

## 7/13/2021 - Minutes

1. Opening Prayer with Pastor Matt Thompson of Elevation Life Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the June 22, 2021 City Commission Meeting.

Assistant City Manager Brandy Waldron called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, and Josh Street. Also present: City Manager Mark McQueen and City Attorney Nevin Zimmerman.

Commissioner Rader moved to approve the minutes for the June 22, 2021 City Commission Meeting as presented. Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

Commissioner Rader moved to add Item 9.k. to the agenda. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

### 4. Mayor's Report

#### 4.a. Recognition of the retirement of Police Chief Scott Ervin.

Mayor Brudnicki recognized Police Chief Scott Ervin for his 22 years of service to the citizens of Panama City.

#### 4.b. Appointments to the Downtown Improvement Board.

Mayor Brudnicki announced that there were five applicants for the vacant position on the Downtown Improvement Board. Those applicants not selected will be considered for upcoming openings.

Commissioner Rader moved to appoint Christopher "Brent" McLeod to the Downtown Improvement Board for a term to expire September 1, 2024. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

Commissioner Haligas moved to reappoint Catherine Shores to the Downtown Improvement Board for a term to expire August 14, 2024. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

#### 4.c. Community Announcements.

The following events were announced: Friday, July 16, 2021, Movies in the Bark, 7:00 p.m. at Oaks by the Bay Park; and Saturday, July 17, 2021, Community Cleanup Day from 8 a.m. until 2 p.m. at Redwood Cemetery.

Mayor Brudnicki announced that the State of Florida has authorized reimbursement to the City FEMA deductibles related to Hurricane Michael.

5. Audience Participation

Walter P. Henry, 614 Maple Avenue, Panama City; James O'Shields. 1904 E. 3rd Street, Panama City; Tony Bostick, 3910 Arbor Trace Drive, Panama City; Edward Bell, 720 Kirkland Avenue, Panama City; Rodney Bruce, 921 Center Avenue, Panama City; Michelle Clay, 803 E. 10th Street, Panama City; Andrew Colvin, 908 Wilson Avenue, Panama City; Robert Stewart, 261 Everitt Avenue, Panama City, Alesia Rhodes, 915 and 921 N Center Avenue, Panama City; Tricia Pyzik, 9039 Abba Lane, Panama City Beach; William Self, 2915 Marron Drive, Panama City; and Derek Thomas, 1100 W. 10th Street, Panama City; addressed the Commission.

6. City Attorney

6.a. Ratification of Extensions to the Declaration of State of Emergency due to Hurricane Sally.

Commissioner Rader moved to ratify Hurricane Sally State of Emergency Declarations No. 41 and 42. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

6.b. Announce the Executive Session taking place at the end of the agenda pursuant to s.286.011(8), F.S. to discuss and receive advice regarding National Prescription Opiate Litigation - City of Panama City; US Judicial Panel - MDL No. 2804; USDC, Northern District of Florida, Case No. 5: 18-cv-00068 and update on City vs ZHA Incorporation Bay County Case No. 2020-000358-CA.

Attorney Zimmerman announced the Executive Session taking place at the end of the Commission Meeting. The Executive Session is expected to last approximately 30 minutes.

7. Unfinished Business

7.a. Final reading of Ordinance 3001.1, amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 235 W 15th Street, Panama City, FL.

William Harrison, no address given, addressed the Commission on behalf of the applicant.

Cliff Myers, 501, 521, 345, 343, and 341 W 14th Street, Panama City, addressed the Commission.

Commissioner Haligas moved to approve Ordinance 3001.1, amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 235 W 15th Street, Panama City, FL. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

The Ordinance was read as a final reading by the title only as shown below:

ORDINANCE NO. 3001.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF MIXED USE FOR PARCELS OF PROPERTY LOCATED AT 235 W 15th ST, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

7.b. Final reading of Ordinance 3001.2, amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 3, MU-3, for the property located at 235 W 15th Street, Panama City, FL.

Commissioner Haligas moved to approve Ordinance 3001.2, amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 3, MU-3, for the property located at 235 W 15th Street,

Panama City, FL. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

The Ordinance was read as a final reading by the title only as shown below:

ORDINANCE NO. 3001.2

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 235 W 15th ST, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 7.767 ACRES, MIXED USE 3, MU-3, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

#### 8. Consent Agenda

8.a. 2021 Bay Pride Festival, October 16, 2021, from 7:00 a.m. to 8:00 p.m., behind House of Henry Restaurant.

8.b. Approve Cityworks user and licensing agreements in the amount of \$98,000.00.

8.c. Approve purchase of two (2) F-250 Super Duty XL Crew Cab under State Contract 25100000-91-1, in the amount of \$77,228.00.

8.d. Approve Amendment One to D.E.O. Grant to include intersection construction at Star Avenue and Liberty Subdivision/Nehi Apartments.

Commissioner Haligas moved to approve the Consent Agenda as presented. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

#### 9. City Manager

9.a. Gulf Coast State College Guaranteed Presentation and request for ARP Commitment.

Glen McDonald, Vice President, Strategic Products, explained the Gulf Coast Guarantee Scholarship Campaign. The goal of the program is to provide \$1,400.00 per student per year of scholarship funds by creating a perpetual endowment from donations.

Commissioner Haligas moved to approve a restricted gift of \$200,000.00 from American Rescue Plan funds to Gulf Coast State College Foundation for the Gulf Coast Guarantee Scholarship Program. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

9.b. Panama City Performing Arts & Events Center Citizen Advisory Group Presentation.

Kevin Miller, Panama City Performing Arts and Events Center Advisory Group Member, presented an overview of recommendations for replacement of the hurricane-damaged Civic Center. The Commission thanked the Citizens Group for their work and dedication.

Andrew Colvin, 908 Wilson Avenue, Panama City, addressed the Commission.

9.c. Consideration of approval of a 5-year Lease-Purchase Agreement and a Communications Products Agreement with Motorola Solutions Inc. for the purchase of new 800 MHz radios in the total lease

payment amount of \$469,705.80 for use by Public Works and Police.

Commissioner Brown moved to approve a 5-year Lease-Purchase Agreement and a Communications Products Agreement with Motorola Solutions Inc. for the purchase of new 800 MHz radios in the total lease payment amount of \$469,705.80 for use by Public Works and Police. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.d. Consideration of L&R Contracting, LLC, Payment Application No. 16 associated with the contracted Scope of Work for the Panama City Marina Reconstruction in the amount of \$508,743.36.

Commissioner Haligas moved to approve L&R Contracting, LLC, Payment Application No. 16 associated with the contracted Scope of Work for the Panama City Marina Reconstruction in the amount of \$508,743.36. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.e. Consideration to approve grant application for the FY 2021 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies/Bureau of Justice Assistance.

Commissioner Rader moved to approve submission of a grant application for the FY 2021 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies/Bureau of Justice Assistance. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.f. Consideration of amendment of Personnel Holiday Policy and accompanying Resolution 20210713.1.

Commissioner Brown moved to approve amendment of Personnel Holiday Leave and accompanying Resolution 20210713.1. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.g. Consideration to award Bid PC21-039 Eastern Shipbuilding Group "FIN Dredge Stabilizer Project" to Diamond Services Corp. in the amount of \$750,000.00.

Commissioner Rader moved to award Bid PC21-039 for Eastern Shipbuilding Group "FIN Dredge Stabilizer Project" to Diamond Services Corp. in the amount of \$750,000.00. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.h. Consideration and approval to proceed with the Panama City Downtown North CRA Expansion project in the amount of \$54,000.00, and authorization to execute related documents.

Commissioner Brown moved to approve to proceed with the Panama City Downtown North CRA Expansion project in the amount of \$54,000.00, and authorization to execute related documents. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.i. Public Hearing for REBUILD FLORIDA Hazard Mitigation Grant Match Program.

The Public Hearing for the REBUILD FLORIDA Hazard Mitigation Grant Match Program commenced. Jennifer Aldridge, Disaster Recovery Project Manager, presented an overview of the purpose of the ten projects to be submitted for proposed funding under the program.

Edward Bell, 720 Kirkland Avenue, Panama City; and Derek Thomas, 1100 W. 10<sup>th</sup> Street, Panama

City; commented during the Public Hearing.

9.j. Report on Fire Assessments and Nuisance Abatement Assessments for 2020 and 2021.

Attorney Mark Lawson reported on the 2020 Fire Assessments and the 2020 Nuisance Abatement Assessments; as well as the process for adoption of the Assessments for 2021. A Public Hearing will be held on August 10, 2021 to consider adoption of the Fire Assessment Roll and the Nuisance Abatement Asset Roll.

9.k. Addendum 1 - Consideration of authorization to pursue purchase options of the Juvenile Justice property from the County.

Walter P. Henry, 614 Maple Avenue, Panama City, addressed the Commission.

Commissioner Rader moved to authorize the City Manager to pursue purchase options of the Juvenile Justice property from Bay County. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

10. City Manager - First Readings

10.a. First reading of Ordinance 3008.1, amending the Future Land Use Map of the City to reflect a land use designation of Urban Residential for the property located at 2121 Lisenby Avenue, Panama City, FL.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3008.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF URBAN RESIDENTIAL FOR A PARCEL OF PROPERTY LOCATED AT PARCEL ID 13784-081-000 2121 LIENBY AVENUE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

10.b. First reading of Ordinance 3008.2, amending the Zoning Map of the City to reflect a zoning designation of Urban Residential 2, UR-2, for the property located at 2121 Lisenby Avenue, Panama City, FL.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3008.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT PARCEL ID 13784-081-000 2121 LIENBY AVENUE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 9.03 ACRES, URBAN RESIDENTIAL-2, UR-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

10.c. First reading of Ordinance 3009.1, amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 2923 and 2925 Stanford Road, Panama City, FL.

Scott Bowman, 2705 Woodland Drive, Panama City, property owner, addressed the Commission.

William Self, 2915 Marron Drive, Panama City; Gene Simmons, 2925 Marron Drive, Panama City; Andrew Colvin, 908 Wilson Avenue, Panama City; Linda Self, 2915 Marron Drive, Panama City, Carol Summey, 2827 Jamedon Drive, Panama City; and Jean Steele, 2911 Marron Drive, Panama City; addressed the Commission.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3009.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF MIXED USE FOR PARCELS OF PROPERTY LOCATED AT 2923 & 2925 STANFORD ROAD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.d. First reading of Ordinance 3009.2, amending the Zoning Map of the City to reflect a zoning designation of Urban Mixed Use 2, MU-2, for the property located at 2923 and 2925 Stanford Road, Panama City, FL.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3009.2

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 2923 & 2925 STANFORD ROAD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .434 ACRES, MIXED USE 2, MU-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.e. First reading of Ordinance 3010.1, voluntary annexation of .505 acres of property located at 4209 Northshore Road.

Julie Harrison, no address given addressed the Commission on behalf of the property owner.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3010.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 0.505 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 4209 NORTHSHORE ROAD BAY COUNTY, FLORIDA, INTO THE CITY, AS FURTHER DEFINED HEREINAFTER, AMENDING THE WARDS AND BOUNDARIES OF THE CITY TO INCLUDE SAID LAND AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.f. First reading of Ordinance 3010.2, amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 4209 Northshore Road.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3010.2

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF MIXED USE FOR PARCELS OF PROPERTY

LOCATED AT 4209 NORTHSORE ROAD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.g. First reading of Ordinance 3010.3, amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 3, MU-3, for the property located at 4209 Northshore Road.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3010.3

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 4209 NORTHSORE ROAD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .505 ACRES, MIXED USE 3, MU-3, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.h. First reading of Ordinance 3011.1, amending the Future Land Use Map of the City to reflect a land use designation of Urban Residential for the property located at 1202 Christel Avenue, Panama City, FL.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3011.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF URBAN RESIDENTIAL FOR A PARCEL OF PROPERTY LOCATED AT 1202 CHRISTEL AVE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.i. First reading of Ordinance 3011.2, amending the Zoning Map of the City to reflect a zoning designation of Urban Residential 2, UR-2, for the property located at 1202 Christel Avenue, Panama City, FL.

The Ordinance was read as a first reading by title only as shown below:

ORDINANCE NO. 3011.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1202 CHRISTEL AVE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.275 ACRES, URBAN RESIDENTIAL-2, UR-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

## 11. Mayor

- 11.a. Commencing of Executive Session pursuant to FS 286.011(8) to discuss and receive advice regarding National Prescription Opiate Litigation - City of Panama City; US Judicial Panel - MDL No. 2804; USDC, Northern District of Florida, Case No. 5: 18-cv-00068 and update on City vs ZHA Incorporation Bay County Case No. 2020-000358-CA.

City Attorney Zimmerman announced the commencement of the Executive Session and the individuals attending. Each attendee was identified for the record, as follows: Mayor Greg Brudnicki, Commissioner Jenna Haligas, Commissioner Kenneth E. Brown, Commissioner Billy Rader, Commissioner Josh Street, Attorney Nevin Zimmerman, Attorney Natalie McSwane, Attorney Cliff Higby, and City Manager Mark McQueen. The entire session was recorded by a court reporter. A transcript will be filed with the City Clerk and will be available at the conclusion of the litigation. The Executive Session convened at 10:55 a.m.

11.b. Executive Session now terminates.

Participants of the Executive Session meeting returned to the Commission room. Mayor Brudnicki reconvened the City Commission meeting at 11:35 a.m.

11.c. Discussion and possible action regarding litigation.

There was no action taken at this time.

12. Adjournment.

There being no further business, the meeting was adjourned at 11:36 a.m.