 2:15 P.M.

The Purpose of the meeting was to update the Commission on Hurricane Michael recovery efforts.

Call to Order

Agenda

Hurricane Michael

Resolution 2018-12 Local State of Emergency

A Motion was made by Commissioner Ashbrook, second by Commissioner Hoffman, to adopt Resolution 2018-12. All in favor; Motion carried 3-0.

Utilities Update

Mr. Anderson shared that FL DEP has given their approval to start the pumps on the Chipola River; testing samples are being taken, and they are waiting on the test results to lift the Boil Water Notice.

John Grantland is working on a FEMA Mission for lift station assessment and grinder pumps will be checked when electricity is restored.

EOC Update – Chief Herring noted there had been no changes; law enforcement numbers remain the same, and the curfew is still in effect from 9 P.M. – 5 A.M.

Dannie Bolden asked if an exception could be made for those working on the roof to the Washington Gym for the curfew restriction. Arrangements will be made to work with the contractors on this should it become necessary.

Brenda Gustafson of FEMA encouraged everyone to appeal any denial they receive from FEMA.

Commissioner Hoffman questioned the status of the direct deposit of emergency funds for residents and Ms. Gustafson stated the program had not been turned on as of today. He asked that Ms. Gustafson work to resolve the miss information being given our on this program be corrected.

It was noted that Mosquito spraying would begin tonight; and Krazy Fish would like to feed residents at Frank Pate Park rather than at their business for safety reasons.

City Insurance Update – Mr. Anderson noted that the assessment should arrive any day.

Trash Pickup Update – Residential pickup is back on normal schedule and Commercial customers will be covered on the weekends as well.

Attorney Albritton shared that a contract with Ashbriitt for debris pickup and monitoring should be reimbursable by FEMA.

He noted that Ms. Ford with FEMA has shared that the difference between the cost and RFP on the Washington Gym roof should be reimbursable.

Mr. Albritton shared that a request for a termination of the lease on the Ward Ridge building had been received.

Commissioner Hoffman noted that 3 new leaks were discovered today at the Centennial Building. Consensus was to tarp and hold off for a short time on repairs.

Kalen Collins of the Red Cross updated statistics on residents using the shelters.

John Heeken of the governor's office noted that other needs assessments are being done; the TSA Assistance Program has been turned on, and contracts with Ashbritt and Medicom are being worked on.

Citizens to be Heard

No one from the Public wished to speak.

Discussion Items by Commissioners

Commissioner Hoffman recommended that the Emergency Meetings be reduced to two meetings per week for the time being. Consensus was to meet each Tuesday and Thursday at 5:30 P.M. in the Ward Ridge Building until further notice.

There was no further discussion by Mayor Patterson or Commissioners Ashbrook and Langston.

The meeting was recessed at 2:37 P.M.

Approved this _____ day of _____ 2018.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

MINUTES OF THE EMERGENCY MEETING FOR HURRICANE MICHAEL OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT 305 CECIL G. COSTIN, SR., BLVD., OCTOBER 30, 2018, AT 5:30 P.M.

The following were present: Mayor Patterson, Commissioners Hoffman, Langston, and Lowry. City Manager Jim Anderson, City Clerk Charlotte Pierce, Chief of Police Matt Herring, and Finance Director Michael Lacour, were also present. Attorney Albritton participated by telephone, Commissioner Langston joined the meeting at 5:35 P. M. and Commissioner Ashbrook was absent.

The Purpose of the meeting was to update the Commission on Hurricane Michael recovery efforts.

Call to Order

Agenda

Hurricane Michael

Resolution 2018-12 Local State of Emergency

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to extend the Local State of Emergency another 7 days. All in favor; Motion carried 3-0.

Commissioner Langston joined the meeting at 5:35 P.M.

Gulf County Disaster Recovery Consultant Services – Horne LLP

A Motion was made by Commissioner Hoffman, second by Commissioner Lowry, to join with the county in ratifying Horne LLP as the Consultant Services for the City. All in favor; Motion carried 4-0.

Building Department Update

Willie Payne stressed the need for residents to get permits and a certified contractor before beginning work on their homes. He noted that inspections of homes has begun and noted that all plugs and wiring that came in contact with salt water would have to be replaced.

Salvation Army Update

Laurie Fried, Emergency Disaster Service requested that the Washington Gym be designated as a storage Distribution Center where supplies could be housed. A Motion was made by Commissioner Langston, second by Commissioner Lowry, to designate the Washington Gym as a Distribution site for 60 days. All in favor; Motion carried 4-0.

Chester Davis and Dannie Bolden expressed their appreciation for the support of the Salvation Army, their programs, and the local volunteers that have been working at the Washington Gym.

FEMA Update

Brenda Gustafson of FEMA updated the Commission on shelter counts, noted a job portal has been opened for displaced workers, and shared the D-SNAP Program starts tomorrow. She also noted that COBRA homes are not covered by FEMA, TSA has been turned on, and FEMA is working with the state on NFIP maps.

Utilities Update

Mr. Anderson noted the Boil Water Notice has been lifted for the City of Port St. Joe, Oak Grove, and White City. All other areas are still under the Boil Water Notice.

City crews are making repairs to the sewer lines on the cape.

EOC Update – Chief Herring noted that ten deputies from other counties are patrolling each shift, the City has been self-sufficient since October 15, 2018, and the curfew may be lifted tomorrow. Chief Herring also shared that Halloween festivities will be held at Port St. Joe Elementary School tomorrow at 5:30 P.M.

Consensus of the Commission was that today's meeting should be continued to Thursday, November 1, 2018, at 5:30 P.M.

The following individuals gave updates from their respective entities:

Jonas Ballreich – Volunteer Coordinator for Gulf County

Cathy Christo - Red Cross

Jim Muilenburg - US Army Corps of Engineer

Citizens to be Heard

Phil Earley asked if the Building Department was open to secure building permits.

George R. Kelley requested clarification of permits, and questioned what would be done concerning mold that is coming from other houses. For mold issues, Mr. Kelley was encouraged to contact the Building Department.

Hayes Woodward stated that for rebuilding purposes, he understood the property value would be market value before Hurricane Michael.

Commissioner Hoffman emphasized that the City would do what they could to help resident rebuild but that the FL Statutes and FL Building Code must be followed.

Consensus of the Board was to have a joint Workshop with the City and County Building Departments.

Rhonda Woodward shared that she felt there should be a better way to get information to residents as all of them do not use internet and website sites.

It was noted that the dumpster at the Scout Hut is a mess and needs help. Chester Davis stated WastePro is working on the issues and are back on schedule even though they are a little behind.

Discussion Items by Commissioners

Commissioner Hoffman noted that all of his concerns had been addressed and the Centennial Building will remain open until all needs of the citizens are met.

Commissioner Lowry requested that the City and County meet on FEMA Purchases and Reimbursements.

Commissioner Lowry did not have anything else to discuss.

Mayor Patterson commended everyone on their efforts during Hurricane Michael and noted we have come a long way in three weeks.

The meeting was recessed at 6:40 P.M.

Approved this _____ day of _____ 2018.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

ORDINANCE NO. 550

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AUTHORIZING THE USE OF GOLF CARTS UPON DESIGNATED MUNICIPAL STREETS SUBJECT TO SPECIFIED RESTRICTIONS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR REPEAL OF ALL PREVIOUS ORDINANCE'S RELATED TO GOLF CART USE UPON DESIGNATED STREETS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 316.212, Florida Statutes, permits municipalities to allow golf carts to be operated upon municipal streets provided that the local government first determine that golf carts may safely travel on or across such public roads or streets upon considering such factors as the speed, volume, and character of motor vehicle traffic using those roads or streets in question; and

WHEREAS, Section 316.212, Florida Statutes, requires that golf carts may only be operated on such public roads or streets during the hours between sunrise and sunset, unless the governmental agency specifically determines that such golf carts may also operate during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals and windshield; and

WHEREAS, the City of Port St. Joe has determined that golf carts may safely be operated on or across certain roads or streets within the city limits, after the consideration of the speed, volume, and the character of motor vehicle traffic on the relevant roads or streets; and

WHEREAS, the City desires to provide additional regulations for the operation of golf carts on designated roads and streets in Port St. Joe, Florida; and

WHEREAS, the City believes that regulations proposed in this ordinance promote and enhance the health, safety and welfare of its citizens.

NOW THEREFORE, BE IT ENACTED BY THE CITY OF PORT ST. JOE, FLORIDA, AS FOLLOWS;

SECTION 1. AUTHORITY. The City of Port St. Joe has authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes, and Section 316.212, Florida Statutes.

SECTION 2. A new Article III of Chapter 66, Traffic and Vehicles, of the Code of Ordinances of the City of Port St. Joe, Florida, is hereby adopted as follows:

ARTICLE III

GOLF CARTS ON PUBLIC CITY STREETS

Sec. 66-62. TITLE; AUTHORITY.

- A. This Article shall be known and may be cited as the “City of Port St. Joe Golf Cart Ordinance.”
- B. The city has the authority to adopt this article pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes and Section 316.212, Florida Statutes.

Sec. 66-63. DEFINITIONS.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in the section, excepts where the context clearly indicates a different meaning:

- A. *Golf cart* as defined in F.S. §320.01, means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.
- B. *Designated roadways* mean those roads identified by the City as being safe for operation of golf carts in accordance with all requirements for operation set forth in this division.
- C. *Driver’s license* means a valid license issued to operate a motor vehicle issued by the State of Florida or any other state.
- D. *Inspection* shall mean a safety evaluation of each registered golf cart by the City of Port St. Joe Police Department confirming that the golf cart meets the minimum requirements of this division.

Sec. 66-64 USE OF GOLF CARTS ON DESIGNATED ROADWAYS.

Golf carts meeting all requirements of this division may be operated as follow:

- A. Golf Carts shall be allowed to legally travel on all City roads with the exception of Garrison Avenue and Long Avenue unless, such travel is done to access the next side street but, at no time, shall travel on Garrison Avenue and Long Avenue be for more than two (2) City blocks.
- B. It shall be unlawful to operate a golf cart upon a state highway unless otherwise authorized pursuant to Section 316.212(s), Florida Statutes, or any other applicable State statute.
- C. Golf carts shall not be operated on private property, unless authorized by the property owner, or on sidewalks, bicycle paths, swales, or trails. Golf carts shall not be operated on any roadway where the designated speed limit is greater than

thirty (30) miles per hour, or on any state or county roadway, except to cross at designated intersections for immediately reaching the next designated roadway.

Sec. 66-64 GOLF CART OPERATION.

Golf carts operating on designated roadways shall be subject to the following restrictions:

- A. *Hours of operation.* Golf carts may be operated on designated roadways only during the hours between sunrise and sunset.
- B. *Driving after Sunset:* Golf carts which are properly equipped pursuant to Florida Statute 316.212 and this Ordinance shall be allowed to operate from sunset until midnight. The City Commission may, by resolution, temporarily authorize the operating of golf carts on designated roadways between midnight and sunrise.
- C. *Licensed driver.* Golf carts operating on designated roadways must be operated by a person who is at least sixteen (16) years of age, and who possesses a valid driver's license. Persons who possess a valid learner's permit may operate a golf cart on designated roadways when accompanied by a licensed driver of at least eighteen (18) years of age.
- D. Pursuant to Florida Statute 316.212(7), a golf cart may not be operated on public roads or streets by any person under the age of 14.
- E. *Maximum speed.* Golf carts operating on designated roadways shall not exceed twenty (20) miles per hour.
- F. *Compliance with traffic laws.* Golf carts shall be operated in accordance with all applicable local and state traffic regulations. Golf carts shall stay to the far right of any designated roadway and shall yield the right-of-way to overtaking drivers. Golf carts shall not obstruct or impede normal traffic flow.
- G. *Occupants.* The number of occupants in a golf cart operated on designated roadways shall be limited to the number of seats on the golf cart. No occupants of a golf cart shall stand at any time while the golf cart is in motion.
- H. Consistent with Florida Statute 316.613, children aged through three (3) years shall be restrained in a properly attached and separate federally approved child restraint device and children aged four (4) through five (5) years must be restrained with a seat belt.
- I. *Alcohol.* All state regulations governing the use and possession of alcoholic beverages while operating a motor vehicle shall apply to the operation of golf carts on designated roadways.

- J. Any person operating a golf cart on any town street does so at his own risk and must operate such vehicle with due regard for the safety and convenience of other motor vehicles, bicyclists and pedestrians. The city in so designating certain city streets for the operation of the golf carts extends such operating privileges on the express condition that the operator of such golf carts undertakes such operation at his own risk and assumes total liability for operating the vehicle on city streets. The registered owner of the golf cart agrees to defend, release, indemnify and hold harmless the City of Port St. Joe, its officials and employees for any and all claims, demand, damages or losses, including reasonable attorney's fees and all costs of defending any claims, demand, or damages arising from the operation of said golf cart.

Sec. 66-65. GOLF CART REQUIRED EQUIPMENT

All golf carts operated on designated roadways shall be in compliance with Florida Statute 316.212(6) and maintain the following equipment in good working order:

- A. Efficient brakes;
- B. Reliable steering apparatus;
- C. Safe tires;
- D. Rearview mirrors;
- E. Red reflectorized warning devices, both in the front and rear;
- F. Headlights;
- G. Brake lights;
- H. Turn Signals; and
- I. Windshield.

Sec.66-66 INSPECTION AND REGISTRATION OF GOLF CARTS

All golf carts operating on designated roadways in the City of Port St. Joe shall be registered and inspected as follows:

- A. Golf carts shall be registered by the owner of the golf cart on a form prescribed by the police chief or the police chief's designee. The owner shall pay an annual registration fee of ten dollars (\$10.00) and shall be issued a registration decal which shall be affixed to the golf cart. Decals shall be issued annually and are valid for one year after issuance. Owners who are age sixty-five (65) or older shall pay a

one-time registration fee and thereafter shall not be required to pay the annual fee as set forth herein upon submission of proof of payment of the one-time fee.

- B. Prior to issuance of a registration decal, golf cart owners shall be required to provide (i) proof of ownership, (ii) proof of liability insurance, and (iii) a valid driver's license.
- C. At the time a golf cart owner registers a particular golf cart, the police department, or the police chief's designee, shall inspect the golf cart to ensure the required equipment is installed and working properly. In the event the golf cart fails inspection, each additional inspection shall be five dollars (\$5.00).
- D. At such time the owner of the golf cart seeks to apply for or, renew the annual registration the golf cart owner shall be required to execute and submit an affidavit of compliance attesting that the equipment required by this Ordinance is installed and working properly. The affidavit shall be required as a condition to the issuance of the annual registration decal. Such affidavit of compliance shall be on a form prescribed by the police chief or the police chief's designee.
- E. Lost or stolen registration decals are the responsibility of the golf cart owner. A police report shall be filed in the event of a lost or stolen decal. The police chief or the police chief's designee shall have the discretion to determine whether a replacement decal may be issued. If no existing registration information is available, the police chief may direct the golf cart owner to reapply and to repay any required fees prior to a replacement decal being issued.
- F. Proof of registration shall be kept on the golf cart at all times when being operated within the jurisdiction of the City.
- G. Operation of a golf cart without complying with this section shall be a violation of this Ordinance and the penalty shall be as follows;
 - I. Driving a golf cart without current City registration:
 - 1. First Offense: WARNING
 - 2. Second Offense: \$100.00
 - 3. Third Offense: \$200.00, and registration revoked for 1 year.
 - II. Driving a golf cart with a revoked registration shall result in a fine of \$250.00, and permanent revocation of the owner's registration.

Sec. 66-67. INSURANCE.

All golf cart owners are required to purchase and maintain liability insurance insuring against personal injury and property damage. Minimum required insurance shall be the same as for motor vehicles registered in the State of Florida for personal use and as designated by Florida Statutes.

Proof of insurance must be presented at time of golf cart registration and must be possessed at all times by the golf cart operator while operating the golf cart on designated roadways.

Sec. 66-68. ENFORCEMENT.

Violations of this Ordinance shall be enforced by the officers of the Police Department pursuant to Florida Statute 316.640 as well as those duly employed by the City as Code Enforcement Officers.

Sec. 66-69. VIOLATIONS AND PENALTIES.

- A. Any person violating Section 2(a) and (e), Section 3(b)-(c), and Section 5 hereof, except where a penalty is specifically prescribed for that particular violation, shall be issued a City of Port St. Joe Civil Citation (or notice of violation) with the following fine amount;

I.	First Violation	WARNING
II.	First Violation after Warning	\$100.00
III.	Second Violation within eighteen (18) months	\$200.00
IV.	Third Violation within twenty-four (24) months	\$300.00
V.	More than 3 violations within twenty-four (24) months shall result in revocation of registration.	

- B. All other violations of this Ordinance shall be considered non-criminal infraction, punishable pursuant to Chapter 318, Florida Statute or other applicable Florida Statute.
- C. The use of a golf cart resulting in violations of the state “uniform traffic control” statute and the state “uniform disposition of traffic infractions act” are enforceable according to Florida Statute Chapter 316 and 318.
- D. In addition to any fine levied under this section, the City may bring civil suit to restrain, enjoin, or otherwise prevent the violation of this Article in a court of competent jurisdiction. If the City brings suit to restrain or enjoin or to otherwise prevent the violation of this article, the City is entitled to recover its reasonable attorneys’ fees and court costs from the named defendant in the action.
- E. Any person receiving a civil citation pursuant to this Article may, within thirty (30) days of the date of the notice of violation;
- I. Pay the assessed civil penalty pursuant to instructions on the notice of violation; or

- II. Contest (or appeal) the notice of violation and request a hearing thereon within thirty (30) days of receiving a notice of violation of this ordinance. Should the trier of fact determine that this ordinance has been violated, said person shall be subject to a fine of up to the maximum allowed by law along with being required to pay all costs incurred by the City in the prosecution of such violation.
- F. Upon receipt of an appeal, the City shall schedule a hearing before the Special Magistrate to occur not less than 60 days after the City's receipt of the appeal request; provided, however, that the Chief of Police or his designee may void or dismiss the notice of violation being appealed if the Chief of Police or his designee determines based on a review of the appeal that there does not exist probable cause to believe that the appellant committed a violation of this Article. Written notice of a dismissal shall be provided to the appellant. Otherwise, the City shall mail notice of the hearing to the appellant no less than fourteen (14) days prior to the date of the hearing, and such notice shall be sent by first class U.S. mail. After such hearing, the Special Magistrate shall issue a written order granting or denying the appeal and a copy of such order shall be hand delivered to the appellant at the hearing or sent within three (3) days thereafter by First class U.S. mail to the appellant. If the appeal is denied, the applicable civil penalty and administrative charges determined by the Special Magistrate shall be due and payable within ten (10) days after the Hearing Board's issuance of its order.
- G. If a person who has received a notice of violation fails to pay the assessed civil penalty or request a hearing within thirty (30) days, they shall be adjudged to have violated this article and the appropriate civil penalty shall be imposed. The City Manager is hereby authorized to pursue all necessary collection methods in furtherance of this section.
- H. The City staff is hereby authorized to pursue collection activities relative to fines imposed against those who violate this ordinance in such manner, and using such processes, as may be in the best interests of the City and may authorize collection agencies and the City Attorney to pursue collections in a manner consistent with controlling law. This shall include, but is not limited to, the methods outlined within Florida Statute Chapter 28.

SECTION 4. CODIFICATION. It is the intention of the City Commission of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "chapter," "section," "article," or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical errors which do not affect the intent may be authorized by the City Manager, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 5. CONFLICTS AND REPEALER. This Ordinance shall be cumulative of all provisions of the Ordinances of the City of Port St. Joe, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict. The City hereby specifically repeals all previously adopted Ordinances related to the use and operation of Golf Carts upon City streets which include, but are not limited to those which are listed in Article III, Section 66-51 through 66-61.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective on _____ day of _____, 20__.

This Ordinance shall become effective on the date prescribed above upon its adoption by the City of Port St. Joe, Florida, City Council.

PASSED on First Reading _____

NOTICE published on _____

PASSED on Second and Final Reading _____

ATTEST:

CITY OF PORT ST. JOE

CITY CLERK

MAYOR

APPROVED AS TO FORM AND CONTENT:

J. ADAM ALBRITTON, CITY ATTORNEY

Approved as to form for the
Reliance of the City of Port St. Joe
only:

J. Adam Albritton, City Attorney