



**CITY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 22, 2024 AT 6:00 P.M.
PUBLIC WORKS BUILDING**

Mayor, Richard Wolff

Councilman, Jerry Smith
Councilwoman, Linda Hamilton

Councilman, Jason Adams
Councilman, Tim Linderman

Tim Sloan, City Attorney

Chris Truitt, Interim Administrator

Tammy Brunson, City Clerk

This meeting will be live streamed on the City of Mexico Beach Government Facebook page. If you have any questions or comments on the agenda, please email them up to 2 hours prior to the meeting at city@mexicobeachfl.gov

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. CONSENT AGENDA

1. Minutes – September 19 2024
2. Minutes – October 15. 2024

VI. REGULAR AGENDA

1. Salt Creek Phase II – Final Plat Approval – Elizabeth Moore, Anchor CEI

- a. Open Public Discussion
- b. Close Public Discussion
- c. Discussion
- d. Motion to Approve/Deny

2. Kayak Launch Bid – January Bertacinni, Public Works Administrative Assistant

3. Jetty Bid and Construction Phase Services – City Administrator, Chris Truitt

- a. Open Public Discussion
- b. Close Public Discussion
- c. Discussion
- d. Motion to Approve/Deny

4. Task Order LDR Updates, tpc – City Administrator, Chris Truitt

- a. Open Public Discussion
- b. Close Public Discussion
- c. Discussion
- d. Motion to Approve/Deny

5. KK Storm Payment Request – City Administrator, Chris Truitt

- a. Open Public Discussion
- b. Close Public Discussion
- c. Discussion
- d. Motion to Approve/Deny

6. Peddler Ordinance Discussion – City Administrator, Chris Truitt

7. Address Stormwater Issues – Councilman Tim Linderman

8. Financial Report

VII. CITIZEN COMMENTS

- 1. Speaker must come to the podium and state name and city of residence
- 2. Comments are limited to 3 minutes

IX. COUNCIL COMMENTS

X. STAFF COMMENTS

XI. ADJOURNMENT

Emailed to interested parties and posted on the city website on: 10/17/2024

Note: Copies of the Agenda items are posted on the City’s Website mexicobeachfl.gov This meeting will be recorded on the website.

*You are hereby notified that in accordance with Florida Statutes, you have a right to appeal any decision made by the Council with respect to any matter considered. You may need to ensure that a verbatim record of the proceedings is made which may need to include evidence and testimony upon which the appeal is based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tammy Brunson, City Clerk, at 201 Paradise Path, Mexico Beach, Florida 32456; or by phone (850) 648-5700 at least five calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay System, which can be reached at 1-800-955-8770 (TDD)

City of Mexico Beach
Final Budget Hearing
THURSDAY, SEPTEMBER 19, 2024 – 6:00 PM

The City of Mexico Beach City Council held the final budget hearing on Thursday, September 19, 2024, at 6:00 pm at the Public Works Building in Mexico Beach. Mayor Wolff was absent. Jerry Smith, Mayor Pro-Tem and the following Councilmembers were present: Linda Hamilton, , Jason Adams and Tim Linderman. Also present were Interim City Administrator, Mell Smigielski, and City Clerk, Tammy Brunson

Call to order: Mr. Smith called the meeting to order at 6:00 pm.

II. Open Public Hearing:

- 1. Ordinance 839 – Adoption of FY24-25 Final Millage Rate (Second Reading)** Mr. Smith called for a motion to read Ordinance 839 in its entirety. Ms. Hamilton made motion to read Ordinance 839 in its entirety. Mr. Linderman seconded the motion. Vote passed 4-0. City Clerk read Ordinance 839 in its entirety. No public discussion or discussion at the table. Mr. Smith called for a motion to adopt Ordinance 839. Ms. Hamilton motioned to adopt and Mr. Linderman seconded the motion. Ordinance 839 adopted unanimously at 6:03 p.m.
- 2. Ordinance 840 – Adoption of FY24-25 Final Budget (Second Reading)** Mr. Smith called for a motion to read Ordinance 840 by title only. Mr. Linderman motioned to read by title only and Ms. Hamilton seconded the motion. Vote passed 4-0. City Clerk read Ordinance 840 by title only. No public discussion or discussion at table. Mr. Smith called for a motion to adopt Ordinance 840. Ms. Hamilton motioned to adopt, and Mr. Linderman seconded the motion. Ordinance 840 adopted unanimously at 6:04 p.m.
- 3. Ordinance 841 – Adoption of FY24-25 Water Fund Budget (Second Reading)** Mr. Smith called for a motion to read Ordinance 841 by title only. Mr. Linderman motioned to read and Ms. Hamilton seconded the motion. City Clerk read Ordinance 841 by title only. No public or discussion at table. Ms. Hamilton motioned to adopt Ordinance 841. Mr. Linderman seconded the motion. Ordinance 841 adopted unanimously at 6:05 p.m.
- 4. Ordinance 842 – Adoption of FY24-25 Sanitation Fund Budget (Second Budget)** Mr. Smith called for a motion to read Ordinance 842 by title only. Mr. Linderman motioned to read, and Ms. Hamilton seconded the motion. Passed with a 4-0 vote. City Clerk read Ordinance 842 by title only. No public or discussion at table. Mr. Linderman motioned to adopt Ordinance 842. Ms. Hamilton seconded the motion. Ordinance 842 adopted unanimously at 6:06 p.m.
- 5. Ordinance 843 – Adoption of FY24-25 Sewer Fund Budget (Second Reading)** Mr. Smith called for a motion to read Ordinance 843 by title only. Mr. Linderman motioned, and Ms. Hamilton seconded the motion to read. City Clerk read Ordinance 843 by title only. No public or discussion at the table. Mr. Linderman motioned to adopt Ordinance 843. Ms. Hamilton seconded the motion. Ordinance 843 adopted unanimously at 6.07 p.m.

III. Close Public Hearing

IV. Adjournment – Mr. Linderman motioned to adjourn and Ms. Hamilton seconded the motion at 6:08 p.m.

By: _____

Attest: _____

Jerry Smith, Mayor Pro Tem

Tammy Brunson, City Clerk

City of Mexico Beach

AVCON Stormwater Workshop Meeting Minutes

TUESDAY, OCTOBER 15, 2024 – 6:00 PM

The City of Mexico Beach City Council met on Tuesday October 15, 2024, at 6:00 pm at the Public Works Building in Mexico Beach for a City Workshop. Mayor Wolff and the following Councilmembers were present: Linda Hamilton, and Tim Linderman. Also present were Interim City Administrator, Mell Smigielski, City Administrator, Chris Truitt, and City Clerk, Tammy Brunson.

I. **Call to order:** Mayor Wolff called the workshop to order at 6:00 pm.

II. **Stormwater Workshop Presentation** – Tonia Nation with AVCON was introduced by Mayor Wolff and she began presentation explaining the H&H survey and their scope of work to evaluate the City of Mexico Beach’s drainage system to relieve flooding throughout the City. Ms. Nation asked the table if they had any specific questions before the citizens came forward. Mayor Wolff, Ms. Hamilton and Mr. Linderman expressed their concerns of the stormwater issues in the City. Ms. Nation asked the citizens to come up to the map and point out their concerns and encouraged the citizens to email pictures and concerns directly to them as well as filling out a comment card with their questions to gather collective information for their study. Discussions included:

1. 80 acres and the stormwater pond
2. Storm event flooding
3. 8th Street Canal
4. Flow of stormwater to the 40 acre pond
5. Swale systems, culverts, ditches and underlying issues of flooding
6. Private property flooding issues

Ms. Nation stated that they are doing what is best for the residents of Mexico Beach and this will have positive impacts. She emphasized that putting in the 40-acre stormwater pond will not negatively affect homes and what they are doing will make things better and not worse. They are in the data collection process at this time and they are aware of the flooding issues of properties. She also emphasized how important it is to have a drainage system that works properly and they are proposing improvements. Mr. Truitt asked residents that if they have flooding issues to please reach out to him and send him photos of the flooding.

Mayor Wolff welcomed the new City Administrator, Chris Truitt, to the table and thanked Mell for the job he has done as the interim.

III. **Adjournment:** Mayor Wolff called for adjournment at 6:58 p.m.

By: _____

Mayor, Richard Wolff

Attest: _____

City Clerk, Tammy Brunson



<p>City Council Agenda Abstract Form</p> <hr style="width: 50%; margin: auto;"/> <p>Meeting Date: <u>10-22-24</u></p> <p>Department: <u>Admin</u></p> <p>Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Date of Public Hearing: _____</p>	<p>For Clerk's Use Only AGENDA ITEM #</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 33%; height: 40px;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td><i>Consent Agenda</i></td> <td><i>Regular Agenda</i></td> <td><i>Closed Session</i></td> </tr> </table>				<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>					

PRESENTER/INFORMATION CONTACT: Chris Truitt

ITEM TO BE CONSIDERED

Subject:
Salt Creek Phase II Final Plat Approval

Attachment(s):
 Anchor Consulting Engineering and Inspection Review, Findings, and Recommendation
 Letter of Support from Dewberry
 Agent Affidavit and Limited Power of Attorney
 Florida Department of Environmental Protection Environmental Resource Permit
 Florida Department of Environmental Protection Notification of Acceptance of Use of a General Permit
 Project Plans from Dewberry for Salt Creek at Mexico Beach Phase 2

Brief Summary:
 The City of Mexico Beach requested Anchor Consulting Engineering and Inspection (Anchor CEI) review the proposed Mexico Beach Salt Creek Final Plat Application located at parcel 04101-060-000. After their review, Anchor CEI recommends the City of Mexico Beach approve the plat application.

Action Requested:
 The City Council should accept Anchor's recommendation and approve the application.

ISSUE OVERVIEW

Background Information & Issue Summary:
 Anchor Consulting Engineering and Inspection has reviewed the proposed Mexico Beach Salt Creek Final Plat Application; Emily Thomasee, Project Manager, recommends the City of Mexico Beach approve the application.

Financial Impacts:
 None at this time.

Staff Recommendations/Comments:
 None at this time.



September 13, 2024

Ms. Julie Danaher
Deputy City Clerk/Executive Assistant
City of Mexico Beach
 201 Paradise Path
 Mexico Beach, Florida 32456

Sent via email to: j.danaher@mexicobeachgov.com

RE: MEXICO BEACH SALT CREEK PHASE II FINAL PLAT APPLICATION ENGINEERING REVIEW; ANCHOR PROJECT NO. 1328-001-2

Dear Ms. Danaher:

As requested, Anchor Consulting Engineering and Inspection, Inc. (Anchor) has reviewed the proposed Mexico Beach Salt Creek Final Plat Application located at Parcel No. 04101-060-000. Below is a summary of our review and comments.

PLAT APPLICATION REVIEW	
1. Parcel ID:	04101-060-000
2. S/T/R	15/6S/12W
3. Purpose of Application	Applicant is looking to plat a subdivision.
4. Area	According to Bay County GIS and Bay County Property Appraiser, the area of parcel 04101-060-000 is approximately 217.28 Acres. The area of the Phase II Plat is 37.3 acres, per the Applicant.
5. Current Use	Tourist Mixed Use
6. Proposed Use	Tourist Mixed Use
7. FLU	
8. Building Height (≤48 feet)	N/A: Platting Proposal: As referenced in Article 2.02.02.1.7 – Tourist Mixed Used (TMU) – Development Standards – Maximum building height is defined as 48’.



9. Setback - Front Yard - 12 feet	Accepted- 20ft: As referenced in Article 2.02.02.1.7 – Tourist Mixed Used (TMU) – Development Standards – Front Yard Minimum setback is defined as 12 feet
10. Setback - Rear Yard – 20 feet	Accepted- 20 ft: As referenced in Article 2.02.02.1.7 – Tourist Mixed Used (TMU) – Development Standards – Rear Yard Minimum setback is defined as 20 feet
11. Setback - Side Yard - 0 or 5 feet	Accepted - 5ft: As referenced in Article 2.02.02.1.7 – Tourist Mixed Used (TMU) – Development Standards – Side Yard setback is defined as 0 feet if attachment easement is in place: 5' if abutting residential property
12. Setback - Corner Lot – 12 feet	As referenced in Article 2.02.02.1.7 – Tourist Mixed Used (TMU) – Development Standards – Corner lot setback is defined as 12 feet.
13. Impervious Surface Ratio (ISR) (0.70)	N/A: Impervious Surface Ratio is ratio between the parcel area & impervious surfaces (excludes stormwater ponds).
14. Maximum Density	Accepted - This zoning district allows for single family residential and multi-family at a maximum density of 2 dwelling units per acre; the parcel is 217.28 acres and 128 dwelling units are being proposed.
15. Minimum Lot Area or Width	Not Applicable - Per the Land Development Regulations, no minimum lot area or width shall be required within a PUD, provided that the density and intensity of the development complies with the density and intensity set forth in the Comprehensive Plan for the land use classification in which the property is located and provided further that the proposed lot lines are shown on the PUD development plan.
16. FIRM Panel No, Flood Zone and BFE	Parcel is located within Flood Zone X and Flood Zone A in FIRM Panel No. 12005C0508H and 12005C0504H
17. Easements	5' Utility Easement shown on plans on parcels at edges of public right of way.
18. Stormwater Facilities	Stormwater facilities shown on the drawings are to be private H.O.A. stormwater management facilities.
19. Lift Station	Drawings include a lift station parcel on the northwest portion of the site along Salt Creek Lane. Drawings state the lift station will belong to the City of Mexico Beach, not the HOA.

RECOMMENDATIONS

Anchor's recommendation to the City of Mexico Beach is to accept this plat request based on the accepted items listed above. Please note, Anchor did not review this plat application against Florida Statutes Chapter 177: Land Boundaries. If you have any questions or comments, please reach out.

Anchor Consulting Engineering and Inspection, Inc.

Emily Thomasee, Project Manager
850-215-1285
ethomasee@anchorcei.com

cc: Ms. Elizabeth Moore, President, Anchor (emoore@anchorcei.com)



Dewberry Engineers Inc. | 850.522.0644
203 Aberdeen Parkway | 850.522.1011 fax
Panama City, FL 32405 | www.dewberry.com

August 15, 2024

VIA email @ mell@mexicobeachfl.gov
j.danaher@mexicobeachfl.gov
allara@theplanningcollaborative.com
emoore@anchorcel.com
ksimpson@acdisaster.com

Mr. Mell Smigielski
Interim City Administrator
City of Mexico Beach
201 Paradise Path
Mexico Beach, FL, 32457

RE: **Salt Creek Phase 2**
Final Plat Application
Dewberry Project No. 50153616

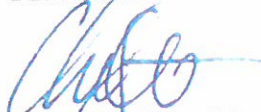
Dear Mr. Smigielski:

On behalf of The St. Joe Company, Dewberry is pleased to submit this letter in support of the Final Plat application for Salt Creek Phase 2. Specifically, this letter serves to address the stormwater management criteria of the Final Plat evaluation. This project was permitted through the Florida Department of Environmental Protection (Statewide Environmental Resource Permit #0255105-015-EI/03) on October 28, 2022.

The design incorporated the use of the previously designed wet detention pond in Salt Creek Phase 1 for a portion of the development (designed with the Phase 2 area in mind) along with the addition of three (3) additional wet detention ponds. These ponds were all designed to meet both State and City criteria for water quality (treatment) and water quantity (attenuation). The design of this stormwater management system remains unchanged from the original Development Order approval through the City of Mexico Beach and the SWERP approval through FDEP. Copies of all State permits are being provided as separate attachments via email.

If you have any questions or need additional information, please contact us at (850) 571-1199 or you may e-mail me at cshortt@dewberry.com.

Sincerely,
DEWBERRY



Christopher Shortt, P.E.
Project Manager

City of Mexico Beach

Agent Affidavit and Limited Power of Attorney

As owner of the property located at (address) Hwy 98 - Salt Creek Phase II assigned Bay County Property Appraiser parcel ID number(s) 04101-060-000, the present owner The St. Joe Company hereby grants Dewberry Engineers Inc

a Limited Power of Attorney for the sole purpose of completion and submission of an application for Salt Creek Phase II Final Plat, and to represent the signatory accordingly through any required public hearing process.

This Limited Power of Attorney is granted on this 15th day of August the year of 20 24, and is effective until the final decision made by the City Council is made and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Mexico Beach City Administrator.

Signature of Property Owner: Bridget Precise

Printed Name of Property Owner: Bridget Precise, Sr. VP, Residential Real Estate

Date: August 15, 2024

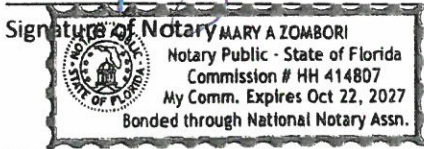
STATE OF Florida COUNTY OF Bay

The foregoing instrument was acknowledged before me this 15th day of August, 20 24 by means of personally known to me identification provided.

Type of identification produced: _____

Mary A Zombori

Mary A. Zombori



Printed Name of Notary
(Notary Seal)

My commission expires



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nunez
Lt. Governor

Shawn Hamilton
Secretary

Permittee/Authorized Entity:

St. Joe Company
Attn: Jason Scarbrough
130 N. Richard Jackson Boulevard, Suite 200
Panama City Beach, Florida 32407
jason.scarbrough@joe.com

Salt Creek Phase II

Authorized Agent:

Chris Shortt
203 Aberdeen Parkway
Panama City, Florida 32405
cshortt@dewberry.com

Environmental Resource Permit

State-owned Submerged Lands Authorization – Not Applicable

U.S. Army Corps of Engineers Authorization – Not Included

Bay County

Permit No.: 0255105-015-EI/03

Permit Issuance Date: October 28, 2022

Permit Construction Phase Expiration Date: October 28, 2027

Environmental Resource Permit

Permittee: St. Joe Company
Permit No: 0255105-015-EI/03

PROJECT LOCATION

The activities authorized by this permit are located along U.S. Highway 98 in Mexico Beach, Florida 32410 on an approximately 33.74-acre site and is part of a larger planned development. Parcel ID 04101-060-000 in Section 15, Township 6 South, Range 12 West in Bay County, at 29° 57' 35.4" North Latitude, 85° 25' 47.9" West Longitude.

PROJECT DESCRIPTION

The application and plans for this project have been reviewed and the project qualifies for an ERP pursuant to Chapter 62-330, Florida Administrative Code. The permittee is authorized to construct 96 single-family homes and 36 townhomes with associated roads, utilities, infrastructure, and a stormwater management system. The stormwater management system will include four (4) wet detention ponds: three (3) new and modifications to one (1) existing (Permit No. 0255105-011-EI/03). Wetland impacts are not anticipated. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Salt Creek Phase II

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), the Department has determined the activity is not on submerged lands owned by the State of Florida. Therefore, your project is not subject to the requirements of Chapter 253, F.S., or Rule 18-21 F.A.C.

Federal Authorization

This permit does not include federal authorization or imply the presence or limits of Waters of the United States (WOTUS) on the subject property. Activities that may impact WOTUS shall require a separate permit from the Corps. It is recommended that you contact your local Corps office to determine whether your project site contains WOTUS and/or if a Department of the Army permit is needed. A map of local Corps offices and the federal application form (ENG 4345) are available online at the Jacksonville District Regulatory Division website.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

1. The permittee shall be responsible for keeping records documenting that relevant permit conditions are met. This documentation shall include, at a minimum, the date of each inspection, the name and qualifications of the inspector, any maintenance actions taken, and a determination by the inspector as to whether the system is operating as intended. Inspection documentation must be readily available and shall be provided at the Department's request. Submittal of the inspection documentation to the Department is not required.

2. Within 30 days of any failure of a stormwater management system or deviation from the permit, a report shall be submitted to the Department on Form 62-330.311(1), Operation and Maintenance Inspection Certification, describing the remedial actions taken to resolve the failure of deviation. This report shall be signed and sealed by a registered professional.

3. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.

4. The mailing address for submittal of forms for the "Construction Commencement Notice", "As-Built Certification ...", "Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase", or other correspondence is FDEP, SLERP, 160 W. Government Street, Pensacola, Florida 32502.

SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION

5. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings.

6. Best management practices for erosion control shall be implemented prior to construction activities and maintained at all times during construction to prevent siltation and turbid discharges into adjacent wetlands. Methods shall include but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site. Erosion control methods shall be implemented as described and shown in the attached permit drawings. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all stages of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

7. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit, unless an application for extension is received and approved pursuant to Rule 62-330.320, F.A.C. If construction of the stormwater management system authorized by this environmental resource permit has not been completed and continued use of the system formally transferred to the operating phase before the expiration date of the permit, or an authorized extension, then at least 60 days before such expiration date, the permittee shall apply for another individual stormwater permit, using the forms and accompanied by the fee required by rules in effect at that time.

8. Erosion controls shall remain in place until the filled area has sufficient vegetative coverage to ensure stability and prevent erosion into the surrounding wetlands or surface waters. Grass seed and mulch or sod shall be installed and maintained on all exposed slopes and disturbed soil areas within 48 hours of completing final grade, and at any other time as necessary, to prevent erosion, sedimentation, or turbid discharges into adjacent wetlands. A vegetative cover that stabilizes and prevents erosion of the fill material shall be established within 60 days of sodding or seeding. Upon establishment of a substantial vegetative cover, all erosion control devices shall be removed.

9. All material used as fill shall be clean sand/fill dirt/shell material and shall not be contaminated with vegetation, garbage, trash, tires, hazardous waste, and deleterious materials.

10. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

11. If any construction de-watering is required which results in an offsite discharge of groundwater, the permittee and/or the contractor shall ensure that the requirements of pertinent portions of Chapter 62-621, F.A.C. are met. Please contact the FDEP Wastewater Department at 850-595-8300, for more information.

12. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.

13. Any damage to wetlands outside of the authorized impact areas as a result of construction shall be immediately reported to the Department at (850)595-8300 and repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30-day period.

14. This permit does not authorize impacts to wetlands, surface waters, or Waters of the United States. Any proposed impacts shall be reviewed and approved by the Department prior to commencement.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

15. The authorized stormwater management system shall be completed prior to or simultaneously with associated upland development.

16. Once project construction has been deemed complete, including the re-stabilization of all side slopes, embankments, and other disturbed areas, and before the transfer to the Operation and Maintenance phase, all obsolete erosion control materials shall be removed.

17. The permittee shall be responsible for keeping records documenting that relevant permit conditions are met. This documentation shall include, at a minimum, the date of each inspection, the name and qualifications of the inspector, any maintenance actions taken, and a determination by the inspector as to whether the system is operating as intended. Inspection documentation must be readily available and shall be provided at the Department's request.

18. In addition to these conditions, the Permittee shall comply with all maintenance and inspection requirements prescribed in the Maintenance and Operation Plan developed by the registered professional who designed the system.

19. All structures authorized by this permit shall remain in operable condition and shall not be allowed to deteriorate or otherwise contribute to a water quality violation for the life of the facility. All stormwater structures identified by this permit shall be maintained in proper working order for the life of the facility.

20. The wet detention area shall be inspected periodically for debris and trash built up around the discharge structures. Accumulations of debris and trash that negatively affect the function of the system shall be removed upon discovery.

21. The stormwater management system shall be inspected by a registered professional to evaluate whether the system is functioning as designed and permitted. The registered professional may record his inspection on Form No. 62-330.311(1), Operation and Maintenance Inspection Certification or may provide his evaluation in any other format; however any report must be signed and sealed by the registered professional. Submittal of the inspection report to the Department is not required; but the report shall be made available to the Department upon request. Inspections shall be made by the registered professional in accordance with this schedule:

- a. On the first anniversary of the date of conversion to Operation and Maintenance Phase.
- b. Every fifth year on the anniversary of conversion to Operation and Maintenance phase, after the first year of successful operation.

22. Within 30 days of any failure of a stormwater management system or deviation from the permit, a report shall be submitted to the Department on Form 62-330.311(1), Operation and Maintenance Inspection Certification, describing the remedial actions taken to resolve the failure or deviation. This report shall be signed and sealed by a registered professional.

23. Signs shall be posted a minimum of every 100 feet around the perimeter of all wet detention ponds stating "Stormwater Treatment Pond – No mowing or spraying of aquatic vegetation allowed unless authorized by FDEP. Call 850-595-8300 for more information." These information signs shall be installed prior to the Transfer to Operation Phase and are required for the proper operation and maintenance of the stormwater treatment system.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of

Transportation June 2007), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
- b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:

- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:

- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;

- b. Convey to the permittee or create in the permittee any interest in real property;
- c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
- d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:

- a. Immediately if any previously submitted information is discovered to be inaccurate; and
- b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28 106.201 and 28 106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant to Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Savannah Cowen at the letterhead address, at (850)595-0640, or at Savannah.Cowen@FloridaDEP.gov.

EXECUTION AND CLERKING

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Kimberly R. Allen
Permitting Program Administrator

KRA:sc

Attachments:

Exhibit 1, Project Drawings and Design Specs., 53 pages

Exhibit 2, Operation and Maintenance Plan, 1 page

Copies of 62-330 forms may be obtained at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Kimberly R. Allen, DEP, Kim.Allen@FloridaDEP.gov

Blake Chapman, DEP, Blake.A.Chapman@FloridaDEP.gov

Russell Sullivan, DEP, Russell.Sullivan@FloridaDEP.gov

Savannah Cowen, DEP, Savannah.Cowen@FloridaDEP.gov

Mark Sumner, DEP, Mark.C.Sumner@dep.state.fl.us

Jason Scarbrough, St. Joe Company, jason.scarbrough@joe.com


Chris Shortt, Dewberry, cshortt@dewberry.com

City of Mexico Beach, m.gisbert@mexicobeachgov.com

Bay County, jcyr@baycountyfl.gov, lpowell@baycountyfl.gov, agolden@baycountyfl.gov

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

October 28, 2022
Date



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740
NWD_EPOST@dep.state.fl.us

Ron DeSantis
Governor

Jeanette Nunez
Lt. Governor

Shawn Hamilton
Secretary

March 23, 2023

BY ELECTRONIC MAIL

jaustin.smith@joe.com

NOTIFICATION OF ACCEPTANCE OF USE OF A GENERAL PERMIT

PERMITTEE:	PERMIT NUMBER:	0431289-001-DWC/CG
The St. Joe Company	ISSUE DATE:	March 23, 2023
By: Justin Smith	EXPIRATION DATE:	March 22, 2028
130 Richard Jackson Blvd., Ste. 200	COUNTY:	Bay
Panama City Beach, FL 32407	PROJECT NAME:	Salt Creek Phase 2 Subdivision
	WASTEWATER TREATMENT:	Bay County's Military Point Regional AWTF
	FACILITY ID:	FL0167959

Dear Mr. Smith:

This letter acknowledges receipt of your *Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System* for Salt Creek Phase 2 Subdivision sewer project, 0431289-001-DWC/CG. Our Office received your application on February 7, 2023 with fee payment on March 22, 2023.

This letter is to advise you that the Department does not object to your use of such general permit.

The domestic wastewater collection/transmission system project consists of the construction of approximately 4,973 linear feet of 8-inch gravity sewer with 21 manholes and one lift station with 1,691 LF of 6-inch force main to provide sewer service for proposed residential subdivision. The proposed sewer system will be connected to an existing 6-inch force main located near the intersection of US 98 and Cypress Creek Drive.

The wastewater from the newly constructed sewer system will eventually flow to Bay County's Military Point Regional AWTF, FL0167959, for treatment.

The project development site is located on the north side of US 98, west of Cypress Creek Drive, in Mexico Beach, Bay County, Florida.

PROJECT NAME: Salt Creek Phase 2 Subdivision
PERMIT NUMBER: 0431289-001-DWC/CG
NOTIFICATION OF ACCEPTANCE OF USE OF A GENERAL PERMIT
Page 2 of 5

The construction shall be in accordance with the construction drawings certified by Christopher Shortt, P.E., on January 25, 2023.

Please note the attached requirements apply to your use of this general permit for constructing the proposed domestic wastewater collection/transmission system.

You are further advised that the construction activity must conform to the description contained in your *Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System* and that any deviation will subject the permittee to enforcement action and possible penalties.

When referring to this project, please use the project name and file number indicated above. If you have any questions, contact Chuck Harrell by email at charles.harrell@FloridaDEP.gov or by phone at (850) 595-0581.

Sincerely,



William A. Evans, P.E.
Water and Wastewater Permitting

c:

Christopher Shortt, P.E., Dewberry Engineers (cshortt@dewberry.com)

Glenn Davis, City of Mexico Beach (g.davis@mexicobeachgov.com)

Don Hamm, Bay County Utility Development and Permitting Manager
(dhamm@baycountyfl.gov)

Ralph Miller, Environmental Health Department Director, Florida Department of Health Bay County (ralph.miller@flhealth.gov)

Gary Lichtler, OSTDS Supervisor, Florida Department of Health Bay County
(Gary.Lichtler@flhealth.gov)

REQUIREMENTS FOR USE OF THE GENERAL PERMIT FOR DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEMS:

1. This general permit is subject to the general permit conditions of Rule 62-4.540, F.A.C., as applicable. This rule is available at the Department's Internet site at: <http://www.dep.state.fl.us/water/rulesprog.htm#ww> [62-4.540]
2. This general permit does not relieve the permittee of the responsibility for obtaining a dredge and fill permit where it is required. [62-604.600(6)(b)1]
3. This general permit cannot be revised, except to transfer the permit. [62-604.600(6)(b)2]
4. This general permit will expire five years from the date of issuance. If the project has been started and not completed by that time, a new permit must be obtained before the expiration date in order to continue work on the project. [62-4.030]
5. Upon completion of construction of the collection/transmission system project, and before placing the facilities into operation for any purpose other than testing for leaks or testing equipment operation, the permittee shall submit to the Department's District Office Form 62-604.300(8)(b), Notification of Completion of Construction for a Domestic Wastewater Collection/Transmission System. This form is available at the Department's Internet site at: <https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-forms> instructions for submitting forms electronically are available at DEP's wastewater forms webpage or submittal may be made using the DEP Business Portal <https://www.fldepportal.com/DepPortal/go/home> by selecting "Submit," "Registration/Notification," "Submit Notifications to DEP," then choose submission type "Division of Water Resource Management Domestic/Industrial Wastewater" and "Notification of Completion of Construction for a Domestic Wastewater Collection/Transmission System." [62-604.700(2)]
6. Abnormal events shall be reported to the Department's Northwest District Office in accordance with Rule 62-604.550, F.A.C. For unauthorized spills of wastewater in excess of 1000 gallons per incident, or where information indicates that public health or the environment may be endangered, oral reports shall be provided to the STATE WATCH OFFICE TOLL FREE NUMBER (800)320-0519 as soon as practical, but no later than 24 hours from the time the permittee or other designee becomes aware of the circumstances. Unauthorized releases or spills less than 1000 gallons per incident are to be reported orally to the Department's Northwest District Office within 24 hours from the time the permittee, or other designee becomes aware of the circumstances. [62-604.550]

The oral notification shall be followed by a written submission, which shall be provided within five days of the time that the owner/operator becomes aware of the circumstances. The written submission shall contain: a description of the spill, release or abnormal event and its cause; the period and duration of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; clean-up actions taken and status; steps taken or planned to reduce, eliminate, and prevent recurrence; the type of sanitary sewer overflow structure (e.g., manhole); the discharge location address and latitude/longitude; type of water discharged; discharge volumes and volumes recovered; volume discharged to surface waters and receiving waterbody name; types of human health and environmental impacts of the sanitary sewer overflow (e.g., beach closure); whether the noncompliance was caused by a third party (e.g., contractor); and,

whether the sanitary sewer overflow was related to wet weather. The written submission shall be provided electronically. Electronic submission is available using the Department's Business Portal at <https://www.fldepportal.com/go/> (via "Submit" followed by "Report" or "Registration/Notification").

7. In accordance with Section 403.077, F.S., unauthorized releases or spills reportable to the State Watch Office pursuant to paragraph 7 above shall also be reported to the Department within 24 hours from the time the permittee becomes aware of the discharge. The permittee shall provide to the Department information reported to the State Watch Office. Notice of unauthorized releases or spills may be provided to the Department through the Department's Public Notice of Pollution web page at <https://floridadep.gov/pollutionnotice> or by reporting electronically using the Department's Business Portal at <https://www.fldepportal.com/go/> (via "Submit" followed by "Report" or "Registration/Notification").

ADDITIONAL INFORMATION:

Once a collection/transmission system is cleared for operation, the provisions below shall be met by the owner/operator of the system in accordance with [Rule 62-604.500, F.A.C.](#)

1. All collection/transmission systems shall be operated and maintained to provide uninterrupted service. All pump stations shall be operated and maintained to provide the emergency pumping capability requirements in paragraph 62-604.400(2)(a), F.A.C., the lightning and transient voltage surge protections in paragraph 62-604.400(2)(b), F.A.C., and the design and signage requirements in paragraph 62-604.400(2)(d), F.A.C. Also, all equipment, pipes, manholes, pump stations, and other appurtenances necessary for the collection/transmission of domestic wastewater, including equipment provided pursuant to subsection 62-604.400(2), F.A.C., shall be maintained to function as intended. [[62-604.500\(2\) and \(3\)](#)]
2. The owner/operator of a collection/transmission system shall evaluate and update the emergency response plan portion of the operation and maintenance manual annually. The emergency response plan shall assess system security including cybersecurity; water quality monitoring for sanitary sewer overflows affecting surface waters; and, hurricane and severe storm preparedness and response. [[62-604.500\(4\)](#)]
3. Collection/transmission systems shall be maintained to minimize excessive infiltration and inflow into the collection/transmission system, as well as excessive leakage from the collection/transmission system. The owner/operator of a collection/transmission system shall take corrective actions when infiltration, inflow, or leakage is excessive. Infiltration and inflow are considered excessive if one or both cause or contribute to sanitary sewer overflows. Leakage, or exfiltration, is considered excessive if it causes or contributes to a violation of surface water quality standards or ground water quality standards. [[62-604.500\(5\)](#)]

4. All collection/transmission systems shall be operated and maintained to prevent sanitary sewer overflows. Owners/operators shall evaluate the cause of all sanitary sewer overflows and evaluate potential corrective measures to avoid future sanitary sewer overflows. Corrective actions shall be taken by the owner/operator of the collection/transmission system if excessive inflow and infiltration causes or contributes to a sanitary sewer overflow. The owner/operator of a satellite collection system shall take corrective actions for a sanitary sewer overflow in the receiving collection system caused by excessive inflow and infiltration in the satellite collection system. [[62-604.500\(6\)](#)]

5. The approved Operation and Maintenance Manual and emergency response plan pursuant to [Rule 62-604.500\(4\), F.A.C.](#), shall be kept available at a site convenient for use by operation and maintenance personnel and for inspection by the Florida Department of Environmental Protection personnel. [[62-604.500\(4\)](#)]



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, FL 32502

Ron DeSantis
Governor

Jeanette Nufiez
Lt. Governor

Shawn Hamilton
Secretary

March 2, 2023

Notification of Acceptance of Use of a General Permit

Project: Salt Creek Ph II

Permit No.: 0431289-002-DSGP

Issued: March 2, 2023

Expires: March 1, 2028

Water Supplier: City of Mexico Beach

PWS ID: 1030467

Permittee:

Mr. Jason Scarbrough, Project Manager

The St. Joe Company

130 N. Richard Jackson Blvd. Suite 200

Panama City Beach, Florida 32407

jason.scarbrough@joe.com

Dear Mr. Scarbrough:

On January 25, 2023, the Florida Department of Environmental Protection received a "Notice of Intent to Use the General Permit for Construction of Water Main Extensions for PWSs" [DEP Form No. [62-555.900\(7\)](#)], under the provisions of Rule [62-4.530](#) and Chapter [62-555](#), Florida Administrative Code (F.A.C.), with permit fee received February 20, 2023. The purpose of the project is to provide potable water to 92 single-family residences and 36 townhomes. Construction consists of approximately 5,599 LF of 8" water main and 8 fire hydrants.

Based upon the submitted Notice and accompanying documentation, this correspondence is being sent to advise that the Department does not object to the use of such general permit at this time. Please be advised that the permittee is required to abide by Rule [62-555.405, F.A.C.](#), all applicable rules in Chapters [62-4](#), [62-550](#), [62-555](#), F.A.C., and the General Conditions for All General Drinking Water Permits (found in [62-4.540, F.A.C.](#)).

The permittee shall comply with all sampling requirements specific to this project. These requirements are attached for review and implementation.

Pursuant to Rule [62-555.345, F.A.C.](#), the permittee shall submit a certification of construction completion [DEP Form No. [62-555.900\(9\)](#)] to the Department and obtain approval, or clearance, from the Department before placing any water main extension constructed under this general permit into operation for any purpose other than disinfection or testing for leaks.

Permittee:
Jason Scarbrough, Project Manager
The St. Joe Company
Page 2

DEP File No.:
0431289-002-DSGP

Within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service in total by the Department, both the permittee and the proposed permittee shall sign and submit an application for transfer of the permit using Form [62-555.900\(8\), F.A.C.](#), with the appropriate fee. The permitted construction is not authorized past the 30-day period unless the permit has been transferred.

This permit will expire five years from the date of issuance. If the project has been started and not completed by that time, a new permit must be obtained before the expiration date in order to continue work on the project, per Rule [62-4.030, F.A.C.](#)

Sincerely,



William A. Evans, P.E.
Water and Wastewater Permitting

WAE:tt

c: Chris Shortt, P.E. (cshortt@dewberry.com)
Garrett Garland, Utilities Superintendent (g.garland@mexicobeach.gov)
Douglas Baber, City Administrator (d.baber@mexicobeach.gov)

Permittee:
Jason Scarbrough, Project Manager
The St. Joe Company
Page 3

DEP File No.:
0431289-002-DSGP

A Civil Penalty May Be Incurred
if this project is placed into operation before obtaining a clearance from this office.

Requirements for clearance upon completion of projects are as follows:

1) Clearance Form

Submission of a fully completed Department of Environmental Protection (DEP) Form [62-555.900\(9\)](#) *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components into Operation.*

2) Record Drawings, if deviations were made

Submission of the portion of record drawings showing deviations from the DEP construction permit, including preliminary design report or drawings and specifications, if there are any deviations from said permit (Note that it is necessary to submit a copy of only the portion of record drawings showing deviations and not a complete set of record drawings.).

3) Bacteriological Results

Copies of satisfactory bacteriological analysis (a.k.a. Main Clearance), taken within sixty (60) days of completion of construction, from locations within the distribution system or water main extension to be cleared, in accordance with Rules [62-555.315\(6\)](#), [62-555.340](#), and [62-555.330](#), F.A.C. and American Water Works Association (AWWA) Standard C 651-92, as follows:

- The end point of the proposed addition
- Any water lines branching off a main extension
- Every 1,200 feet on straight runs of pipe

Each location shall be sampled on two consecutive days, with sample points and total and free chlorine residual readings clearly indicated on the report. A sketch or description of all bacteriological sampling locations must also be provided.

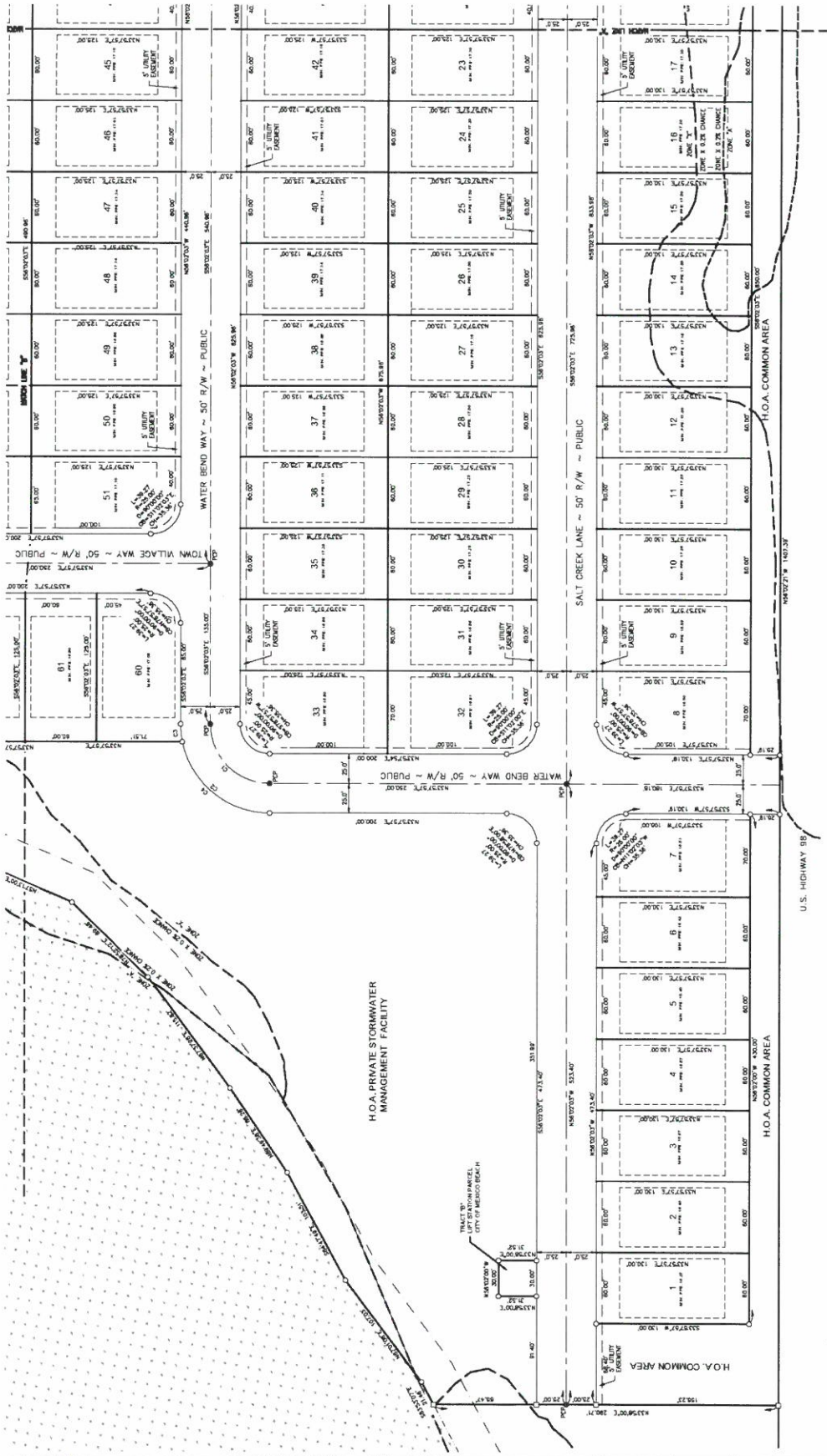
For further clarification contact:

Michael Mucci
Florida DEP
(850) 595-0569

Michael.Mucci@FloridaDEP.gov

SALT CREEK AT MEXICO BEACH PHASE 2

A SUBDIVISION OF A PORTION OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 12 WEST,
THE CITY OF MEXICO BEACH, BAY COUNTY, FLORIDA



SYMBOLS & ABBREVIATIONS

- DL = OFFICIAL RECORDS
- LS = LOCKED INSTRUMENT
- PLS = PROFESSIONAL SURVEYOR AND MAPPER
- R/W = RIGHT OF WAY
- A = ANGLE
- CH = CHORD BEARING
- CH = CHORD LENGTH
- D = SET 5/8" CAPTIVE BOLT U.S. #6 (11) (104)
- (R) = RAILROAD
- (M) = METRIC
- (S) = SET 5/8" BOLT U.S. #6 (11) (104)

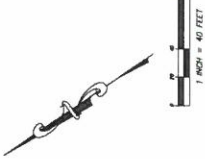
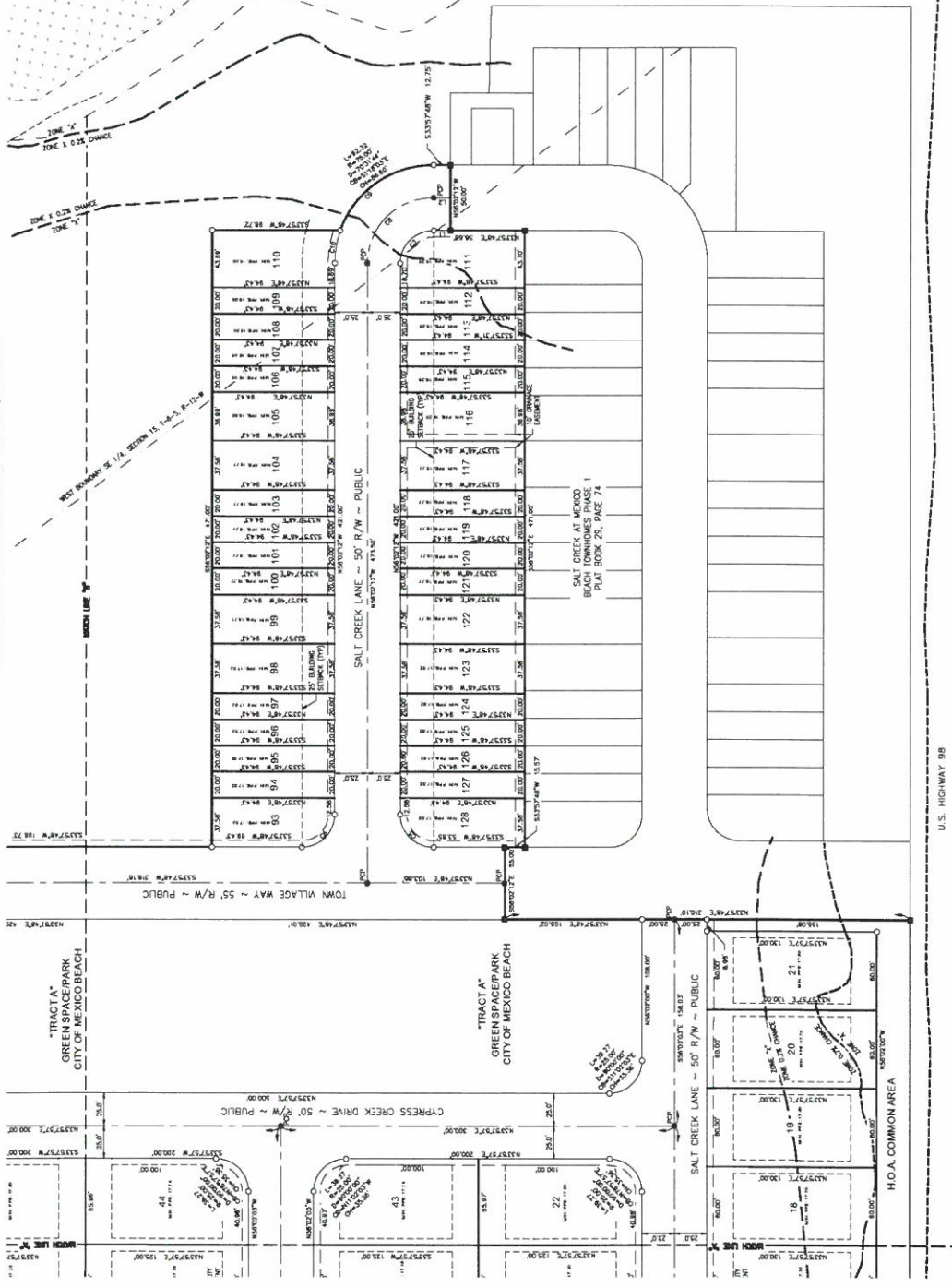
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	74.54	3000.00'	109.73°	N109°37'E	147.11'
C2	111.00	2000.00'	163.00°	N163°00'E	218.00'
C3	141.00	2000.00'	163.00°	N163°00'E	281.00'
C4	103.71	2100.00'	157.50°	S157°50'W	184.87'

ALL LOTS CORNERS ARE 5/8" IRON ROD & CAP (BROTT)



SALT CREEK AT MEXICO BEACH PHASE 2

A SUBDIVISION OF A PORTION OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 12 WEST,
THE CITY OF MEXICO BEACH, BAY COUNTY, FLORIDA



Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
05	38.37	75.00	60°00'00"	S33°57'48"W	33.36
06	38.37	75.00	60°00'00"	N11°02'12"E	33.36
07	38.37	75.00	60°00'00"	N11°02'12"E	33.36
08	78.54	50.00	60°00'00"	N11°02'12"E	70.71
09	117.81	75.00	60°00'00"	N11°02'12"E	108.07
10	38.37	75.00	60°00'00"	N89°57'48"W	33.37

Line #	Bearing	Length
1	N33°57'48"E	17.75
2	N33°57'48"E	17.75

SYMBOLS & ABBREVIATIONS:
 CR = CURVED RECORD
 LB = LOT BOUNDARY
 LS = LINED SURFACE
 LPS = LOT PLAT SURFACE
 P.S.A. = PROFESSIONAL SURVEYOR AND MAPPER
 → = DISTANCE NOT TO SCALE
 R/W = RIGHT OF WAY
 R = RIGHT-OF-WAY
 E = EASEMENT
 C.B. = CURVED BEARING
 C.L. = CHORD LENGTH
 C = CENTER POINT
 D = SET SPT CAPED 8000 SDO L.S. #8011 (F84)
 (NO) = NON-ADJACENT
 (R) = 20' MIN. AND PER L.S. #8011 (F84)

ALL LOTS CORNERS ARE 5/8" IRON ROD & CAP (LBRD1)

Dewberry
 CONSULTING ENGINEERS
 200 WASHINGTON AVENUE
 PALM BEACH GARDENS, FLORIDA 33410
 PHONE: 561.655.1200 FAX: 561.655.1011
 CERTIFICATE OF AUTHORIZATION NO. LB8141



<p>City Council Agenda Abstract Form</p> <hr style="border: none; border-top: 1px solid red; width: 20%; margin: 0 auto;"/> <p>Meeting Date: <u>10-22-24</u></p> <p>Department: <u>Admin</u></p> <p>Public Hearing: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Date of Public Hearing: <u>10-22-24</u></p>	<p>For Clerk's Use Only AGENDA ITEM #</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 33%; height: 30px;"></td> <td style="width: 33%; height: 30px;"></td> <td style="width: 33%; height: 30px;"></td> </tr> <tr> <td style="text-align: center; font-size: small;">Consent Agenda</td> <td style="text-align: center; font-size: small;">Regular Agenda</td> <td style="text-align: center; font-size: small;">Closed Session</td> </tr> </table>				Consent Agenda	Regular Agenda	Closed Session
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PRESENTER/INFORMATION CONTACT: January Bertaccini

ITEM TO BE CONSIDERED

Subject:

Approval of Contractor for Kayak Launch

Attachment(s):

Procurement Policy, Quote from Accudock, and Bid Tabulation Form

Brief Summary:

RFP was issued for construction of Kayak Launch/Dock; No bids received and would like permission to purchase from Accudock

Action Requested:

Approve Accudock Quote and move forward with purchasing and installation of Kayak Launch

ISSUE OVERVIEW

Background Information & Issue Summary:

We issued an RFP for the construction of the Kayak Launch and received no bids. According to section 12.21 of our Purchasing and Procurement Manual *If less than two responses are received in response to a solicitation, the Chief Procurement Officer and/or the Department may negotiate on the best terms and conditions. The Purchasing Department shall document the reasons that such action is in the best interest of the City in lieu of resoliciting.* I believe we can use Accudock because we are on a time crunch. The deadline for completion of this project is December 31, 2024 and if we rebid out we would not meet that deadline.

Financial Impacts:

Kayak Launch is being funded by a grant city will cover the cost of the launch and we will be reimbursed \$40,000.00

Staff Recommendations/Comments:

I recommend approval of the purchase from Accudock.

AccuDock

1790 SW 13th Court
 Pompano Beach, FL 33069
 +1 9547857557
 info@accudock.com



Estimate

ADDRESS

City of Mexico Beach
 102 Canal Pkwy
 Mexico Beach, FL 32456
 January Bertaccini
 Office: (850) 704-9191

SHIP TO

City of Mexico Beach
 102 Canal Pkwy
 Mexico Beach, FL 32456
 January Bertaccini
 Office: (850) 704-9191

ESTIMATE # 19372**DATE** 10/17/2024**EXPIRATION DATE** 11/18/2024**SHIP VIA**

Flatbed

TRACKING NO.

j.bertaccini@mexicobeac
 hfl.gov

SALES REP

BT

DESCRIPTION

12' x 18' ADA Dock

DATE	ACTIVITY	QTY	RATE	AMOUNT
	FFLT-0488 4' x 8' x 8" Framed Float	1	999.00	999.00T
	FFLT-0588 5' x 8' x 8" Framed Float	2	1,099.00	2,198.00T
	FFLT-0588 5' x 6' x 8" Framed Float	4	979.00	3,916.00T
	CON-S20 S-Style Connector w/ Frame add-on	7	32.00	224.00T
	CON-TC1 TC-Style Connector 1	3	60.00	180.00T
	CON-H10 H-Style Connector	1	60.00	60.00T
	CON-UW3S 3' Underwater Connector - Reduced Height for safe launch	1	199.00	199.00T
	ACC-308SF 3' x 8' Safe Launch Platform w/ accessory kit	1	929.00	929.00T
	ACC-TRF Accudock ADA Transfer Platform with overhead grab rail, and specifically designed angled overhead assist bar	1	4,000.00	4,000.00T
	ACC-SR2 Side Railing - Kayak Accessory	2	179.00	358.00T
	ACC-EDGE 2-1/2" Edge/ Roll Off Guard	67	22.00	1,474.00T
	ACC-ADECK PVC Decking - Color TBD. Price per sq. foot	232	26.00	6,032.00T
	ATT-PSL Piling Slide Assembly - Standard Size	2	450.00	900.00T

DATE	ACTIVITY	QTY	RATE	AMOUNT
	Hardware:1/2 x 4 Lag Bolts 1/2" x 4" Lag Bolts for slide assembly attachment	8	5.00	40.00T
	GANG-4X40ADA 4' x 41' ADA Aluminum Gangway with aluminum non skid decking, side railings, intermediates handrails, and kickplates with 38" inside clearance	1	11,760.00	11,760.00T
	GAN-HP4 4' Landside Hinge Plate	1	459.00	459.00T
	GAN-RA Gangway Roller Assembly	1	299.00	299.00T
	GAN-TP4 Transition Plate 4' width	1	529.00	529.00T
	GAN-RP Roller Pad w/ Hardware	1	299.00	299.00T

-Thank you for the opportunity to earn your business. Stated pricing is valid for 30 days.
-ALL SALES ARE FINAL.
-Credit Card payments are subject to 3% processing fee added to total at time of transaction
-Please Note: AccuDock is the manufacturer of floating docks and aluminum gangways/accessories. All delivery and/or installations will be provided by third party companies at an additional expense.

SUBTOTAL	34,855.00
TAX (7%)	2,439.85
SHIPPING	2,675.00
TOTAL	\$39,969.85

Accepted By

Accepted Date

11. PURCHASING QUOTES

- 11.1. The purchase of goods and services, up to \$15,000, shall require requesting competitive quotations from three or more vendors. The quotations may be obtained by the requesting Department or the Purchasing Department. Quotes must be on company letterhead, quote forms, or in a similar format with a date and signature of an authorized representative of the department or vendor. Any work that requires the use of a licensed contractor shall be identified prior to obtaining quotes. All contractor's licenses shall be verified prior to issuance of a Purchase Order and/or contract.

12. COMPETITIVE SOLICITATIONS

The requesting Department, in conjunction with the Purchasing Department, will determine which competitive procurement method is most practicable and advantageous to the City. Those methods may be by:

- Invitation to Bid (ITB);
- Request for qualifications (RFQ) pursuant to Consultant's Competitive Negotiation Act (CCNA) or not governed by the CCNA;
- Request for proposals (RFP);
- Sole source procurement;
- Design-build services contract in accordance with the CCNA and after coordination with the City Administrator;
- Request for qualification for construction management at risk services; or
- Multi-step bidding, including pre-qualification of respondents

12.1. Goods and services produced in the United States will be given preference when all other aspects in the bid selection process are equal.

12.2. It will be the objective of City of Mexico Beach to consolidate for purchase and bidding, all goods and services of a similar nature.

12.3. The City of Mexico Beach is an Equal Opportunity Employer. To the extent permitted by law, as a condition of conducting business with the Board, all individuals or organizations desiring to do business with the City shall have an Equal Opportunity Employment Policy consistent with state and federal law.

12.4. All competitive solicitations should include the following provisions:

- The City of Mexico Beach reserves the right to accept or reject any and all bids, proposals, competitive or otherwise, in whole or in part, to waive informalities in the solicitation documents, to obtain new bids, or to postpone the bid opening pursuant to the Board's purchasing policies as they may deem in the best interest of the City.
- The period of time responses are valid after the date of the opening.
- Public Entity Crimes Statement pursuant to Section 287.133(3)(a), Florida Statutes.
- The number, duration and condition of any intended renewal periods.
- If predictable, an estimated time for contract award.
- The basis for award.
- Procedures to award when tie bids are received.
- All other requirements of the solicitation or related funding agreements.

12.5. The requesting Department in conjunction with the Purchasing Department will formulate specifications.

12.6. The requesting Department shall attach a Request for Bid/Request for Proposal Approval Form, and forward specifications to the Purchasing Department for approval. The Purchasing Department will forward the bid package to the requesting Department, Risk Manager and the Budget Office for approval. Upon receipt of a completed and

- signed Approval Form and a Requisition covering the expense of advertising, the Purchasing Department will formally advertise the bid.
- 12.7. The Request for Bid/Request for Proposal Approval Form may include an independent cost estimate.
- 12.8. Federally funded projects will follow Federal procurement standards in the “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards”, 2 C.F.R. Sections 200.213 and 200.317-326 (See Section 30.0 of this manual).
- 12.9. The Purchasing Department shall determine the date, time and location for submitting bids, as well as the date, time and location of the Public Bid Opening.
- 12.10. The Purchasing Department will advertise the request for bids at least once in a local newspaper and permit at least ten calendar days for the vendor(s) to respond. Projects valued over \$200,000 may have specific advertisement requirements. Road projects must be advertised two consecutive weeks to meet Florida Statutes requirements. The Purchasing Department is responsible for determining the proper advertisement requirements and adhering to those requirements. Bid solicitations will be advertised in a newspaper of general circulation in the City and also posted electronically. Best practices for advertisement of allows 30 days for vendor(s) to respond.
- 12.11. The Purchasing Department will distribute bid documents.
- 12.12. If a bid or proposal requires payment for a copy of the bid or proposal, the Purchasing Department shall collect such payment before releasing a copy of the bid or proposal package.
- 12.13. Acceptance and Evaluation.
- 12.13.1. Responses shall be accepted without alteration or correction, except as authorized in this Manual. Responses shall be evaluated based on the requirements set forth in the solicitation document, which may include, but not be limited to criteria to determine acceptability such as: inspection, testing, quality, recycled or degradable materials content, workmanship, delivery, and suitability for a particular purpose and/or factors to determine a respondent’s level of responsibility such as references, work history, bonding capacity, licensure, certifications, etc.
- 12.13.2. Those criteria that will affect the price and that are to be considered in evaluation for award shall be objectively measured, such as discounts, transportation costs, and total or life cycle costs. No criteria may be used in an evaluation that is not set forth in the solicitation, or in this manual.
- 12.14. After the opening, the Purchasing Department may choose to notify any respondents of any informalities in their response. Vendor(s) will have 24 hours from the time of the opening to furnish information to the Purchasing Department. If the opening is on a Friday, they will have until Monday to reply. If no response is received within 24 hours of the opening, the package will be deemed non-responsive.
- 12.15. The requesting Department will attend the opening and will review the submitted responses to ascertain the responsive, responsible respondent in accordance with the solicitation document that provides the best value to the City. All responses will be opened in public and prices will be read aloud by the Purchasing Department, as applicable to the solicitation.
- 12.16. Unless otherwise instructed, the requesting Department will recommend the contract award in the appropriate format to the City Council and the appropriate approval authority.
- 12.17. The requesting Department will place the item on the Commission agenda for approval if amounts exceed \$15,000 or otherwise as required by law, statute, or the Code.
- 12.18. The Purchasing Department will post the award decision, and issue the following documents:
- Bid Tabulation
 - Notice of Award
- 12.19. The requesting Department is responsible for conducting any pre-construction meeting, if necessary, and issuing a Notice to Proceed after the full execution of any contract or agreement for a project.

12.20. Solicitations may be canceled or rejected in whole or in part when it is in the best interests of the City, as determined by the City Administrator and/or City Council. Notice of cancellation shall be posted on the City website. The notice shall identify the solicitation, and, where appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurement of similar items.

12.21. If less than two responses are received in response to a solicitation, the Chief Procurement Officer and/or the Department may negotiate on the best terms and conditions. The Purchasing Department shall document the reasons that such action is in the best interest of the City in lieu of resoliciting.

13. BIDDING SPECIFICATIONS

Solicitations must include specifications that are clear, accurate, and complete. Unnecessarily restrictive specifications or requirements that might unduly limit the number of bidders or proposals are prohibited. The solicitation should include all documents, whether attached or incorporated by reference that are elements of the specifications and requirements for the solicitation.

13.1. Specifications are a written description of needed supplies, equipment or services clearly and concisely set out in the solicitation along with other material elements of the particular project. Alternative specifications are highly discouraged. There are several types of specifications that can be considered:

13.1.1. Performance Specifications

- The results of the product are more important than the product itself.
- Specific end product capabilities, not method of construction.
- Descriptive Specifications
- Describes precisely what is needed.
- Covers every detail to the end product.

13.2. Open Specifications

- All manufacturers whose product meets the performance or description specified may bid.
- All performance specifications and all descriptive specifications are open specifications.
- Brand name specifications are open specifications if the phrase "or equal" is added.
- The phrase "or equal" establishes the brand name as a standard and all equal products are acceptable.

13.3. Reference Specifications

- The item desired is referred to by a number as established in a published specification or standard.
- Should use national specifications and standards.
- Be sure to read and understand what is referenced.
- A reference specification may include a number of different items. Be specific.

13.4. Combination Specifications

- Can combine performance, descriptive, and reference specifications.
- Used in describing a product that must meet both physical and performance criteria.
- Be positive the combination will produce the desired result.

13.5. The requesting Department and the Purchasing Department are responsible for ensuring that the specifications include the following elements:

- Description of the item to be purchased or a sufficient explanation of the services to be procured.
- Dimensions, tolerance and performance expected of the item.
- Reference to a sample, if any.
- Bid price is to include net delivered price or no separate charges for delivery or other hidden cost.

BID TABULATION

City of Mexico Beach RFP for _____

Kayak Launch

(Project Name)

Bid Opening Date: 16th of October, 2024 at 2:00 P.M.
 (Day) (Month)

Name of Bidder	Base Bid Amount	Bid Packet Checklist (as applicable)		
		Bid Form	Acknowledgement of Addenda	Bid Bond
XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>No bids Received</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signed By:

Jammy Brunson



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PRESENTER/INFORMATION CONTACT: Chris Truitt

ITEM TO BE CONSIDERED

Subject:
Task Order from Dewberry for Jetty Bidding and Construction Phase Services

Attachment(s):
Professional Services Letter from Dewberry
Email from Dewberry Explaining Costs

Brief Summary:
The FEMA jetty project is ready to move to the bidding and construction services phase of the project. This action, if approved, will instruct and allow Dewberry to begin the bidding, construction management, and surveying process and provide a lump-sum payment of \$88,000 for those services.

Action Requested:

ISSUE OVERVIEW

Background Information & Issue Summary:
Dewberry was selected on 7/28/20 when their West and East Jetties Project Proposal was signed to manage the jetty construction process. They have completed the design phase and are now ready to move into the bidding and construction phases. The original West and East Jetties Project Proposal excluded bidding and construction phase services. The cost for these excluded services, however, was built into the project cost.

Financial Impacts:
The proposed lump sum fee, \$88,000, is within the expected costs per FEMA's allowable fees charged. The obligated full project amount is \$2,643,841, placing the anticipated engineering fees for the entire project at \$264,384. Dewberry has already been paid \$176,330 leaving \$88,054 left for expected engineering fees. The breakdown of the \$88,000 being requested is as follows: ;

Bidding Services - \$8463.00
Construction Services - \$59677.00
Shorebird and Marine Turtle Surveying Services - \$19,860.00



September 23, 2024

Mell Smigielski
City Administrator
City of Mexico Beach
201 Paradise Path
Mexico Beach, FL 32410

Re: Professional Services for Mexico Beach Jetty- Bidding and Construction Phase Services

Dear Mr. Smigielski,

Dewberry Engineers Inc. (DEI) is pleased to provide this proposal for additional professional services related to the FEMA Jetty Project. It is our understanding that the city is prepared to move to the Bidding and Construction Services phase of the project. The original West and East Jetties Project Proposal signed on 7/28/2020 excluded Bidding and Construction Phase Services.

Under this proposal DEI will:

Bidding Services - \$8,463.00

- Assist the city in soliciting bids.
- Prepare the contract documents based on EJCDC format.
- Attend 1 Prebid conference.
- Review bids and make a recommendation for award.

Construction Services Fee - \$59,677.00

- Review Shop drawings, submittals, and construction methods.
- Attend 1 pre-construction meeting.
- Conduct periodic construction inspections.
- Review pay applications.
- Preconstruction meeting Scheduling/Coordination.
- Review and certify the required as-built certification to the DEO and USACE.
- Attend post construction meeting with DEP, Mexico Beach and FWC.
- Assist the city with FEMA project closeout.

Shorebird and Marine Turtle Surveying Services Fee - \$19,860.00

- Based on DEP Permit 0416748-001-JC, condition 7&8.

Total Proposed Lump Sum Fee= \$88,000.00

Exclusions/Conditions:

- Turbidity Monitoring required by the DEP/ACOE permit is excluded from these services, however, may be provided under a separate agreement.
- Preparing the As-built survey is excluded from these services.
- DEI has confirmed Ms. Barbara Eells is available to assist with these services and assumes she will be available at the time of construction, which is currently unknown. If Ms. Eells is not available at the time of construction an alternate qualified surveyor will need to be engaged. Additional charges for a qualified substitute will be passed onto the city.
- Jetty Design or Environmental Assessment changes are excluded.
- Services not mentioned in this task order are excluded but may be provided under a separate agreement.

All conditions of the original task order signed on 7/28/2020 will apply to this additional task order.

All terms and conditions of this Task Order shall be governed by the terms and conditions in the current Agreement between Mexico Beach and Dewberry Engineers Inc. dated December 11th, 2018.

Sincerely,



David Reisen, PE

Senior Project Manager
Dewberry
324 Marina Drive
Port St Joe, FL 32456
850-571-1221
dreisen@dewberry.com

Approved by:

Date: _____

Mell Smigielski

From: Reisen, David <dreisen@Dewberry.com>
Sent: Monday, September 23, 2024 1:11 PM
To: Mell Smigielski
Subject: Mexico Beach Jetty Bid and CEI Proposal.
Attachments: FEMA CEF_Curve_A_B.pdf; Mexico Beach Jetty and CEI Bid Proposal9.23.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not follow guidance, click links, or open attachments unless you recognize the sender and know the content is safe.

Mell-

Attached is the task order for the Jetty Bidding and CEI Services. Sorry I could not get to you last week. This turned into more of a task than anticipated. The permit conditions for this project are pretty extensive.

I anticipate the question about the fee to come up at the table...with these FEMA jobs FEMA has a published Fee Curve for allowable Engineering fees based on the complexity and type of work. This type of work falls under the Fee Curve B. See attached.

The obligated FEMA amount for the Jetty is \$2,643,841.00. Based on this amount under fee Curve B the anticipated Engineering fees equate to about \$264,384.00

To date the Dewberry's engineering fees paid for this project total only \$176,330.00. We are \$88,054.00 under the expected engineering fees.

Based on this our fee for this task order is within the expected costs per FEMA or allowable fees charged.

Any question please ask.

Thanks

David Reisen, PE
Senior Project Manager
D 850.571.1221
LICENSED :FL, TN



   
www.dewberry.com

From: Mell Smigielski <mell@mexicobeachfl.gov>
Sent: Monday, September 16, 2024 9:48 AM
To: Reisen, David <dreisen@Dewberry.com>
Subject: RE: Jettys Final CD's



<p>City Council Agenda Abstract Form</p> <hr style="width: 50%; margin: auto;"/> <p>Meeting Date: <u>10-22-24</u></p> <p>Department: <u>Admin</u></p> <p>Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Date of Public Hearing: _____</p>	<p>For Clerk's Use Only AGENDA ITEM #</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 33%; height: 40px;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td style="text-align: center; font-size: small;"><i>Consent Agenda</i></td> <td style="text-align: center; font-size: small;"><i>Regular Agenda</i></td> <td style="text-align: center; font-size: small;"><i>Closed Session</i></td> </tr> </table>				<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>
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PRESENTER/INFORMATION CONTACT: Chris Truitt

ITEM TO BE CONSIDERED

Subject:
Combined Task Order and Notice to Proceed from The Planning Collaborative Regarding LDR Updates

Attachment(s):
Combined Task Order and Notice to Proceed Dated 10/16/24
TPC Proposal Dated 5/21/24

Brief Summary:
The City Council allocated \$50,000 in the FY25' budget for Land Development Regulations updates. This task order is required for the work to begin.

Action Requested:
City Council should approve the combined task order and notice to proceed.

ISSUE OVERVIEW

Background Information & Issue Summary:
A comprehensive review of land development regulations is needed. The original estimate for completing all work was \$125,000, however the Council was only able to obligate \$50,000. TPC is ready to begin work, focusing on some of the larger issues identified by City staff and vendors. The intent is to allocate additional funds next fiscal year to complete the work started this fiscal year.

Financial Impacts:
\$50,000 from the general fund paid to The Planning Collective

Staff Recommendations/Comments:
The Administrator recommends the Council approve so work can begin fixing some of the more pressing LDR/LDC issues that have been identified. This will be a multi-year project based on available funding.

COMBINED TASK ORDER AND NOTICE TO PROCEED

TASK ORDER NO. TPC 05-2024

DATE: October 16, 2024

TASKS: 1) Updates to the Land Development Regulations.

Reference is made to that certain MASTER SERVICES AGREEMENT BETWEEN CITY OF MEXICO BEACH AND the planning collaborative (Planner) RELATING TO PROFESSIONAL PLANNING SERVICES dated August 17, 2016, (the Agreement), the terms, conditions and definitions of which are incorporated herein as if set forth in full. Neither party is in breach of the Agreement. Pursuant to the Agreement, Planner agrees to perform the specific tasks set forth above.

Planner's total compensation shall be (check one):

- a stipulated sum of \$ _____; or
- a stipulated sum of \$ _____ plus one or more specified allowances listed below which may be authorized in writing by the City Administrator or his designee,
- Allowance of \$ _____ for _____, and
- Allowance of \$ _____ for _____; or
- a fee determined on a time-involved basis with a maximum cost (**not to exceed**) of \$50,000.00

as set forth upon incorporated Attachment B, Fee Breakdown, and shall be paid in monthly installments as specified in the Agreement.

Work shall begin on October 18, 2024, and shall be completed within as scheduled, calendar days. The date of completion of all work is dependent upon hearing schedules. There are no additional rights and obligations related to this Task Order other than as specified in the Agreement. Upon execution of this task order by both Planner and City, Planner is directed to proceed.

IN WITNESS WHEREOF the parties have caused these presents to be executed in their names on the date shown.

By: 
the planning collaborative, Allara Mills Gutcher, Principal

Date: October 16, 2024

By: _____
Chris Truitt, City Administrator
City of Mexico Beach, FL

Date: _____

PROPOSAL

May 21, 2024



the planning collaborative

Allara Mills Gutch2025er, AICP
Ph: 850.319.9180
allara@theplanningcollaborative.com

Prepared for: City of Mexico Beach, Chris Hubbard

Project: Update of the Land Development Code

Allara Mills Gutch, AICP, is a certified land use planner and Principal/Owner of The Planning Collaborative (TPC). TPC is based out of Lynn Haven, Florida in Northwest Florida. She has been a professional planner for more than twenty-five years and has experience in both the private and public sectors. As a public employee, she most recently was the Planning and Community Development Director for Gadsden County, Florida, and prior to that was the Planning Manager for the City of Panama City, Florida. Allara is a seasoned professional with a wide realm of experience from large long-range comprehensive multi-year projects to parcel-specific analysis. Her work includes policy writing for the Comprehensive Plans of the City of Destin, Bay County, the City of Crestview (in progress), Holmes County, Gadsden County, the City of Mexico Beach, the City of Palm Coast (in progress) and the City of Panama City. In addition, she has written Comprehensive Plan and Land Development Regulation amendments, over 100 Comprehensive Plan Future Land Use Map amendments, over 60 zoning changes, compatibility analyses, and worked on large-scale projects such as the West Bay Sector Plan in Bay County. Furthermore, she has worked on state-wide initiatives such as the integration of the Local Mitigation Plan with the local Comprehensive Plan (while with PBS&J) and as the project manager for the Centers for Disease Control and Prevention funded Planners4Health project. Her specialty is policy planning.

Allara partners with Megrath Consulting for work on larger projects such as Plan and regulation updates. Megrath Consulting is based out of Gainesville, Florida. Allison D. Megrath, AICP, CNU-A, offers over 30 years of community planning experience, 10 years of successful grant-writing expertise, and a lifelong passion for improving communities. She is dedicated to helping local governments, organizations, and businesses secure the land use, zoning, and funding needed to bring innovative ideas to life, drive positive change in communities, and achieve long-term goals. Allison is a seasoned policy planner having worked on several Comprehensive Plans and Land Development Code updates. Allison is a former Professional Development Officer/Ethics Officer for APA Florida and an 8-time Delegate representing Florida planners at the National Planning Conference.

Project Understanding and Overview: The City of Mexico beach (the City) plans to adopt a major Land Development Code update in 2025, depending on scheduling and fiscal year budget. A complete update of the City's Land Development Code, effective as of September 12, 2008 and as updated through January 11, 2022, is required not only to address changes in the City's growth since Hurricane Michael, but to address the update of the Comprehensive Plan in early 2019 soon after the impact of the storm. Understandably, this update did not occur within the statutorily required twelve (12) months post-adoption of the Plan. Since the Plan update, the City has focused and invested in recovery and rebuilding of essential City buildings, infrastructure, and other needs. The City is now in a position to focus on updates to the Land Development Code.

Our approach will include:

- 1) Meetings with the City Administrator throughout the process.
- 2) A review of the regulations that are currently inconsistent with the adopted Comprehensive Plan.
- 3) A review of unclear or internally inconsistent regulations.
- 4) Two public meetings with Mexico Beach citizens and stakeholders for input regarding the regulatory framework. One of these meetings may be targeted to a specific industry or industries.
- 5) Consideration of the findings of the recent FY 23-24 FloridaCommerce Community Planning Technical Assistance Grant produced documents.
- 6) A full draft update to the LDRs which includes public input, as applicable, in strikethrough and underline.
- 7) One workshop each with the Planning and Zoning Board and City Council to present and answer questions about the revised document, in addition to the requisite public hearings before the same official bodies.

The project shall be completed by task:

TASK 1 - Project coordination and document review

- 1.1 A kickoff meeting to include a meeting with the City Administrator, timeline determination, a development of progress reporting, documenting meeting notes.
- 1.2 Review of documents to identify internal inconsistencies, and inconsistencies with the Comprehensive Plan. In addition, review to determine where the regulations are unclear or do not provide certainty in interpretation or intent.

TASK 2 – Meeting(s) with citizen and/or targeted industries

- 2.1 Hold up to two public engagement workshops to receive input from Mexico Beach residents. One workshop may be with targeted industries for economic development considerations. These meetings will be held in person.

TASK 3 – Draft amendments to the Land Development Code

- 3.1 A full draft amendment to the Land Development Code shall be made in strikethrough and underline Word document format. Considerations of recent City-initiated reports shall be included in the draft language, as applicable. Simplified graphic and/or images may be used to convey certain regulatory frameworks.
- 3.2 The Consultants shall work with varying City staff, as applicable, including other outside consultants such as engineering and floodplain management for input into regulatory language.
- 3.3 The draft shall be reviewed with the City Administrator prior to any public workshop held. This may be held in person by the local consultant, or via virtual meeting. The draft shall be amended as directed as a result of findings from these meetings.

TASK 4 – Draft public presentations through final adoption

- 4.1 Presentation of final draft documents to the Planning and Zoning Board through two public meetings. One shall be a public workshop for input to the proposed language. After such input is received, edits shall

be made. Subsequently, a second meeting with the Planning and Zoning Board shall be held for a recommendation to the City Council to adopt, adopt with changes, or not adopt the draft document.

4.2 Presentation of the final draft to the City Council through three (3) public meetings. The first shall be a public workshop for input to the proposed language, to be held before the public hearing before the Planning and Zoning Board for final consideration. The final two (2) public meetings/hearings shall be the presentation of the final draft for 1) first reading of the ordinance, and 2) final reading of the ordinance. Consultant shall assist with the generation of the adoption ordinance, if needed.

Timeline: The anticipated timeline of the project is twelve (12) months from the issuance of the task order.

Travel: This proposal is a lump sum proposal and includes a budget for travel expenses. Therefore, all travel is included in this proposal amount. This includes:

Travel for up to three persons (two TPC employees, and one Megrath Consulting employee), depending on the task, to Mexico Beach for the following seven (7) meetings:

- 1) Two citizen participation meetings
- 2) One Planning and Zoning Board workshop
- 3) One Planning and Zoning Board public hearing
- 4) One City Council workshop
- 5) One City Council public hearing first reading of the adoption ordinance
- 6) One City Council public hearing of the final adoption by ordinance

Submission: The document, including all drafts and final version, shall be submitted electronically via email in PDF format to the City Administrator and City Clerk. This proposal does not include the production of hard copies of materials.

Cost of project: Lump Sum Fee.

LUMP SUM

\$125,000.00

Payment Terms: TPC shall invoice Mexico Beach on a monthly basis, dependent upon percent complete of job. Payment is due upon receipt of the invoice. The invoice shall be submitted via electronic mail to the authorized representative(s).

Note: Not included in this proposal are the creation of any maps, or any changes to the City's Zoning Map.

As noted, this proposal does not include submission of hard copies. All submissions shall be made digitally.

If this proposal is accepted, a task order shall be issued prior to commencement of work.



Allara Mills Gutcher, AICP
the planning collaborative



the planning collaborative

This proposal is valid for 120-days from the date shown above.



<p>City Council Agenda Abstract Form</p> <hr style="width: 50%; margin: auto;"/> <p>Meeting Date: <u>10/22/24</u> Department: <u>Admin</u> Public Hearing: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date of Public Hearing: _____</p>	<p>For Clerk's Use Only AGENDA ITEM #</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 33%; height: 40px;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td><i>Consent Agenda</i></td> <td><i>Regular Agenda</i></td> <td><i>Closed Session</i></td> </tr> </table>				<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>					

PRESENTER/INFORMATION CONTACT: Chris Truitt

ITEM TO BE CONSIDERED

Subject:
 Payment Request from KaiserKane Storm

Attachment(s):
 Payment Recommendation from Eisman & Russo
 KaiserKane Storm Invoice CMB2-017A
 Email from Ryan Wiedenman Regarding Amount Owed
 Contract Attachment 3, Disaster Debris Removal and Disposal Services Price Schedule
 Abstract for 11/4/23 Meeting from Administrator Hubbard

Brief Summary:
 KaiserKane Storm (KKS) claims that Mexico Beach owes them \$612,893.81 for debris removal following Hurricane Michael. However, the debris monitor has determined the amount owed to be \$313,440.11, which is also the amount we expect FEMA to reimburse. The disputed difference of \$299,453.70 is unlikely to be reimbursed. To ensure reimbursement, we need to pay KKS \$313,440.11 before FEMA closes the project. We can address the disputed amount at a later time.

Action Requested:
 Approve agreed upon payment of \$313,440.11 to KKS.

ISSUE OVERVIEW

Background Information & Issue Summary:
 FEMA is ready to close out this project and issue the final reimbursements, but we first need to make our reimbursable payments to KKS.

Our contract with KaiserKane Storm (KKS) for post-Hurricane Michael debris removal specified a rate of \$9.91 per yard for debris transported to a designated site within 15 miles and \$0.01 per yard for debris taken to a site 16 or more miles away. We believe KKS initially intended to use the local site and did not plan for longer distances. However, when the local site became unavailable, KKS had to transport debris farther. KKS claims they received verbal approval from someone at Mexico Beach to charge the \$9.91 fee for the farther site, but there is no documentation to support this, and KKS cannot provide any.

Without written amendments, we are required to follow the contract, which sets the fee at \$0.01 per yard for the farther site. The debris removal company agrees with this interpretation, and FEMA will as well; FEMA will not reimburse the higher amount based on an undocumented conversation. If KKS's claim were valid, we would owe them an additional \$299,453.70.

Financial Impacts:

Agreed Upon Amount for Invoice 17A: \$313,440.11

Staff Recommendations/Comments:

The Administrator recommends paying KKS \$313,440.11, the amount that all parties agree is owed. We can address the disputed \$299,453.70 in a future meeting with KKS present to discuss.



To: City of Mexico Beach

4/29/2021

Payment Recommendation

Attn. Mario Gisbert
 P.O. Box 13425
 201 Paradise Path
 Mexico Beach, FL 32401

Dear Mr. Gisbert,
 Eisman & Russo Inc has reviewed invoice CMB2-0017A and recommend that payment be made to KK Storm, LLC. The invoice includes the work completed as per the "Mexico Beach-Emergency Debris Removal Contract" for the period of 04/28/2019 through 05/04/2019.

As a result of the PPDR approval letter from FEMA, a reduction to Payment Application 17A and the subsequent payment recommendation have occurred. The letter dated December 14, 2020, stated only 26 of 125 addresses were approved for private property debris removal. Therefore, E&R and KKS removed them from this payment application. This move has resulted in a reduction of \$49,197.59 to 17A.

KaiserKane Storm Invoiced Amount = \$ 1,204,892.35
Eisman & Russo, Inc. Verified Amount = \$ 1,204,892.35

We have verified our data and reconciliation with KK Storm for invoice CMB2-0017A. Therefore, we recommend that the City of Mexico Beach make payment in the amount of \$1,204,892.35 as detailed hereunder:

				Phase 2 - Pay App #17A	
				04/28/2019 to 05/04/2019	
Description	Criteria	Unit Price	Validated Units	Earned Value	
ELIGIBLE VEGETATIVE DEBRIS REMOVAL					
0 - 15 Miles	Cubic Yard	\$ 9.91	4,286.683	\$ 42,481.02	
ELIGIBLE C & D DEBRIS REMOVAL					
0 - 15 Miles	Cubic Yard	\$ 12.97	21,385.660	\$ 277,372.01	
ELIGIBLE NON-RACM STRUCTURES					
0 - 15 Miles	Cubic Yard	\$ 16.91	390.483	\$ 6,603.06	
DDMS SITE MANAGEMENT, OPERATIONS AND REDUCTION					
Vegetative Grinding	Cubic Yard	\$ 4.00	4,286.683	\$ 17,146.73	
HAUL-OUT OF REDUCED ELIGIBLE DEBRIS TO FINAL DISPOSAL SITE					
C & D Haul Out					
0 - 15 Miles	Cubic Yard	\$ 7.00	0.000	\$ -	
31 - 60	Cubic Yard	\$ 9.00	3,621.283	\$ 32,591.55	
61 + Miles	Cubic Yard	\$ 11.00	595.365	\$ 6,549.02	
Vegetative Haul Out					
0 - 15 Miles	Cubic Yard	\$ 6.00	3,587.262	\$ 21,523.57	
31 - 60	Cubic Yard	\$ 8.00	1,395.579	\$ 11,164.63	
ELIGIBLE ROW WHITE GOODS DEBRIS REMOVAL					
Items Requiring Refrigerant Removal	Each	\$ 75.00	33.000	\$ 2,475.00	
All Other White Goods	Each	\$ 60.00	75.000	\$ 4,500.00	
WATERWAYS DEBRIS REMOVAL					
Land Based Removal	Cubic Yard	\$ 27.00	4,588.075	\$ 123,878.01	
Aquatic Based Removal	Cubic Yard	\$ 77.70	6,999.875	\$ 543,890.29	
ROCK-RUBBLE					
Rock & Rubble	Cubic Yard	\$ 28.00	474.567	\$ 13,287.86	
PRIVATE PROPERTY DEBRIS REMOVAL					
C & D Debris	Cubic Yard	\$ 16.91	759.779	\$ 12,847.85	
DDMS SITE MANAGEMENT, OPERATIONS AND REDUCTION					
C & D Mangement & Seperation	Cubic Yard	\$ 4.00	22,145.439	\$ 88,581.75	
Total Earned Value				\$ 1,204,892.35	

If you should have any questions or require additional information, please feel free to contact me.

Sincerely,
 Alicia Bennett
 Eisman & Russo Inc
 931-206-4416

KaiserKane Storm,LLC/KK Storm, LLC

INVOICE

DATE:
INVOICE #
FOR:

DATE: 2/23/2020 Revd 4-26-21
INVOICE # CMB2-017A
FOR: DR-4399 Hurricane
Michael Debris Removal -
(Not final invoice for project
02222024)

Bill To:
City of Mexico Beach
P.O. Box 13425
Mexico Beach, Florida 32410

DESCRIPTION	Qty	Unit Cost	AMOUNT
ELIGIBLE VEGATATIVE DEBRIS REMOVAL			
0 - 15 Miles	4286.683 Cubic Yard	\$ 9.91	\$ 42,481.02
ELIGIBLE C & D DEBRIS REMOVAL			
0 - 15 Miles	21385.660 Cubic Yard	\$ 12.97	\$ 277,372.01
ELIGIBLE NON-RACM STRUCTURES			
0 - 15 Miles	390.483 Cubic Yard	\$ 16.91	\$ 6,603.06
DDMS SITE MANAGEMENT, OPERATIONS AND REDUCTION			
Vegetative Grinding	4286.683 Cubic Yard	\$ 4.00	\$ 17,146.73
HAUL-OUT OF REDUCED ELIGBLE DEBRIS TO FINAL DISPOSAL SITE			
C & D Haul Out			\$ -
0 - 15 Miles	0.000 Cubic Yard	\$ 7.00	\$ -
31 - 60	3621.283 Cubic Yard	\$ 9.00	\$ 32,591.55
61 + Miles	595.365 Cubic Yard	\$ 11.00	\$ 6,549.02
Vegetative Haul Out			\$ -
0 - 15 Miles	3587.262 Cubic Yard	\$ 6.00	\$ 21,523.57
31 - 60	1395.579 Cubic Yard	\$ 8.00	\$ 11,164.63
ELIGIBLE ROW WHITE GOODS DEBRIS REMOVAL			
Items Requiring Refrigerant Removal	33.000 Each	\$ 75.00	\$ 2,475.00
All Other White Goods	75.000 Each	\$ 60.00	\$ 4,500.00
WATERWAYS DEBRIS REMOVAL			
Land Based Removal	4588.075 Cubic Yard	\$ 27.00	\$ 123,878.01
Aquatic Based Removal	6999.875 Cubic Yard	\$ 77.70	\$ 543,890.29
Cars & Trucks	0.000 Each	\$ 2,000.00	\$ -
Boats	0.000 Per LF	\$ 600.00	\$ -
ROCK-RUBBLE			
Rock & Rubble	474.567 Cubic Yard	\$ 28.00	\$ 13,287.86
TIPPING FEES			
Reimbursed at Cost	0.000 N/A	\$ -	\$ -
WHITE GOODS FROM WATERWAY & UNIMPROVED PROPERTY			
Items Requiring Refrigerant Removal	0.000 Each	\$ 250.00	\$ -
All Other White Goods	0.000 Each	\$ 150.00	\$ -
PRIVATE PROPERTY DEBRIS REMOVAL			
C & D Debris	759.779 Cubic Yard	\$ 16.91	\$ 12,847.85
Vegetative Debris	0.000 Cubic Yard	\$ 11.91	\$ -
DDMS SITE MANAGEMENT, OPERATIONS AND REDUCTION			
C & D Mangement & Seperation	22145.439 Cubic Yard	\$ 4.00	\$ 88,581.75
TOTAL			\$ 1,204,892.35

Mell Smigielski

From: Wiedenman, Ryan E <Ryan.Wiedenman@atkinsrealis.com>
Sent: Wednesday, September 4, 2024 11:05 AM
To: Mell Smigielski
Cc: Bautista, Dina
Subject: FW: JLAC Auditor Question
Attachments: RE: PA 17A -Outstanding Issues Email 1

Follow Up Flag: Follow up
Flag Status: Flagged

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See highlighted below

Ryan Wiedenman AICP, CFM

Sr Project Manager
Community and Intermodal Infrastructure (C&I)

AtkinsRéalis

Tel: +1 919 431 5295 **Mob:** +1 919 606 9176 [LinkedIn](#)

1616 E. Millbrook Rd, Ste 160
Raleigh, NC, 27609, US

From: Wiedenman, Ryan E
Sent: Thursday, August 15, 2024 9:05 AM
To: Mell Smigielski <mell@mexicobeachfl.gov>
Cc: Bautista, Dina <Dina.Bautista@atkinsrealis.com>
Subject: FW: JLAC Auditor Question

Hey Mell,

One thing that came up the other day from Juli was that the JLAC auditor was asking her about **invoice 17A** from KK Storm for debris hauling. This is because it appeared to her that this was an unpaid invoice, so it's still on the city's books essentially. You can see below my explanation of what I know on this one and it is very complicated because of disputes between the city/Eisman (debris monitor) and KKS (debris hauler) about what KKS is owed. However, one of the main takeaways is that, within all that dispute, there is an amount that is still owed to KKS that should be eligible for reimbursement if paid. This is the **\$313,440.08** that I mention below. I say that it *should* be eligible for reimbursement only because we never know 100% until we submit the request and FDEM/FEMA review, but essentially, no one on either side is disputing the eligibility of this amount on that invoice and we've even had some informal chats with FDEM on it and they have implied that if we submit this amount for reimbursement a reimbursement payment would be forthcoming, which is as much as we will get from them until we formally submit the request for reimbursement.

I've brought this outstanding amount up to probably the last 4 city administrators (see attached my most recent one to Chris Hubbard), but I think they have all been hesitant to pay because of the complicated nature of the situation. That said, this is holding us up from closing out the project and the state is pressing us more and more to submit the reimbursement request soon or they will just go ahead and close the project and the city will lose its chance to get reimbursed altogether. Obviously that would be a bad situation because ultimately this amount appears to be owed to KKS according to the debris monitoring firm, so my guess is that the city will end up needing to pay it eventually, and if the city no longer has the option to submit for reimbursement at that time, they'll essentially be out ~\$300K.

Anyway, I know this is a lot of info and I'm sure it may spark some questions in your mind from the city's perspective, so let me know if you'd like to have a call or anything on this to discuss in more detail. But bottom line, it would be good to get this bit resolved so we can close the loop at least on the amount the city should be able to be reimbursed for.

Thanks!

Ryan Wiedenman AICP, CFM

Sr Project Manager
Infrastructure Solutions

AtkinsRéalis

T: +1 919 431 5295 M: +1 919 606 9176 [LinkedIn](#)

1616 E. Millbrook Rd, Ste 160
Raleigh, NC, 27609, US

From: Juli Danaher <J.Danaher@mexicobeachfl.gov>

Sent: Thursday, August 1, 2024 3:32 PM

To: Wiedenman, Ryan E <Ryan.Wiedenman@atkinsrealis.com>; Bautista, Dina <Dina.Bautista@atkinsrealis.com>

Cc: Tammy Brunson <t.brunson@mexicobeachfl.gov>

Subject: RE: JLAC Auditor Question

As always Ryan, perfect explanation!!

Thank you so much

Juli Danaher

Deputy City Clerk/Executive Assistant

City of Mexico Beach, Florida

201 Paradise Path

Mexico Beach, FL 32456

Office: (850) 648-5700 option 7

j.danaher@mexicobeachgov.com



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From: Wiedenman, Ryan E <Ryan.Wiedenman@atkinsrealis.com>

Sent: Thursday, August 1, 2024 9:24 AM

To: Juli Danaher <J.Danaher@mexicobeachfl.gov>; Bautista, Dina <Dina.Bautista@atkinsrealis.com>

Cc: Tammy Brunson <t.brunson@mexicobeachfl.gov>

Subject: RE: JLAC Auditor Question

CAUTION: This email originated from outside of the organization. Do not follow guidance, click links, or open attachments unless you recognize the sender and know the content is safe.

Hey Juli,

This is a complicated one, but for starters, one thing to note is that my records show that the city paid this invoice with several checks. I can't say 100% why that was the case, but I can take an educated guess that it was due to cashflow issues where the city didn't want to have that much money out of hand for a lengthy time while it was waiting on a reimbursement payment from FDEM/FEMA. So I believe the city was basically making a small partial payment on the invoice, waiting on the money to be reimbursed from FDEM/FEMA, then making another payment. All that to say, these are the checks I have listed as being related to invoice 17A: 17014, 17185, 17417, 18463, 18821. Based on that, the city has paid \$591,998.54 on that invoice, leaving \$612,893.81 unpaid.

That's the simple part if you can believe it, ha! The more complicated part is that the city also overpaid two invoices at the beginning of their contract with KKS (invoices 1A and 2A). So because of those overpayments, the city needed to short pay another invoice, and that was 17A. That over payment amounted to \$299,453.70, which leaves \$313,440.08 still to be paid on invoice 17A.

I've mentioned this amount to several city administrators over the years, but there is a dispute with KKS because KKS doesn't think 1A and 2A were overpaid, even though the city's debris monitoring firm says they were (this is a complicated issue that I won't go in to here). But as such, my guess is that previous city administrators have been hesitant to pay off the balance of the invoice because they have felt uncertain about what was actually owed to KKS (KKS tells them one amount, but the debris monitoring firm a different amount). Mary may have more insight on what previous city administrators have been thinking on this and why the city hasn't fully paid that invoice off. But, essentially, either way there does appear to be some amount left to pay on 17A.

Hope that helps! Let me know if further questions.

Ryan Wiedenman AICP, CFM

Sr Project Manager
Community and Intermodal Infrastructure (C&I)
AtkinsRéalis

T: +1 919 431 5295 M: +1 919 606 9176 [Linkedln](#)
1616 E. Millbrook Rd, Ste 160
Raleigh, NC, 27609, US

From: Juli Danaher <J.Danaher@mexicobeachfl.gov>

Sent: Wednesday, July 31, 2024 16:44

To: Wiedenman, Ryan E <Ryan.Wiedenman@atkinsrealis.com>; Bautista, Dina <Dina.Bautista@atkinsrealis.com>

Cc: Tammy Brunson <t.brunson@mexicobeachfl.gov>

Subject: JLAC Auditor Question

Hello all

We are being asked by the JLAC Auditors the question below:

"I am reviewing an invoice from KK Storm. Invoice CMB2-017A, dated 2/23/2020 was submitted in the amount of \$1,254,089.94. The City paid \$250,000 towards this invoice. Please provide an explanation why the full invoice wasn't paid."

Mary said she thought one of you might be able to explain or have back up showing why it was paid in pieces. Any help you can give would be greatly appreciated. Thank so much!!

Juli Danaher
Deputy City Clerk/Executive Assistant

Handwritten calculations showing the breakdown of invoice amounts and payments:

1,254,089.94
- 591,998.54

662,091.40
- 612,893.81

49,197.59

1,204,892.35
- 591,998.54

612,893.81
- 299,453.70

313,440.11

ATTACHMENT 3

DISASTER DEBRIS REMOVAL AND DISPOSAL SERVICES PRICE SCHEDULE

Items will be used for evaluation purposes only. Quantities are not guaranteed and are used for evaluation purposes only. Prices shall be all-inclusive of requirements as defined in the scope of work. All labor rates are to be fully burdened to include all taxes, benefits, handling charges, overhead, and profits.

ELIGIBLE VEGETATIVE DEBRIS REMOVAL Work consists of the collection of transportation of Eligible Vegetative Debris on the ROW to an FDEP approved DDMS site or a state Designated Final Disposal Site.	Price per CY	Estimated Total Units	TOTAL
0-15 miles	\$ 9.91	627	\$ 6,213.57
16-30 miles	\$ 0.01	8,467	\$ 84.67
31-60 miles	\$ 0.01	8,467	\$ 84.67
61+ miles	\$ 0.01	627	\$ 6.27
		18,188	

*
*
*

ELIGIBLE C&D DEBRIS REMOVAL Work consists of the collection of transportation of Eligible C&D Debris on the ROW to an FDEP approved DDMS site or a state Designated Final	Price per CY	Estimated Total Units	TOTAL
0-15 miles	\$ 12.97	30,470	\$ 395,195.90
16-30 miles	\$ 0.01	274,220	\$ 2,742.20
31-60 miles	\$ 0.01	274,220	\$ 2,742.20
61+ miles	\$ 0.01	30,470	\$ 304.70
		609,380	

*
*
*

ELIGIBLE DEMOLITION, REMOVAL, TRANSPORT AND DISPOSAL OF NON-RACM STRUCTURES Work consists of the decommissioning, demolition and disposal of Eligible Non-RACM Structures on public or private property and hauling the resulting debris to an FDEP approved DDMS site or a state Designated Final Disposal Site.	Price per CY	Estimated Total Units	TOTAL
0-15 miles	\$ 16.91	7,000	\$ 118,370.00
16-30 miles	\$ 0.01	30,000	\$ 300.00
31-60 miles	\$ 0.01	7,000	\$ 70.00
61+ miles	\$ 0.01	7,000	\$ 70.00
		51,000	

*
*
*

ELIGIBLE DEMOLITIONS, REMOVAL, AND TRANSPORT AND DISPOSAL OF RACM STRUCTURES Work consists of the decommissioning, demolition and disposal of Eligible RACM Structures on public or private property and hauling the resulting debris to and FDEL approved DDMS site or a state Designated Final Disposal Site	Price per CY	Estimated Total Units	TOTAL
0-15 miles	\$ 28.00	7,000	\$ 196,000.00
16-30 miles	\$ 0.01	30,000	\$ 300.00
31-60 miles	\$ 0.01	7,000	\$ 70.00
61+ miles	\$ 34.00	7,000	\$ 238,000.00
		51,000	

*
*

DDMS SITE MANAGEMENT, OPERATIONS AND REDUCTION Work consists of managing and operating DDMS sites and reducing Eligible disaster debris through grinding or source separation and reduction. Contractor shall provide certified scales and/or debris site towers as requested by City.	Price per CY	Estimated Total Units	TOTAL
Vegetative Grinding, including site management and reduction.	\$ 4.00	12,171	\$ 48,684.00

DDMS SITE MANAGEMENT AND REDUCTION OF VEGETATIVE DEBRIS THROUGH AIR CURTAIN INCINERATORS Work consists of managing and operating DDMS sites and reducing Eligible vegetative disaster related debris through air curtain incinerators. Contractor shall provide certified scales and/or debris site towers as requested by City	Price per CY	Estimated Total Units	TOTAL
Vegetative Waste Only	\$ 3.00	5,645	\$ 16,935.00

DDMS SITE MANAGEMENT AND REDUCTION OF VEGETATIVE DEBRIS THROUGH CONTROLLED OPEN BURNING Work consists of managing and operating DDMS sites and reducing Eligible vegetative disaster related debris through controlled open burning. Contractor shall provide certified scales and/or debris site towers are requested by City.	Price per CY	Estimated Total Units	TOTAL
Vegetative Waste Only	\$ 2.00	1,000	\$ 2,000.00

HAUL-OUT OF REDUCED ELIGIBLE DEBRIS TO A COUNTY DESIGNATED FINAL DISPOSAL SITE Work consists of loading and transporting reduced Eligible disaster related debris from an FDEP approved DDMS site to a FDEP Designated Final Disposal site.	Price per CY	Estimated Total Units	TOTAL
C & D Haul Out			
0-15 miles	\$ 7.00	1,040	\$ 7,280.00
16-30 miles	\$ 0.01	9,351	\$ 93.51 *
31-60 miles	\$ 9.00	9,351	\$ 84,159.00
61+ miles	\$ 11.00	1,040	\$ 11,440.00
Vegetation Haul Out			
0-15 miles	\$ 6.00	1,040	\$ 6,240.00
16-30 miles	\$ 0.01	9,351	\$ 93.51 *
31-60 miles	\$ 8.00	9,351	\$ 74,808.00
61+ miles	\$ 0.01	1,040	\$ 10.40 *
		20,782	

REMOVAL OF ELIGIBLE HAZARDOUS LEANING TREES AND HANGING LIMBS Work consists of removing Eligible hazardous trees or limbs and placing them on the safest possible location on the ROW for collection under the terms and conditions of Scope of Services, Eligible Vegetative Debris Removal	Price per Tree	Estimated Total Units	TOTAL
6 inch to 12 inch diameter	\$ 150.00	29	\$ 4,350.00
13 inch to 24 inch diameter	\$ 300.00	29	\$ 8,700.00
25 inch to 36 inch diameter	\$ 400.00	29	\$ 11,600.00
37 inch to 48 inch diameter	\$ 500.00	29	\$ 14,500.00
49 inch and larger diameter	\$ 800.00	29	\$ 23,200.00
Hazardous Hanging Limb Removal larger than 24 inches diameter	\$ 150.00	130	\$ 19,500.00
		275	

REMOVAL OF ELIGIBLE HAZARDOUS STUMPS	Price per	Estimated Total Units	TOTAL
Work consists of removing Eligible hazardous stumps and transporting resulting debris on the ROW to an FDEP approved DDMS site or an FDEP Final Disposal Site. Contractor to backfill all stump holes. 25 inch to 36 inch diameter 37 inch to 48 inch diameter 49 inch and larger			
25 inch to 36 inch diameter	\$ 250.00	10	\$ 2,500.00
37 inch to 48 inch diameter	\$ 500.00	10	\$ 5,000.00
49 inch and larger diameter	\$ 750.00	10	\$ 7,500.00
		30	

TRANSPORT & DISPOSAL	Price per CY	Estimated Total Units	TOTAL
Work consists of the removal, transportation and disposal of Eligible Household Hazardous Waste (HHW). City to designate specific materials to be collected as part of HHW program.			
25 inch to 36 inch diameter	\$ 25.00	100	\$ 2,500.00

ELIGIBLE ROW WHITE GOODS EBRIS REMOVAL	Price per Unit	Estimated Total Units	TOTAL
Work consists of the removal of Eligible White Goods from the ROW to a designated City approved DDMS Site. Contractor shall be responsible for recovering/disposing refrigerants as required by law as well as unit decontamination in a contained area. The Contractor shall also be responsible for the transportation of Eligible White Goods from the designated County approved DDMS site to an approved designated facility for recycling. Contractor shall record any revenue resulting from recycling efforts as a credit to the City on invoices.			
Refrigerators, freezers, and other items requiring refrigerant recovery and decontamination	\$ 75.00	2,239	\$ 167,925.00
All other white goods	\$ 60.00	2,239	\$ 134,340.00
		4,478	

ELIGIBLE E-WASTE ITEM REMOVAL	Price per Unit	Estimated Total Units	TOTAL
Work consists of the recovery and disposal of televisions, computers, computer monitors unless otherwise specified in writing by the City.			
Cost per unit	\$ 25.00	100	\$ 2,500.00

ELIGIBLE DEAD ANIMAL CARCASSES	Price per Unit	Estimated Total Units	TOTAL
Work consists of the recovery and disposal of dead animal carcasses			
Small animals less than 100 pounds	\$ 50.00	95	\$ 4,750.00
Large animals more than 101 pounds	\$ 200.00	5	\$ 1,000.00
		100	

WATERWAYS DEBRIS REMOVAL	Price per CY	Estimated Total Units	TOTAL
Work consists of the removal, transportation and lawful processing and/or disposal of debris collected from waterways and drainage systems to an FDEP approved DDMS site or a state Designated Final Disposal Site.			
Cubic yard, land based removal	\$ 27.00	38,768	\$ 1,046,736.00
Cubic yard aquatic based removal	\$ 77.70	38,768	\$ 3,012,273.60
Cars and trucks removal, each removed	Price Per Each	2,000	\$ 2,000.00
Boats, per linear foot	Price Per LF	600	\$ 600.00

SOIL/SAND/BEACH SCREENING	Price per CY	Estimated Total Units	TOTAL
Work consists of the collection of Eligible debris laden sand from City beaches, transportation to a processing screen, processing of sand through a screen, maintenance of sand pile, transportation of sand back to the City beach and shaping sand to final grade.			
Cubic yard	\$ 34.00	3,876	\$ 131,784.00

ROCK-RUBBLE	Price per CY	Estimated Total Units	TOTAL
Work consists of the collection of rock and rubble, transport, and disposal in an FDEP approved DDMS site or a state Designated Final Disposal Site.			
Cubic Yard	\$ 28.00	29,792	\$ 834,176.00

* - We have provided a unit cost of \$0.01 on several items to complete the bid form and comply with the RFP. In accordance with our attached debris management plan we will utilize our FDEP approved DDMS site for all haul in items. This site is within 15 miles of The City of Mexico Beach and we will not need to utilize longer haul distances. We have also provided a unit cost of \$0.01 for haul out items as well. These prices are provided since no qualified disposal site is located within this haul range.

Additional Pricing

White Goods from the Waterway and Unimproved Property

TYPE	PER	RATE
REFRIGERATORS / FREEZERS, ETC. FREON CONTAINING	EACH	\$250.00
WASHING MACHINES / DRYERS, ETC. NON -FREON CONTAINING	EACH	\$150.00

Private Property Debris Removal / Extensive Damaged Properties and Unimproved Properties

TYPE	PER	RATE
C&D DEBRIS	CUBIC YARD	\$16.91
VEGETATION	CUBIC YARD	\$11.91

C&D Site Management and Separation will be the same as Line Item: "DDMS Site Management, Operations and Reduction Grinding"

TYPE	PER	RATE
C&D Site Management and Separation	CUBIC YARD	\$4.00

Marsh Grass

TYPE	PER	RATE
Marsh Grass-ROW to DDMS	CUBIC YARD	\$18.00
Marsh Grass-Waterways to DDMS	CUBIC YARD	\$28.00

Philip Hall, Mexico Beach Public Works Director

Date



City of Mexico Beach Council
Agenda Abstract Form

Meeting Date: ~~10/10/2023~~ 11-14-23
 Department: Finance
 Public Hearing: Yes No
 Date of Public Hearing: 11/14/2023

For Clerk's Use Only
AGENDA ITEM #

<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Chris Hubbard – City Administrator

ITEM TO BE CONSIDERED

Subject:

Mark Garrison wants to address the Council regarding debris removal payments

Attachment(s):

Email from Ryan Wiedenman/AtkinsRealis regarding what they show the City currently owes KK Storm/KaiserKane Storm, LLC

Brief Summary:

Mr. Garrison met with the City Administrator regarding this issue and followed up by emailing the City Council. Mayor Miller requested this be placed on the agenda for today's meeting.

Action Requested:

None.

ISSUE OVERVIEW

Background Information & Issue Summary:

There appears to be a disagreement or discrepancy regarding what is owed to KK Storm/KaiserKane Storm, LLC for their debris removal following Hurricane Michael. Mr. Garrison is here to discuss the issue with the Council at the request of Mayor Miller.

Financial Impacts:

Mr. Wiedenman states the City owes \$313,440.08 to KK Storm/KaiserKane Storm, LLC once the overpayments (totaling \$299,453.70) from two earlier invoices are removed.

Staff Recommendations/Comments:

None.

ORDINANCE 848

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING ORDINANCE NO. 581 AND CHAPTER 111 OF THE CODE OF ORDINANCES; ADDING DEFINITIONS; CLARIFYING LICENSING AND OPERATIONAL REQUIREMENTS; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE, REPEAL OF CONFLICTING PROVISIONS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND LIBERAL CONSTRUCTION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA AS FOLLOWS:

SECTION 1: INDEX AMENDMENT. The Index for Chapter 111 of the Mexico Beach Code of Ordinances is amended as follows:

111.01	<u>DEFINITIONS</u> PEDDLER LICENSING REQUIRED
111.02	<u>PEDDLER LICENSING REQUIRED</u> FEE
111.03	<u>APPLICATION FOR LICENSE</u> CANVASSING OR SOLICITING
111.04	<u>LICENSE</u> EXCEPTIONS
111.05	<u>FEE</u> ALLOWABLE PEDDLING LOCATIONS
111.06	<u>EXCEPTIONS</u> VIOLATION
111.07	<u>PEDDLING LOCATIONS</u>
111.08	<u>HOURS OF PEDDLING</u>
111.09	<u>VIOLATIONS</u>
111.10	<u>PENALTIES FOR VIOLATIONS</u>

SECTION 2: TEXT AMENDMENTS. Chapter 111 of the Mexico Beach Code of Ordinances is amended as follows:

§ 111.01 DEFINITIONS

"Aggressive Manner" means:

(A) Approaching or speaking to a particular person or persons, or physically following a particular person or person before, during, or after peddling or soliciting, if that conduct is intended or likely to cause a reasonable person to:

(1) Fear bodily contact or harm to oneself or to another, or damage to or loss of property; or

(2) Otherwise perceive a threat or intimidation to give money or other thing of value.

or

(B) Intentionally touching or causing physical contact with another person or a vehicle operated by another person, without that person's consent, in the course of peddling or soliciting; or

(C) In the course of peddling or soliciting, intentionally blocking or interfering with the safe or free passage of any pedestrian or vehicle by any means, including causing any pedestrian or vehicle operator to take evasive action to avoid the Peddling or Solicitation; or

(D) Forcing oneself upon the company of another by continuing to peddle or solicit the person addressed after that person has made a negative response by oral utterance, by physical sign, by attempt to leave or avoid the presence of the person peddling or soliciting, or by other negative indication; or

(E) Peddling or soliciting on any public sidewalk or pedestrian area of a public right-of-way in a group of two (2) or more persons appearing to a reasonable person to be engaged in peddling or soliciting and to be associating with each other for that purpose.

"Peddler" means any individual without a fixed established place of dealing or business in the City, whether a resident of this City or not, traveling by foot, wagon, motor vehicle or any other type of conveyance from place to place, from house to house, or from street to street for the sale of, as well as selling, offering for sale or taking or attempting to take orders for the sale of goods, wares and merchandise or personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or not or whether he or she is collecting advance payments on such sales or not; such definition shall include any individual that seeks a future appointment for the sale of such goods and/or services, for himself or for another individual; such definition shall further include any person who, for himself, herself or for another person, hires, leases, uses or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery or for offering high cost items, including motor vehicles, for immediate or future sale, with or without trade-ins or financing agreements. The term "high-cost item" shall mean a single piece of personal property, including

but not limited to a motor vehicle, with a fair market value in excess of \$1,000.00 (one thousand dollars). The word "Peddler" shall include the terms "canvasser," "solicitor", "transient or itinerant photographer".

"Peddle" or "Peddling" means the acts of a peddler.

§ 111.042 PEDDLER LICENSING REQUIRED.

~~It shall be unlawful for any person to engage in business as a peddler without first obtaining a city peddler's license. The registrant shall give his or her complete identification, his or her signature, the name of his or her employer, the nature of the products or services in which he or she intends to peddle, written permission from the property owner where the peddling will occur.~~

§ 111.03 APPLICATION FOR LICENSE.

(A) Applicants for a license under this chapter shall file with the city code enforcement officer a sworn application in writing, in duplicate, on a form to be furnished by the city code enforcement officer which shall consent to a background investigation and give the following information:

- (1) The name and a description of the applicant;
- (2) The permanent home address and full local address of the applicant;
- (3) A brief description of the nature of the business and the goods to be sold;
- (4) If employed, the name and address of the employer, together with credentials establishing the exact relationship;
- (5) The length of time for which the right to do business is desired;
- (6) The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time the application is filed and the proposed method of delivery;

(7) His or her driver's license, if he or she has none, a governmental issued picture identification card.

(8) A photograph of the applicant, taken within 60 days immediately prior to the date of filing of the application, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner;

(9) A statement as to whether or not the applicant has been convicted of any crime, or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor;

(10) Whether the applicant, upon any sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery;

(11) The last five municipalities wherein the applicant has worked before coming to this city;

(12) If conducting home solicitation sales as defined in F.S. § 501.021, whether the applicant has obtained a valid home solicitation sales permit/license as provided in F.S. § 501.022, from the clerk of the court for Bay County, Florida; and

(13) Such other relevant information as may be required by the investigation of the applicant.

(B) Upon receipt of an application for a license required by this chapter, the original shall be referred to the chief law enforcement officer acting to enforce the laws of the city, who shall investigate the applicant's background for charges of criminal or unethical conduct or civil unfair trade practices, all within ten (10) days of receiving the application.

(C) If, as a result of investigation, the applicant is found to have been convicted of any felony or crime involving moral turpitude, or is found to have committed any unethical conduct or civil unfair trade practice, the license shall be denied. The chief of police shall endorse on the application the specific reasons for the denial and return the application to the city code enforcement officer, who shall forthwith inform the applicant of the denial, the specific reasons for such denial and the applicant's right to appeal. The denial or revocation of a

license under this chapter may be appealed to the city council pursuant to the terms of the city's code of ordinances.

(D) If, as a result of investigation and review of the application, the city concludes that the application is complete and there is no basis for denial as set forth above the city shall issue a license addressed to the applicant for the license applied for and, upon payment of any required fee and filing any required bond, deliver the license to the applicant.

(E) The city code enforcement officer shall be the records custodian for all licenses issued and applications under this chapter.

§ 111.04 LICENSES.

(A) Every peddler having a license issued under the provisions of this chapter and doing business within the city shall display his or her license upon the request of any person.

(B) Every license issued under the provisions of this chapter shall be valid for a period outlined in the license, not to exceed six months.

(C) Any license issued under the provisions of this chapter may be revoked by the city for the violation by the licensee of any applicable provision of this code, state law, or city or county ordinance, rule or regulation.

§ 111.025 FEE.

Each registrant shall pay to the City Clerk a licensing fee of \$50 for the period expiring six months after the date of said licensing, or \$15 for a two-day license. No city license shall be issued involving the sale of retail food products, neither temporary nor permanent without prior approval by the State Department of Agriculture.

~~§ 111.03 CANVASSING OR SOLICITING.~~

~~No person shall solicit or canvass within the corporate limits of the city.~~

§ 111.046 EXCEPTIONS.

The provisions of this chapter shall not apply to the following:

(A) Sales made to permanent merchants by commercial dealers selling in the usual course of business;

(B) Sheriffs, law enforcement, bona fide assignees, receivers or trustees in bankruptcy, or other public officers selling goods, wares and merchandise according to law;

(BC) Solicitations or sales made by charitable, educational or religious organizations/institutions;

(CD) Canvassing or soliciting for political reasons concerning federal, state, county or local elections solicited in accordance with federal, state or local elections laws; or

(DE) Youth-oriented organizations such as Girl Scouts, Boy Scouts, school-related fund raisers and the like;

(F) Special event sales by merchants or motor vehicle dealers who maintain fixed established places of business within the City, whether conducted at their fixed places of business or elsewhere in the City;

(G) Bona fide residents of the state selling fruits, vegetables, dressed meats, fowl or farm products which were produced on land within the state, owned or controlled by such vendor; or

(H) Any person whom the City Council waives the applicability of this chapter.

§ 111.057 ALLOWABLE PEDDLING LOCATIONS.

(A) Peddling is allowed in two specific zoning categories: General Commercial and Tourist Commercial. The Peddler must

coordinate and obtain written permission from an existing or established business owner located in the zoning categories previously mentioned.

(B) Peddling on or from vacant property is not allowed. Any peddling which is proposed from a location on the beach also requires City Council approval.

(C) Peddling on any private premises when such premises is posted with a sign stating "No Peddlers Allowed" or "No Solicitations Allowed" or other words to such effect.

§ 111.08 HOURS OF OPERATION.

It shall be unlawful for any peddler to engage in the business of peddling within the city between the hours of 7:00 p.m. (or after sunset if earlier than 7:00 p.m.) to 9:00 a.m. the following morning, or at any time on Sundays or state or federal holidays, except by specific appointment with or invitation from the prospective customer.

§ 111.09 VIOLATIONS.

It shall be a violation of this chapter to do any of the following:

(A) Peddle or solicit in an Aggressive Manner.

(B) Make false or fraudulent statements concerning the quality of his or her goods, wares, merchandise or services for the purpose of inducing another to purchase the goods, wares, merchandise or services.

(C) Make false or fraudulent statements concerning any warranties offered with a high cost item, the title to any motor vehicle offered for sale, or how or when the peddler shall pay-off and clear any liens on a motor vehicle taken as a trade-in as part of the transaction.

(D) Give any false or misleading information in connection with their application for a license required by this chapter.

(E) Enter upon premises owned, leased or rented by another to refuse to leave such premises after having been notified by the owner or occupant of such premises, or his or her agent, to leave the premises and to not return to such premises.

(F) Peddle without a valid license from the city.

(G) Violate any provision of this chapter.

§ 111.610 PENALTIES FOR VIOLATIONS.

Any person or persons violating this chapter is guilty of a misdemeanor of the second degree, punishable as provided by other provisions of the code of ordinances, not to exceed the penalty provisions of state statutes; i.e., imprisonment in the county jail not to exceed 60 days and/or a fine not to exceed \$500.00, or both for each violation. In addition to and not in lieu of any criminal enforcement, this chapter may be enforced by any code enforcement officer of the city pursuant to the terms of the city's code of ordinances.

SECTION 3. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the Mexico Beach Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 4. REPEAL OF CONFLICTING PROVISIONS.

All ordinances, parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 6. CORRECTION OF SCRIVENER'S ERRORS.

The City Attorney may correct any scrivener's errors found in this Ordinance, without public hearing, by filing a corrected copy of the Ordinance with the Clerk. A scrivener's error may not include an amendment that changes the context or meaning of the Ordinance.

SECTION 7. ORDINANCE TO BE LIBERALLY CONSTRUED.

This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Mexico Beach, Florida as of this _____ day of November, 2024.

CITY OF MEXICO BEACH, FLORIDA

RICHARD WOLFF, Mayor

ATTEST: _____
TAMMY BRUNSON, City Clerk

*In this Ordinance, language added to an existing section is printed in underscoring, and language deleted is printed in ~~struck through~~ type.

Mexico Beach Monthly Financial Report - September 2024

REVENUES:	General Fund Budgeted	Current Month	YTD Received	% Received
Taxes				
Ad Valorem Taxes	3,678,312	-	3,737,921	101.62%
Franchise Fees	112,580	26,259	205,563	182.59%
Utility Taxes	97,396	12,696	126,890	130.28%
Communication Services Tax	26,780	-	30,614	114.32%
Gas Tax	80,000		222,517	278.15%
State Revenue Sharing	205,080	47,552	294,324	143.52%
Licenses & Permits	39,840	7,353	77,988	195.75%
Building Permits	202,800	16,408	118,728	58.54%
Fines & Forfeitures	13,260	-	5,847	44.09%
Interest Income	205,000	-	399,139	194.70%
Impact Fees	30,000	1,205	84,350	281.17%
Other Governmental Revenue	576,450	52	318,922	55.33%
Charges for Services	48,568	1,821	68,694	141.44%
Miscellaneous Revenue/Other Sources	398,441	8,076	278,756	69.96%
Totals:	5,714,507	121,422	5,970,251	104.48%
	Budgeted	Current Month	YTD Expenditures	% Spent
EXPENDITURES				
Elected Officials	63,996	5,355	62,259	97.29%
City Administrator	158,426	1,481	159,249	100.52%
City Clerk	166,075	8,357	129,295	77.85%
Legal	213,000	7,560	103,763	48.71%
Development Services	225,139	0	81,140	36.04%
General Government	432,372	75,836	558,827	129.25%
Police	938,263	84,759	1,017,107	108.40%
Fire	1,405,773	65,615	1,388,387	98.76%
Code Enforcement	87,528	7,486	86,871	99.25%
General Maintenance	348,027	14,927	182,267	52.37%
Roads & Streets	553,787	155,308	455,248	82.21%
Canal	303,433	19,057	213,408	70.33%
Vehicle Maintenance	171,575	12,121	129,116	75.25%
Parks & Recreation	358,297	70,421	580,329	161.97%
Debt Service	0	0	0	
TOTAL EXPENDITURES	5,425,691	528,283	5,147,266	94.87%
	Budgeted Revenue	Current Month	YTD Revenue	% Collected
Sewer Department	1,913,160	123,563	1,623,450	84.86%
	Budgeted Expenditures	Current Month	YTD Expenditures	% Spent
	1,913,160	230,264	1,134,849	59.32%
	Budgeted Revenue	Current Month	YTD Revenue	% Collected
Water Department	1,241,629	128,439	1,425,729	114.83%
	Budgeted Expenditures	Current Month	YTD Expenditures	% Spent
	1,241,629	184,539	1,143,561	92.10%
	Budgeted Revenue	Current Month	YTD Revenue	% Collected
Sanitation Department	647,902	61,677	713,903	110.19%
	Budgeted Expenditures	Current Month	YTD Expenditures	% Spent
	647,902	88,714	630,587	97.33%