

**December 4, 2018
Regular Meeting
12:00 Noon
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
12:00 Noon
2775 Garrison Avenue
Tuesday December 4, 2018

Call to Order

Consent Agenda

Minutes

- Regular Meeting 11/20/18 Pages 1-4

Bldg. Department

- Free Board Height Requirement Pages 5-17
- New Preliminary Flood Maps

PSJRA- Update

City Attorney

- WastePro Contract
- Speaking Ordinance Pages 18-22

Old Business

- 103 Monica Drive
- Hurricane Michael- Update

New Business

- Washington Gym Lease Request Page 23
- RFP 2018-16 Roof Repairs Page 24

Public Works

- City Parks

Surface Water Plant

- Update

Waste Water Plant

- RFP 2018-14 Biological Dredging Pages 25-26

Finance Director

- Update

City Engineer

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

Code Enforcement

- **Update**

Page 27

Police Department

- **Update**

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 AVE., November 20, 2018, AT 6:00 P.M.

The following were present: Commissioner Patterson, Hoffman, and Lowry. City Manager Jim Anderson, and City Attorney Adam Albritton were also present. Commissioners Ashbrook and Langston were absent.

CONSENT AGENDA

A Motion by Commissioner Hoffman, second by Commissioner Lowry, to approve the minutes of the Emergency meeting of October 30, 2018, Joint City/County meeting of November 1, 2018, Emergency meeting of November 1, 2018 and the Regular meeting of November 6, 2018. All in favor; Motion passed 3-0.

Building Department update, EPCI representative Willie Payne discussed the number of permits issued and the completion of a letter to explain the substantial damage process. He added that this information is being posted on the Building Department Facebook page. Commissioner Hoffman asked about the permit requirements for homeowners removing and replacing sheetrock in their homes. Mr. Payne indicated that a permit was required if it involved the removal and replacement of insulation. An Energy inspection is required for that work. Mr. Hoffman restated his concern that the city and county building departments were on the same page.

Planning Board Recommendation, Jim Anderson presented the Planning Board's recommendation with regards to permits for Accessory Structures, motion by Scott Hoffman to adopt the planning board recommendation with one change to add conforming structures. Motion is to allow conforming and non-conforming accessory structures with a prior permit or sufficient evidence of a prior structures existence and footprint, such as google earth, would not require a new variance or special exception. Also, no charge would be required for anyone with a prior permit, but a fee would be required for those who do not have a prior permit and the duration of this special exception would be for six months, second by Brett Lowry, motion passed 3-0.

City attorney, Adam Albritton had no new business but did state that a representative of Neal Dunn's office would be available at the Ward Ridge building to answer questions on November 27, 2018 from 10am-2pm eastern time.

CITY MANAGER'S REPORT – Jim Anderson

Old Business

CDBG grant update from Bruce Ballister, Bruce indicated that the city's grant application scored in the bottom third of the submitted grants and that we did not receive the grant for sewer improvements to North Port St Joe.

Hurricane Michael update, Jim Anderson indicated that he has contacted the state about clean up along the State Hwy 71 and Hwy 98 corridor. He will also ask them about clean-up of the city alleys. Commissioner Hoffman asked if we could get a list of completed roads and/or a map of the completed areas. FEMA representative Brenda Gustafson gave an update on the availability of FEMA trailers. She also gave a FEMA fraud hotline number 866-720-5721.

SBA update, Jarmon Hariri, indicated that the SBA is still open at the Port St Joe Library and the deadline for completing of your application is December 10, 2018.

Triumph Funds, Jim Anderson indicated that the city and county have been in discussion about possible multi-year support payments from the Triumph funds to supplement loss revenues due to the storm. We are submitting a preliminary application request for 20 percent loss funding, which amounts to approximately \$1.38 million in potential lost revenues for this year and \$1.6 million in next year lost revenues.

New Business

Meeting Change request, Jim Anderson relayed a request for Commissioner Langston to move the regular scheduled meeting time up to noon to allow for a work conflict. Motion by Scott Hoffman to move the meeting time to noon, second by Brett Lowry, motion passed 3-0.

Waste Pro contract, Jim Anderson discussed the fact that the county was going out to bid for their garbage contract which expires in March 2019. The city Waste Pro contract runs through September 30, 2019. Commissioners instructed Jim to gather information on the current contract rate increases and on the county's bid process and report back at the next meeting.

Utility Billing for October, Jim presented a staff recommendation to give utilities the ability to adjust customer accounts for both water and sewer using a six month average due to large water usage caused by Hurricane Michael. Motion by Commissioner Lowry, second by Commissioner Hoffman, motion passed 3-0.

Public Works, Sewer Lift Stations Task Order, John Grantland requested approval to issue a task order to the city's engineering firm, Dewberry Associates, to task them with developing the repair needs and bid specifications for the repair of the city's sewer lift stations. Motion by Commissioner Hoffman, second by Commissioner Lowry, Motion passed 3-0.

Surface Water Plant- Larry McClamma, Did not share anything with Commission.

Waste Water Plant, RFP 2018-14 Biological Dredging, Jim indicated that the bids for the dredging were significantly higher than the budgeted amount of \$115K, the lowest bid was \$154K annually, Jim requested we table the bids until we can contact FDEP to request some help with funding or a variance of six months. Commissioners agreed.

Finance Director – Mike Lacour, Did not share anything with Commission.

City Engineer – Clay Smallwood, gave commissioners an update on Langston Drive project.

Code Enforcement, no action was required. Commissioners requested that Richie continue to pick up contractor signs placed illegally in the right of ways.

Police Department – Matt Herring, gave an update on the police department repair bids, the bids are available on the city website and he encouraged contractors to bid on the repairs.

City Clerk – Christmas parade is scheduled for December 6, 2018 at 6pm.

Citizens to be heard –

Cheryl Steindorff representing Pioneer Bay and the Pack, requested a letter to allow her organization to use the game room at the Washington Gym as a meeting space.

Lorinda Grinnell reported the Port St Joe Farmers Market will have a Christmas market on December 6, 2018 9am till 3pm. Also noted that the chamber was going to coordinate with local businesses to have an open house in conjunction with the Farmers Market. She also informed the board of a meeting with public adjustors to help citizens with insurance claims to be held at the Senior Citizen Center November 29, 2018 from 6 P.M. till 8 P.M.

Chris Brumbaugh expressed concerns about the noise at 103 Monica site city ordinance 387, he wanted to issue a formal notice of his complaint and ask that the city do something about the customer living on the property without utilities. He asked the city to contact the health department and he called for another city code enforcement warning. Commissioners discussed possible options and asked staff to follow up with an action plan. The Commission talked about the police department issuing a trespassing warning and to look at an ordinance to require residence be issued a permit to run a generator.

Chester Davis, Waste pro representative, stated that the current waste pro contract would stand alone even if the county elected another vendor for garbage pickup in the county.

Discussion Items by Commissioners

Commissioner Hoffman – made a motion to allow city non-essential personnel to take a half day Holiday on Wednesday November 21, 2018, second by Commissioner Lowry, motion passed 3-0.

Commissioner Lowry – requested that staff look at a speaking ordinance, work with staff and city attorney to present an ordinance similar to the county ordinance. City attorney Albritton indicated he would review the county ordinance and work up a draft ordinance for review.

Mayor Patterson – had nothing to discuss.

A Motion was made by Commissioner Hoffman, second by Commissioner Lowry, to adjourn the meeting at 7:11 P.M.

Approved this _____ day of _____ 2018.

James "Bo" Patterson, Mayor

Date

Michael D Lacour, City Finance
Director

Date

(d) Where impacts to high quality wetlands are unavoidable, and the nature and degree of disturbance is the minimum possible to achieve development that is otherwise compliant with the goals, objectives, and policies of the Plan the TAC or the PDRB may allow such impacts. A finding that no reasonable alternative is available shall only be provided when the impacts are identified as beneficial to an overriding public interest. Local government approval shall not substitute for state and federal regulatory review or recommendations for preservation and mitigation.

Sec. 4.15. Same -- Exemptions

Wetlands within the current city limits of the city of Port St. Joe, which are located on property which is subject to already approved existing plats, development orders or Planned Unit Developments (PUDs) approved as of January 1, 2007 shall not be subject to sections 4.11 through 4.14 above.

Sec. 4.16. Same -- Special protection

With the exception of water dependent uses consistent with the master plan of the port of Port St. Joe and water dependent uses that serve as public access, the required setback or minimum buffer for all areas along St. Joseph Bay and coastal and riverine wetlands shall be a minimum of 50 feet as measured from the mean high water line (MHWL). Predevelopment water flow and quality shall be maintained (see section 4.08 St Joseph Bay shoreline protection zone).

Sec. 4.17. Floodplain -- Purpose

It is the purpose of this section to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (a) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights and velocities;
- (b) Require that uses vulnerable to floods including facilities which serve such uses be protected against flood damage throughout their intended life span;
- (c) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (d) Control filling, grading, dredging and other development which may increase erosion or flood damage; and
- (e) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 4.18. Same -- Objectives

The objectives of the floodplain provisions are to:

- (a) Protect human life, health and to eliminate or minimize property damage;

- (b) Minimize expenditure of public money for costly flood control projects;
- (c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (d) Minimize prolonged business interruptions;
- (e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, roadways, and bridges and culverts located in floodplains;
- (f) Maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and
- (g) Ensure that potential homebuyers are notified that property is in a flood hazard area.

Sec. 4.19. Same -- General Provisions

- (a) **Applicability.** The floodplain provisions shall apply to all areas of special flood hazard within the jurisdiction of the City of Port St. Joe.
- (b) **Basis for establishing the areas of special flood hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in the Flood Insurance Study (FIS) for the City of Port St. Joe, dated November 7, 2002, with the accompanying maps and other supporting data, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this article. The Flood Insurance Study and Flood Insurance Rate Map are on file at City Hall of the City of Port St. Joe.
- (c) **Designation of Floodplain Administrator.** The City Commissioners of City of Port St. Joe hereby appoints the City Manager or his designee, to administer and implement the floodplain provisions of this article and is herein referred to as the Floodplain Administrator.
- (d) **Establishment of development permit.** A development permit shall be required in conformance with the floodplain provisions of this article prior to the commencement of any development activities.
- (e) **Compliance.** No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this article and other applicable regulations.
- (f) **Abrogation and greater restrictions.** This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (g) **Interpretation.** In the interpretation and application of this article all provisions shall be:
 - (1) Considered as minimum requirements;

(2) Liberally construed in favor of the governing body; and

(3) Deemed neither to limit nor repeal any other powers granted under State of Florida statutes.

(h) Warning and disclaimer of liability. The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of City Commissioners of City of Port St. Joe or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(i) Penalties for violation. Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall be punishable for a non-criminal violation. Any person who violates the floodplain provisions of this article or fails to comply with any of its requirements shall, upon adjudication therefore, be fined not more than \$500, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful actions as is necessary to prevent or remedy any violation.

Sec. 4.20. Same -- Administration

(a) Permit procedures. Application for a Development Permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Application Stage:

a. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings;

b. Elevation in relation to mean sea level to which any non-residential building will be flood-proofed;

c. Certificate from a registered professional engineer or architect that the non-residential flood-proofed building will meet the flood-proofing criteria in Sec. 4.20(a)(2) and Sec. 4.21(b)(2);

d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development; and

e. Elevation in relation to mean sea level of the bottom of the lowest horizontal structural member of the lowest floor and provide a certification from a registered

engineer or architect indicating that they have developed and or reviewed the structural designs, specifications and plans of the construction and certified that are in accordance with accepted standards of practice in Coastal High Hazard Areas.

(2) Construction Stage:

Upon placement of the lowest floor, or flood-proofing by whatever construction means, or bottom of the lowest horizontal structural member it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NGVD or NAVD elevation of the lowest floor or flood-proofed elevation, or bottom of the lowest horizontal structural member as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood proofing is utilized for a particular building said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the lowest floor and flood-proofing elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct violations detected by such review. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

(b) Duties and responsibilities of the floodplain administrator. Duties of the Administrator shall include, but are not be limited to:

(1) Review permits to assure sites are reasonably safe from flooding;

(2) Review all development permits to assure that the permit requirements of this ordinance have been satisfied;

(3) Advise permittee that additional Federal, State of Florida, or local permits may be required, and if such additional permits are necessary, especially as it relates to Chapters 161.053; 320.8249; 320.8359; 373.036; 380.05; 381.0065, and 553, Part IV, Florida Statutes, require that copies of such permits be provided and maintained on file with the development permit;

(4) Notify adjacent communities, the Department of Community Affairs, Division of Emergency Management, the Northwest Florida Water Management District, the Federal Emergency Management Agency and other Federal and/or State of Florida agencies with statutory or regulatory authority prior to any alteration or relocation of a watercourse;

(5) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained;

(6) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (A-Zones) or bottom of the lowest horizontal structural member of the lowest floor (V-Zones) of all new or substantially improved buildings, in accordance with Sec. 4.21(b)(1) and (2) and Section (e)(2), respectively;

(7) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved buildings have been flood-proofed, in accordance with Sec. 4.21(b)(2);

(8) Review certified plans and specifications for compliance. When flood-proofing is utilized for a particular building, certification shall be obtained from a registered engineer or architect certifying that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy in compliance with Sec. 4.21(b)(2) of this article. In Coastal High Hazard Areas, certification shall be obtained from a registered professional engineer or architect that the building is designed and securely anchored to pilings or columns in order to withstand velocity waters and hurricane wave wash. Additionally in Coastal High Hazard Areas, if the area below the lowest horizontal structural member of the lowest floor is enclosed, it may be done so with open wood lattice and insect screening or with non-supporting breakaway walls that meet the standards of Sec. 4.21(e)(6) of this article;

(9) Interpret the exact location of boundaries of the areas of special flood hazard. When there appears to be a conflict between a mapped boundary and actual field conditions, the Floodplain Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article;

(10) When base flood elevation data or floodway data have not been provided in accordance with Sec. 4.19(b), the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State of Florida, or any other source, in order to administer the provisions of Sec. 4.21;

(11) Coordinate all change requests to the FIS, FIRM and FBFM with the requester, State of Florida, and FEMA, and

(12) Where Base Flood Elevation is utilized, obtain and maintain records of lowest floor and floodproofing elevations for new construction and substantial improvements in accordance with Sec. 4.21(b)(1) and (2), respectively.

Sec. 4.21. Same -- Provisions for flood hazard reduction

(a) General standards. In all areas of special flood hazard, all development sites including new construction and substantial improvements shall be reasonably safe from flooding, and meet the following provisions:

(1) New construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State of Florida requirements for resisting wind forces;

(3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. See the applicable Technical Bulletin or Bulletins for guidance;

(4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage. See the applicable Technical Bulletin or Bulletins for guidance;

(5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

(8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

(9) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this code;

(10) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this code, shall be undertaken only if said non-conformity is not furthered, extended, or replaced;

(11) All applicable additional Federal, State of Florida, and local permits shall be obtained and submitted to the Floodplain Administrator. Copies of such permits shall be maintained on file with the development permit. State of Florida permits may include, but not be limited to the following:

a. Northwest Florida Water Management District(s): in accordance with Chapter 373.036 Florida Statutes, Section (2)(a) – Flood Protection and Floodplain Management.

b. Department of Community Affairs: in accordance with Chapter 380.05 F.S. Areas of Critical State Concern, and Chapter 553, Part IV F.S., Florida Building Code.

c. Department of Health: in accordance with Chapter 381.0065 F.S. Onsite Sewage Treatment and Disposal Systems.

d. Department of Environmental Protection, Coastal Construction Control Line: in accordance with Chapter 161.053 F.S. Coastal Construction and Excavation.

(12) Standards for Subdivision Proposals and other Proposed Development (including manufactured homes):

- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(b) **Specific standards.** In all A-Zones where base flood elevation data have been provided (Zones AE, A1-30, and AH), as set forth in Sec. 4.19(b), the following provisions shall apply:

(1) **Residential Construction.** All new construction or substantial improvement of any residential building (including manufactured home) shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate automatic equalization of flood hydrostatic forces on both sides of the exterior walls shall be provided in accordance with standards of Sec.4.21.(b)(3).

(2) **Non-Residential Construction.** All new construction or substantial improvement of any commercial, industrial, or non-residential building (including manufactured home) shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation. All buildings located in A-Zones may be flood-proofed, in lieu of being elevated, provided that all areas of the building components below the base flood elevation plus one foot are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied using the FEMA Floodproofing Certificate. Such certification along with the corresponding engineering data, and the operational and maintenance plans shall be provided to the Floodplain Administrator.

(3) **Elevated Buildings.** New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(ii) The bottom of all openings shall be no higher than one foot above foundation adjacent interior grade (which must be equal to or higher in elevation than the adjacent exterior grade); and

(iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they provide the required net area of the openings and permit the automatic flow of floodwaters in both directions.

b. Fully enclosed areas below the lowest floor shall solely be used for parking of vehicles, storage, and building access. Access to the enclosed area shall be minimum necessary to allow for parking of vehicles (garage door), limited storage of maintenance equipment used in connection with the premises (standard exterior door), or entry to the living area (stairway or elevator); and

c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.

(4) Standards for Manufactured Homes and Recreational Vehicles

a. All manufactured homes that are placed, or substantially improved within Zones A1-30, AH, and AE, on sites (i) outside of an existing manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, the lowest floor be elevated on a permanent foundation to no lower than one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

b. All manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision within Zones A-1, AH, and AE, that are not subject to the provisions of Sec. 4.21(b)(4)a., must be elevated so that either:

(i) The lowest floor of the manufactured home is elevated to no lower than one foot above the base flood elevation, or

(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength that are no less than 36 inches in height above the grade and securely anchored to an adequate foundation system to resist flotation, collapse, and lateral movement.

c. All recreational vehicles placed on sites within Zones A1-30, AH, and AE must either:

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions), or

(iii) Meet all the requirements for new construction, including anchoring and elevation requirements in accordance with Sec. 4.21(b)(4)a. and b.

(5) Adequate drainage paths around structures shall be provided on slopes to guide water away from structures.

(6) Standards for streams with established Base Flood Elevations, without Regulatory Floodways.

Located within the areas of special flood hazard established in Sec. 4.19 (b), where streams exist for which base flood elevation data has been provided by the Federal Emergency Management Agency without the delineation of the regulatory floodway (Zones AE and A1-30), the following additional provisions shall also apply.

a. Until a regulatory floodway is designated, no new construction, substantial improvements, or other development including fill shall be permitted within the areas of special flood hazard, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community.

b. Development activities which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the developer or applicant first applies – with the community's endorsement – for a conditional FIRM revision, and receives the approval of the Federal Emergency Management Agency.

(7) Floodways. Located within areas of special flood hazard established in Sec. 4.19(b), are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and have significant erosion potential, the following additional provisions shall also apply:

a. Prohibit encroachments, including fill, new construction, substantial improvements and other developments within the regulatory floodway unless certification (with supporting technical data) by a registered professional engineer is provided through hydraulic and hydrologic analyses performed in accordance with standard engineering practice demonstrating that encroachments would not result in any increase in flood levels during occurrence of the base flood discharge.

b. Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Sec. 4.21(a)(2), and the elevation standards of Sec. 4.21(b)(1) and (2), and the encroachment standards of Sec. 4.21(b)(7)a., are met.

c. Development activities including new construction and substantial improvements that increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the developer or applicant first applies – with the community's endorsement – for a conditional FIRM revision, and receives the approval of FEMA.

d. When fill is proposed, in accordance with the permit issued by the Florida Department of Health, within the regulatory floodway, the development permit shall be issued only upon demonstration by appropriate engineering analyses that the

proposed fill will not increase the water surface elevation of the base flood in accordance with Sec. 4.21 (7) (a).

(8) For all structures located seaward of the Coastal Construction Control Line (CCCL), the lowest floor of all new construction and substantial improvements shall be elevated to the regulatory flood elevation established by the Florida Department of Environmental Protection or by FEMA in accordance with Sec. 4.19(b), whichever is higher. All non-elevation design requirements of Sec. 4.21(e) shall apply.

(c) Specific standards for A-zones without based flood elevations and regulatory floodways. Located within the areas of special flood hazard established in Sec. 4.19(b), where there exist A Zones for which no base flood elevation data and regulatory floodway have been provided or designated by the Federal Emergency Management Agency, the following provisions shall apply:

(1) Require standards of Sec. 4.21(a).

(2) The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State of Florida, or any other source, in order to administer the provisions of this ordinance. When such data is utilized, provisions of Sec. 4.21(b) shall apply. The Floodplain Administrator shall:

a. Obtain the elevation (in relation to the mean sea level) of the lowest floor (including the basement) of all new and substantially improved structures,

b. Obtain, if the structure has been floodproofed in accordance with the requirements of Sec. 4.21(b)(2), the elevation in relation to the mean sea level to which the structure has been floodproofed, and

c. Maintain a record of all such information.

(3) Notify, in riverine situations, adjacent communities, the State of Florida, Department of Community Affairs, NFIP Coordinating Office, and the applicable Water Management District prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA.

(4) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(5) Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Florida and local anchoring requirements for resisting wind forces.

(6) When the data is not available from any source as in Sec. 4.21 (c) (2), the lowest floor of the structure shall be elevated to no lower than three feet above the highest adjacent grade.

(7) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data.

(8) In Zone AE require drainage paths around structures on slopes to guide water away from structures.

(d) Standards for AO-Zones. Located within the areas of special flood hazard established in Sec. 4.19(b), are areas designated as shallow flooding areas. These areas have flood hazards associated with base flood depths of one to three feet, where a clearly defined channel does not exist and the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures in all AO Zones shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map. If no flood depth number is specified, the lowest floor, including basement, shall be elevated to no less than one foot above the highest adjacent grade.

(2) All new construction and substantial improvements of non-residential structures shall:

a. Have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map. If no flood depth number is specified, the lowest floor, including basement, shall be elevated to at least one foot above the highest adjacent grade, or

b. Together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in Sec. 4.21(b)(2).

(3) Adequate drainage paths around structures shall be provided on slopes to guide water away from structures.

(e) Coastal High Hazard Areas (V-Zones) Located within areas of special flood hazard established in Sec. 4.19(b) are Coastal High Hazard Areas, designated as Zones V1-30, VE, or V (with BFE). The following provisions shall apply for all development activities:

(1) Meet the Requirements of Sec. 4.20(a) and Sec. 4.21(a), (b) [except (b)(7)], (c), and (d).

(2) All new construction and substantial improvements in Zones V1-V30, VE, and V (with BFE) shall be elevated on pilings or columns so that:

a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to no lower than one foot above the base flood elevation whether or not the structure contains a basement; and

b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water

loads acting simultaneously on all building components. Water loading will be those values associated with the base flood. Wind loading values will be those required by applicable State of Florida or local, if more stringent than those of the State of Florida, building standards.

(3) A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Section.

(4) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures. The Floodplain Administrator shall maintain a record of all such information.

(5) All new construction and substantial improvements shall be located landward of the reach of mean high tide.

(6) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and

b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). The water loading shall be those values associated with the base flood. The wind loading values shall be those required by applicable Florida or local, if more stringent than those of the State of Florida, building standards.

c. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be finished, partitioned into multiple rooms, or temperature-controlled.

(7) Prohibit the use of fill for structural support. No development permit shall be issued for development involving fill in coastal high hazard areas unless it has been demonstrated through appropriate engineering analyses that the subject fill does not cause any adverse impacts to the structure on site or adjacent structures. Placement of fill that would result in an increase in the base flood elevation or cause adverse impacts by wave ramping and deflection may be permitted, provided that the permit applicant first applies for

and receives a conditional FIRM revision, fulfilling the requirements for such revisions as established by FEMA.

(8) Prohibit man-made alteration of sand dunes and mangrove stands that would increase potential flood damage.

(9) Standards for Manufactured Homes

a. All manufactured homes to be placed or substantially improved on sites: (i) Outside a manufactured home park or subdivision, (ii) In a new manufactured home park or subdivision, (iii) In an expansion to an existing manufactured home park or subdivision, or, (iv) In an existing manufactured home park or subdivision in which a manufactured home has incurred "substantial damage" as the result of a flood, must meet the standards of Sec. 4.21(e)(2) through (8),

b. All manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision shall meet the requirements of Sec. 4.21(b)(4) (b).

(10) Recreational vehicles placed on sites within Zones VE, V1-V30, V (with base flood elevation) on the FIRM either

a. Be on the site for fewer than 180 consecutive days,

b. Be fully licensed and ready for highway use (on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

c. Meet the requirements of Sec. 4.21(e)(2) through (8).

d. Prohibit the placement of recreational vehicles, except in an existing recreational vehicle park. They must be on site for fewer than 180 consecutive days, fully licensed and ready for highway use (on its wheels or jacking system, is attached to the site by quick disconnect type utilities and security devices, and has no permanently attached additions). They shall also have a plan for removal in case of a threat.

(11) For all structures located seaward of the Coastal Construction Control Line (CCCL), the bottom of the lowest horizontal structural member of the lowest floor of all new construction and substantial improvements shall be elevated to the flood elevation established by the Florida Department of Environmental Protection or the base flood elevation, whichever is the higher. All non-elevation design requirements Sec. 4.21(e)(2) through (11) shall apply.

(12) When fill is proposed, in accordance with the permit issued by the Florida Department of Health, in coastal high hazard area, the development permit shall be issued only upon demonstration by appropriate engineering analyses that the proposed fill will not increase the water surface elevation of the base flood nor cause any adverse impacts to adjacent properties by wave ramping and deflection.

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

Any citizen shall be entitled to be placed on the official agenda of a regular meeting of the Commission and/or be heard during the public comment period of a Commission meeting when recognized by the Mayor within the scope of the Commission's jurisdiction through the adopted Public Speaking Form.

To make a public speaking request and placed on the agenda, please fill out and submit this form and return to the City of Port St. Joe, 305 Cecil G. Costin Blvd., Room _____, Port St Joe, FL 32456 or the City Clerk, prior to _____ a.m./p.m. the Tuesday of the noticed Commission meeting date. Back-up materials, if any, must be included with the original Public Speaking Form in order to allow the Commissioners an opportunity to review the material before the discussion.

Appearance before the Commission is limited to THREE (3) minutes for individuals or FIVE (5) minutes for a group representative in accordance with the City of Port St. Joe Public Speaking Ordinance. You will be provided an opportunity to speak only when recognized by the Mayor of the City of Port St. Joe. All public comment shall be held in strict accordance with the City of Port St. Joe, Florida Speaking Ordinance _____.

NAME OF SPEAKER OR GROUP:	DATE OF REQUEST:
---------------------------	------------------

NAME OF PERSON REPRESENTING GROUP	ADDRESS	PHONE NUMBER: EMAIL:
-----------------------------------	---------	-------------------------

Please indicate (X) how you prefer to be contacted: Mailing Address _____ Email _____

SUBJECT YOU WISH TO DISCUSS:

Use this space for any explanatory comments you feel necessary.

HAVE YOU EVER CONTACTED ANYONE IN CITY GOVERNMENT IN REGARD TO THIS SUBJECT?

YES ____ NO ____

IF SO, WHO?

WHEN?

WHAT WAS THE OUTCOME?

By signing this public speaking form, I hereby swear that all of my comments and testimony provided by me are the truth and nothing but the truth and I have reviewed and will strictly abide by the City of Port St. Joe Speaking Ordinance. Further, I shall only speak when recognized by the Chairman and strictly address all my concerns to the Chairman of the City Commission as well as take direction, questions and further comment directly from the Chair.

X _____

18

TO BE COMPLETED BY ADMIN. OFFICE ONLY	DATE SPEAKER SCHEDULED:	SPEAKER NOTIFIED: INITIALS:
--	-------------------------	--------------------------------

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, ENTITLED
PUBLIC PARTICIPATION AT COMMISSION MEETINGS; PROVIDING FOR
REPEALER, SEVERABILITY, MODIFICATIONS THAT MAY ARISE FROM
CONSIDERATION AT PUBLIC HEARINGS; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Legislature of the State of Florida recently adopted Senate Bill 50, now codified as Chapter 2013-227, Laws of Florida, and

WHEREAS, Senate Bill 50 sets forth certain requirements for participation by the public at meetings of the Board of City Commissioners as well as other boards created by the Board of City Commissioners, and

WHEREAS, as a result of Senate Bill 50, now codified as Chapter 2013-227, Laws of Florida and enacted by Legislature of the State of Florida under Section 286.0114, have directed this commission to provide a member of the public reasonable opportunity to be heard by a board or commission in specified matters and issues as defined by the statute; and

WHEREAS, as a result of this enactment by Legislature of the State of Florida under Florida Statute Section 286.0114, **THE CITY COMMISSION OF THE CITY OF PORT ST. JOE, FLORIDA (herein after “the Commission”)** has deemed it appropriate and necessary to memorialize past adopted policies pertaining to public participation at Commission meetings;

WHEREAS, pursuant to Florida Statute 125.01 the Commission shall have the power to carry on city government inclusive of the power to adopt its own rules that are not inconsistent with general or special law; and

WHEREAS, pursuant to Florida Statute 125.01 the City shall reserve the powers to adopt ordinances necessary for the exercise of its powers and perform acts which are in the common interest of the people of the City of Port St. Joe, Florida and exercise all powers and privileges not specifically prohibited by law; and

NOW, THEREFORE, BE IT ORDAINED by **THE CITY COMMISSION OF THE CITY OF PORT ST. JOE, FLORIDA** that:

SECTION 1. Public participation at commission meetings.

In order to provide the general public an opportunity to address the Commission and in compliance with Florida law, members of the public shall be given reasonable opportunity to address the Commission on any concern under the jurisdiction of the Commission on any proposition prior to the Commission taking official action on such proposition. To ensure a full and fair opportunity for all citizens to be heard, the following rules shall apply to all legislative, quasi-legislative and quasi-judicial matters, unless formal quasi-judicial procedures are instituted.

- a. Public comment on any concern under the jurisdiction of the Commission or on any proposition to be considered by the Commission shall be heard following the Commissioners

and staff having completed their discussion and comments on the issue and prior to the Commission taking any action on the concern or matter. Public comment shall also be on any proposition which the Commission is to take action which was either not on the agenda or distributed to the public prior to the commencement of the meeting. This public comment shall be limited to the proposition under consideration and shall be heard prior to the Commission taking any action on the proposition. Public comment shall be directed to the Mayor presiding over the meeting and not to the staff, audience or individual commissioners. Prior to addressing the Commission, each person shall fill out a speaker's form provided at the door stating the speaker's name and address when applicable and prior notice afforded. All comments must be made from the podium after stating one's name and address

- b. For matter which are not on the agenda and not being considered for action by the Commission at a particular meeting, known as the "public commentary time period", the public shall be given an opportunity to address the commission on such matters as referenced herein and which may potentially come before the Commission in the future. The public commentary time period shall be included on the Commission's agenda and shall come before all business before the Commission has been addressed by the Commission or after all such business of the Commission has been addressed. Under no circumstances shall there be more than one public commentary time period at any given meeting.
- c. Individual members of the public addressing the Commission shall be allotted three (3) minutes to make their statement, presentation or present their request. Persons documented to be speaking on behalf of a legitimate organization shall be allotted five (5) minutes. Only one (1) individual per organization shall be permitted to speak on behalf of the organization. The allotment of time for speakers is non-transferrable. If the subject matter requires investigation by City staff, the Mayor shall refer the matter to the City Manager for further review and future comment and recommendation. If a large number of individual members of the public wish to speak on the same topic, the Mayor, in his or her sole discretion, may elect to require those individuals speaking on the same topic to choose one person from each view point to represent their interest regarding that topic and limit the comment on that topic to those representatives for an allotted time of three (3) minutes.
- d. Persons speaking during public hearings and workshops of the City shall be limited to the time period set aside for public comment. The time limits set forth in "c" above shall be observed during public meetings, hearings, and workshops.
- e. The requirements set forth in subsections "a" "b" and "c" do not apply to:
 - 1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare or safety if compliance with the requirements would cause an unreasonable delay in the ability of the City or Commission to act;
 - 2. An official act involving no more than a ministerial act, including but not limited to approval of minutes and ceremonial proclamations;

3. A meeting that is exempt from Section 286.011, Florida Statutes, or;
 4. A meeting during which the Commission is acting in a formal quasi-judicial capacity. The rights of persons to be heard during a formal quasi-judicial hearing shall be provided by applicable law.
- f. Individuals who violate the rules of public participation shall be requested to leave the podium and return to their seat. The use of abusive, vulgar or profane language directed at the Commission, any member thereof or at members of the audience or staff, member of the general public or private citizen shall not be tolerated. Any such conduct may result, at the request of the Mayor, in law enforcement officers being summoned to remove such individuals from the meeting.

SECTION 2. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 3. Severability.

It is declared to be in the intent of **THE CITY COMMISSION OF THE CITY OF PORT ST. JOE, FLORIDA**, that if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision, and shall not be affected by such holding.

SECTION 4. Modification.

It is the intent of the Commission that the provisions of this Ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Commission and filed by the Clerk to the Commission pursuant to Section 4.

SECTION 5. Effective Date.

This Ordinance shall be effective as provided by law.

ADOPTED this _____ day of _____, 20____.

**THE CITY COMMISSIONERS OF THE
CITY OF PORT ST. JOE, FLORIDA**

ATTEST:

By: _____

(Printed Name)

By: _____

(Printed Name)



**Pioneer Bay CDC
261 Avenue D
Port St. Joe Florida 32456**

Date: November 20, 2018
TO: City Of Port St. Joe City Commission
From: Cheryl Steindorf, Board Member
Pioneer Bay Community Development Corporation
Subject: Use Of Vacant Washington Recreation Center Game Room
For Office Space

Honorable Commissioners,

The Board of Directors for the Pioneer Bay Community Development (PBCDC), would like to request your permission to use the vacant and unused game room space in the Washington Recreation Center, as office space to house the PBCDC and North Port St. Joe Project Area Coalition (NPSJPAC). The use of this space will allow both organizations to have a visible presence and a location within the City of Port St. Joe. Thereby, allowing them to continue their advocacy and community development work. Work they have been successfully leading over the past three years.

Both the PBCDC and NPSJPAC are 501c 3 nonprofit organizations with limited resources. Our volunteer board and members have become the go to organizations for addressing the blighted, unsafe and unhealthy conditions in the community. Your support for these organizations was instrumental in the success they have achieved to date. By approving this request you will allow these organizations to continue their efforts to provide opportunities for removing blighted condition, developing safe decent and affordable housing, small business development and community and economic development for all the residents of North Port St. Joe.

Your approval of this request for use of this space is critical our ability to assist in the recovery and rebuilding of the City of Port St. Joe in the aftermath of Hurricane Michael. Should you need more information please give me a call @ (850) 227-5662.

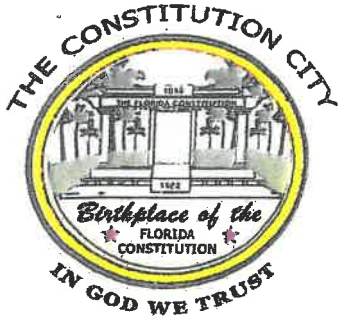
Sincerely,

**Cheryl Steindorf, Chair Facilities Committee
Pioneer Bay Community Development Corporation**

**Repair and / or Replacement of the Washington Gym, STAC House, and
Centennial Building Roofs
Monday, November 26, 2018
4:05 P.M.**

Opened Tuesday, November 27, 2018
3:05 P.M.

✱ ✱ ✱



The City of Port St. Joe

November 16, 2018

Ms. Krista McGraw, Environmental Manager
Northwest District Office
Florida Department of Environmental Protection
160 Government Center, Suite 308
Pensacola, Fl. 32502-5794

**Re: Consent Order AO-113NW
City of Port St Joe**

Dear Ms. McGraw:

The City of Port St Joe in compliance with our Wastewater Consent Order is submitting the following written estimate of the total cost of the proposed corrective action to comply with item 9. The City budgeted \$115,847 in its 2018/2019 budget that was adopted on October 1, 2018. We have bid out the project and had full intentions to award a bid when we were devastated by Hurricane Michael on October 10, 2018. The City's finances have been severely impacted by the loss of customers and our taxable value with the City. Any assistance that FDEP may be able to provide with funding and/or a variance to the required February start date would be greatly appreciated.

RFP 2018-14 Biological Dredge Waste Water Lagoon Bids

Vendor: Environmental Associates of Louisiana

Per year: \$380,000

Vendor: Sea-Today

One year contract with labor provided: \$192,000

One year contract with PSJ labor: \$180,000

Three year contract with labor provided:

Year one; \$166,000

Years 2 and 3; \$142,000

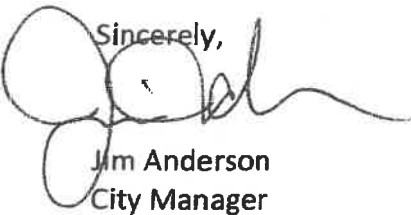
Three year contract with PSJ labor:

Year one; \$154,000

Years 2 and 3; \$130,000

We thank you for your assistance and patience in resolving our effluent challenges.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Anderson", with a long horizontal flourish extending to the right.

Jim Anderson
City Manager

**Code Enforcement 2018 Activity
As of 11/29/2018**

		Open			Closed			Total			Increase
Unlawful Accumulation		6						6			6
Substandard Structure		14						14			14
Abandoned Vechicle											
Unlawful Sewer											
Land regulation Violation		1			1			2			2
Business Lic. Violation											
Special Master Hearings											
Building Demolition		11						11			11
Waste Violation											
Sign Violation					278			278			278
	Total	32	Total		279	Total		311	Total		311