

**REGULAR MEETING
DESTIN CITY COUNCIL
JULY 17, 2023
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Bobby Wagner
Councilmember Torey Geile
Councilmember Terésa Hebert
Councilmember Jim Bagby

Councilmember Kevin Schmidt
Councilmember Dewey Destin
Councilmember Johnny King
Councilmember Matthew Sweetser

Destin City Staff

City Manager Lance Johnson
Public Works Director Michael Burgess
IT Director Andy Peters
Finance Director Krystal Strickland
Public Information Manager Tamara Young
Grants/Project Manager Jeffrey Cozadd
Code Compliance Director Troy Williams
Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
City Engineer Ryan Scott
Senior Planner Daniel Butler
Principal Planner Steve O'Connor
HR Manager Jaime Dittmer
Building Official Noell Bell
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 6:00 PM. Pastor Steve Farris of the First Baptist Church of Destin gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Request from council to pull the following agenda items:

- Pull Consent Agenda items 3C and 3G for further discussion.
- Pull item 4D from the agenda.
- Pull item 6E(1) from the agenda.

Motion by Councilmember Hebert, seconded by Councilmember King, to approve the agenda, as amended, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS / ANNOUNCEMENTS

A. Proclamation - Parks and Recreation Month

The mayor read the proclamation designating the month of July 2023 as Parks and Recreation Month in the City of Destin, and then presented it to the members of the Park & Recreation Committee.

2. PUBLIC COMMENTS

Ms. Sandy Trammell, a Destin resident, pointed out that the speed hump north bound on Main Street is uneven and needs to be corrected.

Ms. Carol McIvor, a Destin resident, noted that she has gone before this council and the Public Works/Safety Committee concerning the problem they have in Destiny East and Destiny West due to the flooding issue at Four Prong Lake. They are forced to take on an exorbitant amount of stormwater runoff into that lake. It is a problem that concerns the whole city, and which has been forced upon their neighborhoods. She continued that they presented a plan to the Public Works/Safety Committee to install underground piping which would allow a temporary fix that would prohibit flooding in their neighborhood and alleviate the problem temporarily. She has urged the council to seriously consider this recommendation and take some actions toward a permanent solution. She stated that they received a quote for \$21,000 for the piping installation under Scenic Hwy 98. She urged the council to consider this matter for the American Rescue Plan Act (ARPA) funding that is available and is on tonight's agenda.

Mr. Lee Lazer, a Destin resident, expressed his concerns about the Joe's Bayou expansion with regards to the number of boat ramps they would have because of it. He stated that there are currently three boat ramps and another two are being proposed for the expansion, resulting in massive boat traffic flowing in and out of Joe's Bayou. He also mentioned a memorial for Mr. Dusty Robinette in that area that may need to be moved due to the expansion.

Capt. Gary Jarvis, a Destin resident, asked that the mayor and council continue to make the city center project a major priority for the city.

Capt. Jarvis also noted there is a proposal for speed limit for boats in the Gulf and that every major charter for hire organization, local or state-wide organizations, and most of the commercial fishermen have all spoken out vehemently against this proposal. He stated that it is not only unreasonable, but it would create chaos economically for small business owners across the Gulf of Mexico. He asked for the council support and to submit their argument against this plan.

Mr. Drew Mitchell, a Destin resident, complained about problems they are experiencing on Norriego Point which have been going on for a few years and things are getting worse. People are polluting Destin's park and water because there are no restrooms, trash cans, and any available services nearby. There are some drug dealings occurring out there as well. He stated that when he first brought this same issue to the council last fall, city staff stated that road

construction to extent Gulf Shore Drive was imminent, and that the construction and park amenities will soon follow. However, there is still no road, and nothing has been constructed. The fence that has been up there for a while is now blocking emergency responders' access to East Pass I. There is a marina being constructed which was never discussed. Their homeowners' association was never informed of the proposed marina. He continued that to resolve the urination and defecation issue, there have been some discussions about placing porta potties in the right-of-way on Gulf Shore Drive mainly for the tourists which are being encouraged to come to Norriego Pont. But it is not a solution that would be satisfactory to the residents. Porta potties are not an appropriate use of rights-of-way. He added that the city is marketing Norriego Point as a destination for the tourists, and so it is the city's responsibility to remedy this situation. He urged the council to close the park until it is ready for a grand opening to eliminate all the problems.

Several other residents spoke and urged the council to close the park until all constructions have been completed and it is ready for public use.

Ms. Laurie Sanders, a Destin resident, stated it has been tough trying to get out of their driveway as there is constant flow of traffic in her neighborhood and with people parking everywhere to unload and make their way to the park. There is trash everywhere. They do not really want to see porta potties in their neighborhood. She recommends placing a gate at the entrance to the park that can be locked at night by city staff to prevent people from entering the park. She also mentioned that Harborwalk is now doing fireworks twice a week which is polluting the environment.

Ms. Marcie Bell, a Destin resident, stated that she supports all the comments previous speakers made about all the problems on Norriego Point. But she believes the city needs to place porta potties in the city rights-of-way at least in the interim until the park is finished, adding that she believes the code allows it. She also agreed that having the fireworks twice a week is way too much. It is polluting the environment and needs to be curtailed. And lastly, she stated that she is very happy with the performance of the city's Code Compliance Department. She also realizes that they are understaffed and that she has made a commitment to support the additional funding for more staff so they could function more effectively.

3. CONSENT AGENDA

- A. Purchase of Holiday Lighted Pole Decorations, Town Center CRA
- B. Operations Financial Report
- C. Replacement of Corrugated Metal Pipes, ARPA FUNDING, authorization to issue Purchase Orders
- D. Capital Project Status
- E. Update on Undergrounding Easements. (Informational)
(May 1, 2023 Motion: To direct the City Manager to provide a monthly progress report on the acquisition of easements required to go forward with the undergrounding project along US Hwy 98 passed 6-0).
- F. Destin Community Center, replacement of 20-ton HVAC System, authorization to issue a purchase order

- G. Terminated Employee Policy:
(June 20, 2023 Motion: To direct the City Manager to work with the Human Resources Manager to bring back other policies in the surrounding cities in regard to terminated employees passed 6-0)
- H. Approval of minutes of June 5, 2023 Regular City Council Meeting
- I. Approval of minutes of May 1, 2023 Regular City Council Meeting
- J. Minutes of Boards and Committees

Councilmember Hebert moved for approval of Consent Agenda items 3A, 3B, 3D – 3F, and 3H – 3J; seconded by Councilmember Bagby. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to authorize the City Manager to issue purchase order to H&T Contractors for the replacement of the corrugated metal storm sewer systems identified in the agenda report passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

Councilmember Schmidt addressed Consent Agenda item 3G – *Terminated Employee Policy*. He thanked city staff for bringing in sample terminated employee policies from the surrounding cities. He stated that anytime a city employee is terminated, that employee should no longer have direct access to their systems as a safety precaution.

Councilmember Schmidt moved to direct the City Manager to draft a policy with regards to immediate termination of access by an outgoing employee to all IT systems and bring it back for council’s review and approval, seconded by Councilmember Hebert.

Councilmember Bagby recommends the written policy includes the following:

- Exit interviews for HR personnel to be conducted by the City Manager.
- Include some kind of exception for personnel in critical positions (i.e., IT, Finance, or HR areas) to allow temporary access to the systems on a case-by-case basis.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

4. CITY MANAGER REPORTS

- A. City Attorney Contract Amendments: Romano Kopp Law, PA and Anchors Smith Grimsley PLC

According to the City Manager, the two separate law firms of Romano Kopp Law PA and Anchors Smith Grimsley PLC each currently contract with the City for the provision of legal services. The latter provides Land Use Attorney legal services and has done so since February of 2017, and the former currently provides City Attorney legal services and has done so since 2016. This request is made jointly by Mr. Bauman and Ms. Kopp. The proposed contract amendments would designate Kimberly Romano Kopp of Romano Kopp Law PA as City Attorney, and further, would designate Kyle Bauman of Anchors Smith & Grimsley as Special Projects Attorney. There

would no longer be a separate Land Use Attorney contract, and it is believed that this consolidation will result ultimately in a cost-savings to the City.

Councilmember Hebert moved to amend proposed contracts giving the City Attorney and Special Projects Attorney each a \$20 per hour increase, seconded by Councilmember Geile.

According to Councilmember Hebert, current Land Use Attorney's pay will increase from \$165 per hour to \$185 per hour; and the current City Attorney from \$135 per hour to \$155 per hour, adding that a \$20 increase for both would be fair rather than a \$40 per hourly increase for the latter and only a \$10 increase for the former.

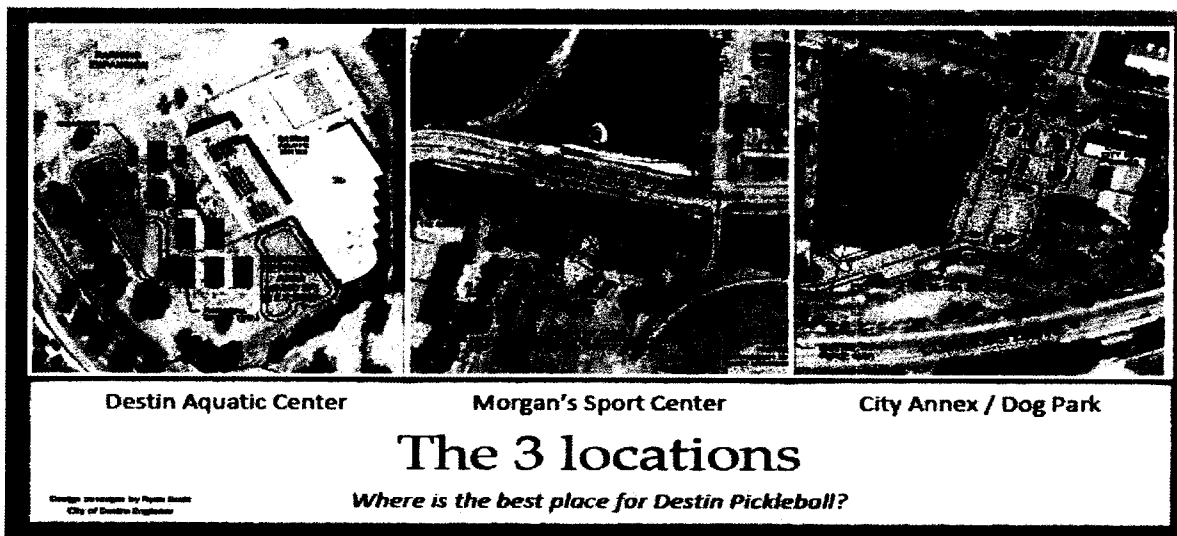
City Attorney Kyle Bauman reasoned that the city's current contract with Anchors Smith Grimsley PLC is 9 years old, and that the requested increase of \$40 per hour would barely keep up with inflation.

Following a brief discussion by the council, Councilmember Bagby offered a substitute motion to approve the proposed contract amendments for Romano Kopp Law, PA and Anchors Smith Grimsley PLC, to be compensated an hourly rate of \$185 and \$175 respectively, and with stipulation that any expenditure of outside counsel by the city attorney or city manager over \$5,000 for any new litigations, on a case-by-case basis, be brought back to council for approval. Seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

B. Pickleball Matrix

(June 5, 2023: It was the consensus of the council to have the City Manager and staff put together a matrix of all current options available for the construction of pickleball courts and bring it back at the July 17th council meeting)

Mayor Wagner presented the following options:



Destin Aquatic Center Option



Location Overview

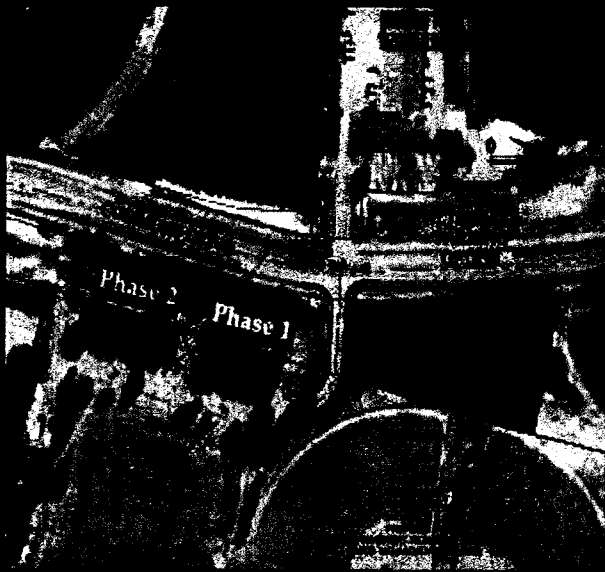
- \$400,000 investment on Mattie Kelly Art Foundation Land.
- Emerald Coast Fitness Foundation will build as many courts as possible with funds. (Guaranteed 4 courts)
- ECFF will not take on any debt for pickleball facility
- Office & personnel already on-site
- Bathroom & Lockers already on-site
- Adequate Parking spaces on-site
- Operated and maintained by ECFF
- Destin Residents will have a discount

Location Overview

- Pickleball courts over Destin Water Users land (Moved courts to South parking lot to avoid pipes)
- Minimal Site work due to current parking lot
- 2 Parking options.
 - Amberjack (Alternate) - \$587,688
 - Original - \$1,130,538 (includes purchase of land)
 - FPL power line easement runs over both lots)
- Bathrooms & Office Building - \$375,000 (RC128 \$250,000 Dollars FY24 for Morgan Bathrooms)



Amberjack Parking lot (Alternate option)



Phase 1 overview

- Constructing 4 courts - \$177,500
- Ability to add 6 more courts
- Site work - \$98,438
- Parking will still need to be built - \$587,688
- Morgan's Bathrooms (RC128 \$250,000 Dollars FY24)
- Phase 1 total = \$863,625

Destin City Annex Option



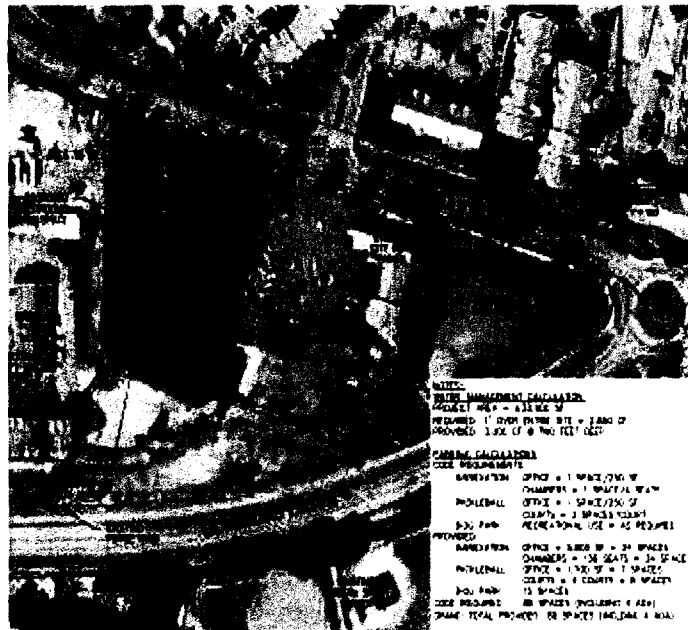
Location Overview

- Land owned by City of Destin
- No outside agency coordination needed
- Original land concept was tennis facility
- Current parking lot will hold 4 courts but does not meet city code
- Bathrooms needed for courts & dog park
- Current parking lot does not meet city code
- Operate and maintained by city of Destin
- Lots of space for further expansion

Destin City Annex (Phase 1)

Phase 1 overview

- Constructing 4 courts - \$177,500
- Ability to add many more courts
- Current Parking lot has adequate size
- Site work - \$162,700
- Future bathrooms location
- Future lighting
- No cover
- **Phase 1 total: \$340,200**



Court Estimates

Court # (W/ Netting, fencing, pre-electrical, Benches	Estimate	With 25% Contingency
1	\$38,000	\$47,500
4	\$142,000	\$177,500 (\$44,375/co urt)
10	\$350,000	\$437,500 (\$43,750/co urt)

[illegible]

Estimates # 2

Emerald Coast Tennis Management

	Description	Cost
Courts	To construct and install the basic courtroom pods of courts including assessor offices, the "backloading" area, and permanent seats. 540 sq. ft. per meter. 400 sq. ft. per force	\$350,000

Councilmember Geile noted that when they received the proposal from Destin Aquatic Center, they have indicated that the city will be responsible for maintenance of the facility. He asked whether that is still the case.

Ms. Kathi Hippi, Treasurer of the Emerald Coast Fitness Foundation (ECFF), explained that when ECFF made their initial presentation, they have requested about \$25,000 a year support to help defray the maintenance costs. But, since they are going to charge people to play pickleball, with discounted rates for residents, they will now assume the cost for maintenance.

Councilmember Schmidt moved to proceed with the City of Destin Annex Phase 1 option, seconded by Councilmember Geile.

Councilmember Schmidt expressed concern about giving \$400,000 to a foundation without having some background or history being provided to the council. He also feels that ownership of the land would be best for the city's future.

Councilmember Hebert asked how long it would take to build the facility on city annex property, and how much of the work could be done in-house as compared to having the Destin Aquatic Center build the facility on their property.

The City Engineer noted that the design work for the tennis court has previously been done by Tetra Tech.

The mayor noted that the list of quotes that they received all provided an estimate of 3 months to build the courts and other amenities once the site is ready and all permits are obtained.

According to Councilmember Destin, it might take 3 to 4 city employees to properly run the pickleball center if they build the facility on city property, which could cost the city another \$200,000 easily; adding that they also need to consider putting bathrooms on this site. He opined that the cheapest and quickest way to build the pickleball facility may be to partner with the Destin Aquatic Center.

Councilmember Destin offered a substitute motion to direct the City Manager and City Attorney to work out all the details as part of the interlocal agreement with the Destin Aquatic Center option and bring it back by the second city council meeting in August, at which time the council will make the final decision; seconded by Councilmember Hebert.

Considerable discussions followed as other members of the council expressed their desire to have the following information to be included in the report to council:

- Proposed membership fees for residents
- Proposed membership fees for non-residents
- Other miscellaneous fees.
- The possibility of offering free membership to Destin residents if the city covers part of the maintenance cost for the facility.
- Is there a separation of operation between the FWB facility and the Destin facility?

- Is the future Niceville operation connected to the existing facilities. Can funds be moved from one facility to another?
- Past financial information and future projections from the Destin Aquatic Center.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

C. Assistant City Manager Job Description

(June 20, 2023 Motion: To direct the City Manager to bring back the job description for Assistant City Manager at the July 17th city council meeting. Authorization for the City Manager to hire an Assistant City Manager for a base salary not to exceed \$93,948.80 (\$23,487.20 x 4) annually and to use the money in the City Manager’s personnel account to make that hire are contingent upon the council’s approval of the job description).

The City Manager stated that per council’s direction, the job description for the Assistant City Manager position is being presented to the council for their review and approval. He also noted that Councilmember Destin, the Legislative Sponsor, provided some assistance in creating the job description.

Motion by Councilmember Destin, seconded by Councilmember Bagby, to approve the job description for the Assistant City Manager position and placing a salary cap of \$120,000, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

D. FY 2024 Investment Contribution

Above item was pulled from the agenda.

E. FY2023 Strategic Plan Status Update

The City Manager presented the following updates to the council’s priorities:

Critical Priorities

Offer livable wages & benefits to attract and maintain high caliber, qualified staff (I.). OPR: HR

As of 7/10/2023: Fully implemented class and compensation study, to include senior leader compensation adjustment. Implemented Wellness Platform through Better You Strides. Maintained an average quarterly voluntary turnover rate of 3.7% and annual turnover rate of 11.3%. Performance based merit increases ranging from 2%-4%.

1.2 Work with stakeholders to pursue the Destin City Center. (Phase I Feasibility Study), (II., III.). OPR: CD

Update: In Progress. Council Representative Schmidt and staff are working with the developer.

Important Priorities

1.3 Complete two-lane Crosstown Connector (II., V.). OPR: GPC/CD/PW

As of 7/7/2023 All required ROW has been purchased. Plans are 100% complete, Construction funding is at 66%, additional funding is being pursued.

1.4 Public Beachfront acquisition initiative (II., III., IV., VI.). OPR: GPC

As of 7/7/2023 Tarpon property purchased and land cleared. Design in progress for Tarpon and Shore at Crystal Beach.

1.5 Underground Utilities (II., IV., VI.). OPR: GPC

As of 7/7/2023 We expect the BCE and final design from FPL in the very near future. Easements are being secured. Bid documents are being prepared. In Progress

1.6 Stahlman/US 98 pedestrian and vehicle improvements in cooperation with FDOT. (II., V.) OPR: CD/Eng

Update 7/10/2023: City Manager and Community Development Director are meeting with District 3 Transportation Director in August, 2023 to discuss this and other pending FDOT items.

Desirable Priorities

1.7 Annexation of unincorporated enclaves (I.) OPR: CD/CMO

Update: Annexation policy adopted by Council

1.8 Transit/Trolley system (V.) OPR: CD/CMO

Update: Unfunded, not started.

1.9 City Marina (Phase 1 Feasibility Study), (III, V.). [Funding in FY 2024]

OPR: CD

Update: Not started.

1.10 Improve parking, explore options (i.e., parking garage, surface parking), (V.).

OPR: CD

Update 7/10/2023: Site improvements for the Zerbe/Sibert parking lot have been delayed to FY2024 via Council direction on June 20, 2023. RFQ for assistance with parking garage development will be published in August, 2023.

1.11 Beach Re-nourishment, planning & scheduling in partnership with the County & State. (II., VI.) OPR: GPC

Update 7/12/23: The County has no renourishment plans scheduled at this time.

2023-28 Management Objectives

2.1 Keep resources (Staff, Time, Money) aligned with the adopted Strategic Plan and the adopted budget when asked/directed to reprioritize tasks and/or projects.

A. Maintain a quarterly average employee Vacancy Rate of <15%. (HR)

As of 7/6/2023 the average vacancy rate for FY2023 is 11.3% annually and an average quarterly rate of 3.7%.

B. Keep fiscal expenditures within the adopted budget. (FIN)

As of 7/10/2023 the fiscal expenditures are within the adopted budget.

C. Track and report staff time spends quarterly fulfilling Public Records Requests. (CLK)

Staff spent approximately 518 hours responding to 478 public records requests through 3rd quarter of FY 2023.

2.2 Research/track grants and other funding sources for current and future projects including “Undergrounding Utilities,” and “Land Acquisitions.”

A. Research at least 15 active grants by the end of fiscal 2023. (GPC)

Update 07/12/2023: 18 researched: DEP Recreation Trails Grant, CDBG Small City, Ok. County CIGP program, Sun Trail Grant / FDOT, DEO Sally Hometown Rev. Program, AED Grant, FDEP Vulnerability Assessment

BRIC/FDEM/FEMA, Grid Resilience State Formula Grant Program, FDOT TRIP, FDOT CIG, Rural Surface Transp Grant Program, STORM Act / FDEM, NWFL Military Resilience Review, Energy Efficiency and Conservation Block Grant Program, Thinking Money for Kids Program Kit, Coastal Partnership Initiative (CPI) grant opportunity,

FDOT/TRIP Construction App FY24 - due Jan 24

B. Submit at least 7 grant/funding applications by the end of fiscal 2023. (GPC)

Update 07/07/2023: 12 submitted: BRIC/FDEM App, App. Request – Undergrounding, App. Request - Aux Harbor Pump, TDD/BOCC – Beach and Boardwalk Operations Exp., TDD/BOCC – Advance Funding Award payment,

FDEP Vulnerability Assessment, FDOT Traffic Grant with Sheriff's Office, FDOT TRIP Amendment request,

STORM Act/FDEM - loan funding request, TDD/BOCC - Exp. Plan Beach - budget reallocated for Improvements, Thinking Money for Kids Program Kit - Library

C. Receive at least 3 grant/funding awards by the end of fiscal 2023. (GPC)

Update 07/07/2023: FDEP Vulnerability Assessment – pre award, FDOT TRIP Amendment, TDD/BOCC – Beach and Boardwalk Operations Exp. - prelim approved, TDD/BOCC – Advance Funding Award payment - prelim approved

D. Complete ORAC park projects at Royal Melvin & Clement Taylor Parks. (GPC/PR)

Update 07/07/2023: CRM 100% complete, CTP pending notice to proceed from US Treasury and Okaloosa County.

2.3 Present a policy recommendation for property annexation to Council by 2/1/23. (CD)

Update 07/06/23: Annexation policy adopted by City Council on May 15, 2023.

2.4 Develop and implement processes improvements for consistent and streamlined application of ordinances, codes, policies and procedures;

A. Complete the Land Development Code update by 06/01/2023. (CD)

Update 07.06.23 In progress; 70% complete

B. By March 1, 2023 evaluate the “Development Order Process” and implement ways to consistently expedite completion and increase applicant satisfaction. (PLAN)

Update 07/06/23: Periodic reviews on going.

C. By January 1, 2023 evaluate the “Permitting Process” and implement ways to consistently expedite completion and increase applicant satisfaction. (BLDG)

Update 07/06/23: Reviewed by City Council in May- Update to City Council in July.

D. By January 1 2023 evaluate the inspection process for developments and permitted projects and implement ways to consistently complete pre-phase, mid-phase and post-phase inspections in a timely manner an on a consistent basis. (CD)

Update 07/06/23: Currently being implemented. Requested full time inspector in the FY24 Budget

E. By January 1, 2023 evaluate the “Business Tax Receipt Process” and implement ways to consistently expedite completion and increase applicant satisfaction. (BLDG)

Update 07/06/23: FY24 Renewal notices sent out July.

F. By October 31, 2022 evaluate the “Livery Vessel Registration Process” and implement ways to consistently expedite completion and increase applicant satisfaction. (CODE)

As of 7/6/2023 Developed check list, created additional and need upload document portal. Reviewed previous discrepancies and responsibilities; addressed and changed. Scheduled meeting with Energov in July to determine if a renewal key can be added.

G. By October 31, 2022 evaluate the “Short Term Rental Registration Process” and implement ways to consistently expedite completion and increase applicant satisfaction. (CODE)

As of 7/6/2023 Applicant is now able to upload BTR to Compass and will be required in 2024 to send picture of sign attachments. Goal for STR applicants is to be able to submit payment when they send in application; will be addressed with Energov the scheduled July meeting.

H. By December 31, 2022, present a policy recommendation for code compliance regulations consistent with international property maintenance code (IPMC) (CODE)

I. Present the updated procurement policy to Council for their consideration in Oct., 2022. (FIN)

As of 7/10/2023 the updated procurement policy was provided to Council as Resolution 22-10, which was adopted by Council during the 11/7/2022 Regular City Council meeting.

J. Evaluate ongoing contracts and implement improvements prior to renewing. (GPC, Et al)

Update 07/07/2023: New contracts structured with a three-year term with two one-year renewals when possible. Existing contracts are evaluated for possible improvements. Recent contracts evaluated: H&T (asphalt), Acentria (Health Ins Broker), Sheriff’s Office.

2.5 Improve communication and information sharing with Council/Public/Staff. (PIO, Et al)

A. Enter all new CODE case data into COMPASS before the end of each shift. (CODE)

As of 7/6/2023 100% complete after shift. Total cases for quarter: 1st Quarter Jan-Mar 2023 (1236), 2nd Quarter April-June (1373) (thru June 28th)

B. Respond to all Help Desk submissions within 48 hours. (ASSIGNED DEPT.)

As of 7/13/2023, the median time from when a request is submitted to the Help Desk to when it is assigned is 20.84 hours.

C. Timely submission of monthly, quarterly and annual reports to Council. (ASSIGNED DEPT.)

As of 7/11/2023 monthly, quarterly, and annual reports are being submitted timely to Council.

D. >95% of committee members receive initial training within 90 days of appointment. (CLK)

As of 7/6/2023 Following the November 2022 election, the newly seated council appointed/reappointed members to the city's standing committees in December 2022. Training will be provided to each committee at their regularly scheduled meeting beginning in July 2023.

E. >90% staff participation in monthly trainings. (HR)

As of 7/10/2022 we are maintaining a >90% participation rate in HR Trainings

F. Complete resident survey obtaining a statistically significant sample by 12/1/2022. (CMO)

As of 7/7/2023 the resident survey was completed November 2022.

G. Ensure >90% of PRRs are completed within 3 business days. (CLK)

As of 7/7/2023 96.9 % of all public records requests were fulfilled within 3 workdays during the 3rd quarter of FY 2023.

2.6 Ensure volunteer committees complete their workplans and obtain council approval for each. (CLK)

As of 7/7/2023 Each of the committees will review/finalize their workplans in July and submit them for council's approval in August/September 2023 time frame.

2.7 Review and update departmental Key Functions/Services by December 1st, 2022. (CMO/et al)

As of 7/7/2023 Review completed.

2.8 Receive an “unmodified” (good) audit opinion for FY-2022. (FIN)

As of 7/10/2023 the City received an “unmodified” (good) audit opinion on 3/15/2023.

2.9 Implement Council approved Harbor Capacity Study recommendations by established due date. (CD)

Update 07/06/23: in progress.

2.10 Establish Park Foundation to assist with acquisitions, renovations and maintenance. (P&R)

As of 7/6/2023: Not started, plan to begin work on this by late 2023.

2.11 Work with the County/State to have derelict vessels removed within 120 days of reporting. (CMO/CODE)

Staff is working with Alex Fogg of the TDC who coordinates with state and federal agencies to have vessels removed.

Some members of the council provided the following recommendations:

- Aggressively pursue other grant opportunities from other outside agencies other than the normal sources (i.e., TDD) (Schmidt)
- Council needs to provide better clarity to the grant application process (Bagby)
- Annexation of unincorporated enclaves – expand the definition for FY 2024 (Mayor)
- Change “Trolley System” to “Alternative Transportation Integrated Transient System” (Mayor)

F. FY2024 Strategic Plan

According to the City Manager, the council reviewed their objectives during the Strategic Planning Session in February. There were a few potential recommendations for inclusion in the 2024-2029 plan that were discussed (listed below) but the overall consensus was to minimize the changes to the plan to enable staff to keep pursuing the multi-year projects on the existing plan. Staff members

have included recommended changes to next year's plan based on the input from the Strategic Planning Session.

The City Manager presented the following information:

Priority Levels Defined

Critical Priority – An objective that must be successfully accomplished within a specified amount of time.

Important Priority – A priority that can have a significant impact on performance. Resources are fixed and the variable is either time or the objective.

Desirable Priority – A priority where both resources and time are variables. The organization desires an outcome but cannot absolutely commit specific resources over any specifiable time period.

Note: Resources are fixed for all Critical and Important priorities, therefore, it may become necessary to transfer resources from Desirable priorities to Critical.

Current Council Objectives FY 23

Critical Priorities

- 1.1 Offer livable wages and benefits to attract and maintain high caliber qualified staff.
- 1.2 Work with stakeholders to pursue the Destin City Council (Phase 1, fixability Study).

Important Priorities

- 1.3 Complete two-lane Crosstown Connector
- 1.4 Public beachfront acquisition initiative
- 1.5 Underground utilities
- 1.6 Stahlman/US 98 pedestrian and vehicle improvements in cooperate with FDOT.

Desirable Priorities

- 1.7 Annexation of unincorporated enclaves
- 1.8 Transit/Trolley System
- 1.9 City Marina (Phase 1 Feasibility Study)
- 1.10 Improve parking, explore options (i.e., parking garage, surface parking).

- 1.11 Beach re-nourishment, planning and scheduling in partnership with the County and State.

Items Discussed During the 2023 Strategic Planning Session

- A. Pursue acquisition of property north of the Marler Bridge for potential Park, Pedestrian Improvements, Marina, Parking Garage, Amphitheater and/or City Center. [REC: Incorporate into current item 1.4]
- B. Support Ferry System to move waterfront traffic City to City. [REC: incorporate into item 1.8]
- C. Provide more Pickleball Courts [Already included in 4.17]
- D. Workforce Housing. [Work with County on options]
- E. Expand access to the east side of Henderson Beach State Park. [REC: Add to Mgt. Objectives]
- F. Build Parking Garage(s) in Harbor District. [Increase/Redefine priority of current item 1.10]
- G. Feasibility of a City Marina in Joe's Bayou. [Could be incorporated into current item 1.9.]
- H. Lifeguards, increase support and assist in securing resources. [REC: Add to Mgt. Objectives]
- I. Elevate Council Objective 1.1 to become the 7th Strategic Goal. [REC: Add to Strategic Goals]

Draft 2024 Strategic Goals with Recommended Incorporated:

- I. Financially sound city providing service excellence
- II. Enhanced quality of life and safety for families
- III. Economic development and revitalization
- IV. Effective, efficient, and aesthetically pleasing infra structure
- V. Improve mobility and connectivity
- VI. A green and sustainable environment
- VII. Offer livable wages & benefits to attract and maintain high caliber, qualified staff.**

Draft 2024 Council Objectives With Recommendations Incorporated:

CRITICAL PRIORITIES:

- 1.X Work with stakeholders to pursue the Destin City Center. (Phase 1 Feasibility Study), (II., III.).(OPR: CD)
- 1.X Complete two-lane Crosstown Connector (II., V.). (OPR: CD/GPC) [REC: Move to Critical]
- 1.X Underground Utilities (II., IV., VI.). (OPR: GPC) [REC: Move to Critical]
- 1.X Stahlman/US 98 pedestrian and vehicle improvements in cooperation with FDOT. (II., V.) (OPR: CD/ENG) [REC: Move to Critical]

IMPORTANT PRIORITIES:

- (1.4) Public Beachfront acquisition initiative including *Pursuing acquisition of property north of the Marler Bridge for potential Park...* (II., III., IV., VI.). (OPR: GPC) [REC: incorporate item A here.]
- (1.6) Improve parking, explore options (i.e., parking garage, surface parking), (V.). (OPR: PW) [Site improvements for the Zerbe/Sibert parking lot have been delayed to FY2024 via Council direction on June 20, 2023] [REC: Move to Important]

DESIRABLE PRIORITIES:

- 1.7 Annexation of unincorporated enclaves (I.). (OPR: CD/CMO)
- 1.8 Transit, Trolley systems and support a *Ferry System to move waterfront traffic City to City*(V.) [REC: incorporate item B here.] (OPR CD/CMO)
- 1.9 City Marina (Phase 1 Feasibility Study), (III, V.). [Could incorporate item G here.] (OPR: CD)
- 1.11 Beach Re-nourishment, planning & scheduling in partnership with the County & State. (II., VI.) (OPR: CD/CMO)

Some members of the council provided the following recommendations:

- Place the annexation under Important Priorities (Mayor)

- Move Crosstown Connector and Underground the Utilities from under Critical category since they are not currently ongoing and will take some time to complete (Schmidt)
- Parking should be in the Critical priority for the city (surface parking/parking garages) (Schmidt)
- Change Public Beachfront Acquisition Initiative to Waterfront Access Initiative (Schmidt)
 - Place acquisition of 1 Harbor property as a Critical priority to help with potential funding issues (Schmidt)
- Add as an Important Priority the adjustment/expansion of recreation program for city residents and tourism industry. (Schmidt)

The City Manager will bring back another draft of FY 2024 Strategic Plan at the next meeting incorporating tonight's inputs from the council.

G. Okaloosa Half Penny Infrastructure Surtax

The Finance director explained that at the January 27, 2020 Special Workshop, the City estimated it would receive \$12.8 million from the Okaloosa Half Penny Infrastructure Surtax that was voted in for the 10-year period January 2019 - December 2029. Council moved to allocate this Infrastructure Surtax for the following uses:

- Beach Acquisition - 75% - \$9,600,000
- Underground Utilities - 10% - \$1,280,000
- Public Works/Safety Committee identified projects - 10% - \$1,280,000
- Other projects as designated by Council - 5% - \$640,000

In May 2022, after signing an agreement with the Okaloosa Tourist Development District for beach acquisition, City Council adjusted the allocation to reduce the amount for Beach Acquisition and to increase the amount for Undergrounding of Overhead Utilities. Council made a motion on May 2, 2022 to allocate the Okaloosa Half Penny Infrastructure Surtax as follows:

Oka 1/2 allocation as per 05/02/22:					
	Beach	Underground	Stormwater	Public Works/ Safety	TOTAL
Percentage	25%	60%	10%	5%	100%
Est Revs (2019-2029)	4,000,000	9,600,000	1,600,000	800,000	16,000,000

Staff have now realized a mistake was made when reducing the allocation to Beach Acquisition. We inadvertently did not include remaining debt service for the loan taken to purchase parcels near the Crystal Beach Park.

Staff have updated the total estimated revenues based upon collections to date (January 2019 - May 2023) assuming an inflationary factor of 2.5%, we now anticipate collection of \$17.4 million. In order to meet the remaining commitment for debt service for the Beach loan, staff recommend reallocating the funds. The revised allocation is presented below in yellow, followed by expenditures and commitments to date.

This revised allocation will meet our current commitments and will slightly reduce funds available to underground overhead utilities, to address stormwater infrastructure issues and for the public works and safety committee.

Staff recommends reallocating the use of the Okaloosa Half Penny Infrastructure surtax to decrease the allotment towards Beach Acquisition from 25% up to 55%, to decrease the allotment for Undergrounding Utilities from 60% to 55%, to increase the allotment towards stormwater projects from 5% to 6.99%, and to commit the remaining 4.4% to projects recommended by the public works and safety committee.

Councilmember Schmidt moved to allocate portions of the Okaloosa Half Penny Infrastructure Surtax revenues as follows:

- **55% toward undergrounding utilities**
- **33.61% toward beach acquisition**
- **6.99% toward stormwater projects**
- **4.4% toward Public Works and Safety Committee initiated projects**

Motion seconded by Councilmember Hebert and passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

H. American Rescue Plan Act (ARPA) Expenditure Plan

The City Manager noted that in May 2021, the City of Destin applied for and received an award of \$1,581,098 from the US Treasury from the American Rescue Plan Act (ARPA), and that staff recommends allocating the ARPA funds for the following uses:

- | | | |
|-----------------------------|--------------|-----|
| • Stormwater Infrastructure | \$ 1,089,718 | 69% |
| • Stormwater Equipment | 61,845 | 4% |
| • IT Security – Tyler | 429,535 | 27% |

Councilmember Bagby recommends that \$21,000 of the 69% of the ARPA funding to be spent on underground piping for the Destiny Subdivision.

Councilmember Hebert moved to expend the American Rescue Plan Act awarded funds as follows:

- **69% for Stormwater Infrastructure; with \$21,000 of the 69% to be spent on underground piping for Destiny Subdivision.**
- **4% for Stormwater Equipment**
- **27% for IT Security**

Motion seconded by Councilmember Schmidt and passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

I. Establishing the FY2024 Tentative Millage Rate and Budget Public Hearing Dates

The City Manager requests that council confirms the dates and times of the public hearings for the FY 2024 Budget on September 7, 2023, at 5:30 PM and September 18, 2023 at 6:00 p.m., and to set the tentative millage rate for ad valorem taxes at 1.6150 mills to fund the FY 2024 Budget, adding that this amount is 10.97% more than the roll-back rate of 1.4553 mills.

Councilmember Hebert moved to set the tentative millage rate for ad valorem taxes at 1.6150 mills which is 10.97% more than the roll-back rate of 1.4553 mills and confirm the dates and times of the public hearings for the FY 2024 Budget on September 7, 2023 at 5:30 PM and September 18, 2023 at 6:00 PM. Councilmember Geile provided a second to the motion.

Councilmember Geile stated that he would support the motion but he just wanted to state for the record that the alternative millage rate of 1.715 that was previously suggested is a very minimal increase to property tax and could help fund some of the city’s projects.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

J. City Council Insurance Benefit

(July 20, 2023 Motion: Motion to request that Acentria brings back two proposals, one of which would include the council members in the group health insurance policy, passed 7-0).

Mr. Mike Carraway, Director of Acentria, announced they have received approval from Florida Blue to add members of the city council to the City of Destin’s group insurance policy. There will be no negative impact on renewal for the 2023/2024 insurance rates/ This benefit would include medical, dental, vision, and telehealth insurance. The city pays 100% of the premium for eligible employees and 66 2/3 of the premium for additional family members. Coverage would be effective September 1, 2023, and council members will be entitled to all medical benefits and premium contribution as eligible city employees.

Motion by Councilmember Destin, seconded by Councilmember Hebert, to include members of the City Council and the mayor, to the City of Destin’s group insurance policy at the same rate of contribution as any other city employees, with the 5% renewal rate increase to go into effect on September 1, 2023, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

K. Announcements

1. The city officially closed on 611 Sandalwood property acquisition.
2. Ribbon Cutting Ceremony for the Capt. Royal Melvin Heritage Park is scheduled for tomorrow morning, July 18th, at 9:00 AM.

3. The City of Destin will be hosting the Okaloosa County League of Cities Quarterly Dinner on Thursday, July 20th, beginning at 6:00 PM, at the Palms Bistrro. Guest speaker will be Colonel Allison Black, Commander, 1st Special Operations Wing at Hurlburt Field.
4. The Destin Library will be closed on Friday, August 4th, for the Okaloosa County Public Library Coop Annual Staff Training Day.
5. Business Tax Receipts are now opened for renewal. Businesses should get payment in by September 30th to avoid any late fees.
6. Council members will be contacted this week by the City Manager's Executive Assistant, Sheri Bethea, this week to coordinate times for a one-on-one City Manager evaluation.
7. All projects submitted for a permit after September 1st will be required to submit a final inspection request form found under the Engineering Division page of the city's website for any Engineering and Planning site final inspections. The intent is to certify that the site meets all the minimum requirements in the approved permit before staff visits the site.
8. Live Oak Fiber has officially started construction of their new lines in Destin on July 10th.
9. The Big Truck Day will be held on August 4th at the Destin Community Center.
10. The City's Open House is scheduled for Wednesday, October 25th.

5. PUBLIC HEARINGS

- A. John Green of Beachside Construction Group, LLC, on behalf of Mr. Shaun Cooper of Elite Investments LLC, is requesting approval for the construction of a ±640 square foot restaurant/café building and the associated site infrastructure. The subject project is located at 36 Terra Cotta Way (Parcel ID: 00-2S-22-0000-0035-A000), totaling approximately 0.16 acres.

The City Attorney sworn in the following individuals for testimony:

- Principal Planner Steve O'Connor
- Senior Planner Daniel Butler
- Building Official Noelle Bell
- City Engineer Ryan Scott
- John Green of ECM & Beachside Construction Group LLC
- Bruce Craul, President of the Enclave Community Property Association & in Conjunction with the Enclave Condominium Association and all Terra Cotta Subdivision Homeowners.

The City Attorney inquired if any member of the council has had any ex-parté communications with regards to this project; to which the mayor and council members present responded "no."

The Land Use Attorney requests that the staff report and all its exhibits be entered into the record as the city's Composite Exhibit A. Having no objection from the applicant, the aforementioned documents have been entered into the record as Staff Exhibit A.

Mr. John Green of ECM & Beachside Construction Group LLC, on behalf of the applicant, requests approval for the construction of approximately 640 square foot restaurant/café building and the associated site infrastructure. The project is located at 36 Terra Cotta Way, totaling approximately 0.16 acres. He stated that the development and use meet the criteria and requirements of the city's Comprehensive Plan and Land Development Code.

Mr. Bruce Craul expressed his opposition to the proposed project and presented the following information:



City Development of Beach Access Parking



The Enclave parking lot is for owners only

- Just to the north of the Sandos lot is the Enclave's parking lot. Gates are being re-installed at the front entrance of the Enclave and at the connection between Terra Cotta Way and this lot, so customers of this development have no place to park.
- Four parking spaces is only enough for the manager, a cook, a cashier and a bartender.
- People may just pull up and clog up the access to the paid parking or try to park along Terra Cotta Way.



LOCATION

Okaloosa County - Old Highway 98 Destin



The landscape buffer is the Enclave's. Visibility from Highway 98 is an issue.

It is difficult, even now to pull into the city parking lot due to the hard right turn. SUV's can't get in without running over the curb.

Where are the delivery trucks for food and beverage product going to park while offloading? They can't block the parking lot and they can't park along the street.



There will be illegal parking

Since there won't be any free parking, cars will line up along the curb and those that paid to park can't back out to leave.

The bushes and tall land sloping on the Enclave property blocks the view of the business.

Cranes can't even stack the containers (the building) because of the high electrical wires.

The bike path, 100 days a year, will have a bottle neck here. The bike and pedestrian traffic quickly moves along this path.



The bike path, 100 days a year, will have a bottle neck here. The bike and pedestrian traffic quickly moves along this path.



View east for Terra Cotta entrance

We have landscaped the entrance to the east and the west to improve the look for the neighborhood.

The enhancements to these median and the median to the east are at risk due to trucks cars slowing and people swerving to make the turn.

While there is a dead end sign there, people will drive into Terra Cotta Terrace looking for a place to park where is traffic that currently does not exist.

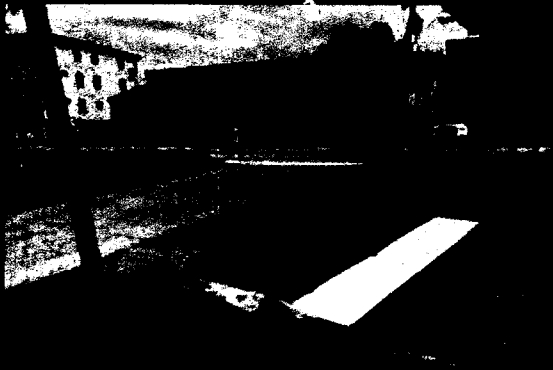


While there is a dead end sign there, people will drive into Terra Cotta Terrace looking for a place to park, which is traffic that currently does not exist.



Enclave and City Lot exit onto 98

- Traffic exiting the enclave onto 98th Street is not a problem, but the point of exit is not ideal.
- The City of Seattle Planning Department has adopted an ordinance which states that the city will not fund a development that involves a new street closure.
- We have identified the need for a new street to be improved in order to handle the traffic that will be the future use of the enclave and to provide a new street.



An aerial photograph showing a city lot and its exit onto 98th Street. The lot is a large, rectangular area with a dark, possibly paved surface. A road, 98th Street, runs horizontally across the middle of the image. To the left of the road, there is a large, multi-story building with a light-colored facade and many windows. To the right of the road, there is a smaller, single-story building with a dark roof. The lot is situated between these two buildings. A road, 98th Street, runs horizontally across the middle of the image. To the left of the road, there is a large, multi-story building with a light-colored facade and many windows. To the right of the road, there is a smaller, single-story building with a dark roof. The lot is situated between these two buildings.



Trash Trucks and the four parking spaces



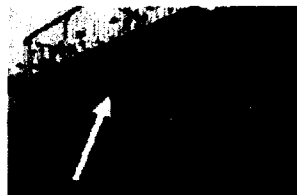
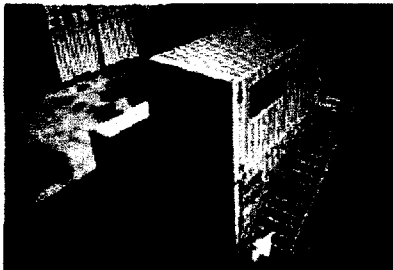
The entrance to the property is just past the bus stop on the right. Traffic will back up into the street as people turn around realizing there is not place to park.

There is not street parking on Terra Cotta Way. Plans are underway for the installation of gates just beyond the median to the left.

Liquor License Requirements

- The Florida Statute 561.20(2)(a)4 regulates Special Restaurant Licenses or SRX licenses and states that only establishments that maintain a bona fide restaurant and have 2,500 square feet of covered floor space and seating for 150 patrons, deriving 51% of their gross revenue from the sale of non alcoholic beverages and food can be issued such a liquor license. The Florida Statute 561.20(2)(a)1 regulates the Special Hotel Licenses and states that only hotels, motels and motor courts with 100 guestrooms or more, deriving at least 51% of their gross revenue from room rental can be issues such a license. I am assuming therefore that the project is purchasing a 4 – COP Quota License.

Sandals Beachside Design EXAMPLES



- Containers are not a good fit to the neighborhood. This is not a site like Ft Walton or Pensacola Beach. This is a residential neighborhood. The second house in Terra Cotta on the left sold a year ago for 1,700,000 and the owner invested another \$100,000.
- Homes that are reaching \$2,000,000 will be devalued, with a building 50 feet from their homes. This will lead to a subsequent devaluation of these homes, thus lowering their tax base to the city.
- The restaurant business is hard. As a business they have the highest mortality rate of any business. If this business doesn't make it, we will have three containers rusting out at the end of our 56 home neighborhood.

Incompatibility to say the least

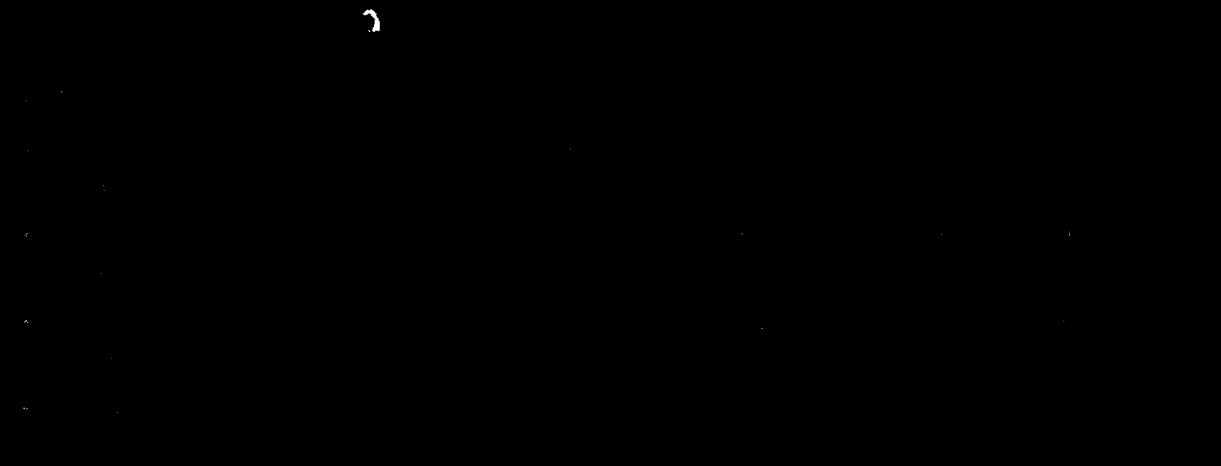
- This picture was taken from my Master Bedroom window without using a zoom-in feature.
- Imagine the noise from their music especially at night! Today there is a City ordinance that says that there cannot be noise after 10:00 PM. With a 4 CCP liquor license which they will need to sell liquor beer and wine, they can stay open until 5:00 AM if they want to.
- This is our front yard. This is not compatible to the neighborhood. The noise, even just voices will be as if the people are in our driveways.



What if? Alternative Solutions?



Summary



Following the presentation, the mayor opened a public hearing to receive comments for or against the proposed project.

Ms. Patty Oliver, a Destin resident and business owner, wondered how the required 9 parking spaces for the project has now been reduced to 4 parking spaces. She also stated that the quality of visitors coming to Destin has gone down considerably. Her neighborhood is already suffering from the amount of trash that is being accumulated. Illegal parking has been out of control, and that code enforcement has not been acting fast enough to control these problems. She stated that the proposed development would only exacerbate those problems.

Having no further comments from the public, the mayor closed the public hearing portion and turned the matter over to the city council for their discussion and consideration.

Councilmember Hebert asked whether 4 parking spaces are enough when they also need to consider parking for the employees.

Principal Planner Steve O'Connor explained that when the application was initially submitted, it was classified as a full-service restaurant. However, upon further information being provided by the applicant, it was deemed to be a limited-service restaurant with open air seating which does not require extra parking spaces. He continued that full-service restaurants require one space per 75 square feet, and limited-service restaurants only require one space per 150 square feet; and so, at 640 square feet, this restaurant only requires 4 parking spaces per the Land Development Code.

Councilmember Destin opined that 4 parking spaces are not enough to sustain this restaurant. It will create a parking issue especially when it is scheduled to operate until 10 p.m. nightly.

Councilmember Bagby likewise expressed concern about the parking situation, stating that it would take at least 3 to 4 people to run the restaurant and they all need a place to park.

Councilmember King noted that people design their business around the city's Land Development Code and this restaurant is no exception. They are in compliant with city code. He also stated that this type of restaurant is badly needed and is perfect for that particular location. There is a lot of foot traffic in that area and people can ride their bike to the restaurant and so additional parking spots are not necessary.

Councilmember Schmidt moved for approval of Sandos Beachside, a Minor Development Order, as presented; seconded by Councilmember King.

Councilmember Schmidt stated that the council can always amend the code if they are not happy with it, but as it currently stands, this development meets the criteria and requirements of the city's Comprehensive Plan and Land Development Code and has the legal right to exist.

Motion passed 5-2 (Council members Schmidt, King, Hebert, Geile, and Sweetser voted "yes"; Council members Bagby and Destin voted "no").

6. COMMENTS / PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

- A. Councilmember Sweetser
- B. Councilmember Geile
- C. Councilmember Destin

Councilmember Destin moved to direct staff to bring back a resolution at the next council meeting supporting the county's action to oppose the proposed speed regulation on vessels fishing in the Gulf; seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

Councilmember Destin moved to direct the City Manager and Land Use Attorney to meet with some residents of Gulf Shore Drive, those who have spoken tonight, to address the situation at the end of Norriego Point to see if they could come up with some temporary solution to the issues that have been identified; seconded by Councilmember Schmidt.

Councilmember Bagby would like to see a long-term solution to the problems before, during, and after construction of the park on Norriego Point.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

- D. Councilmember Bagby
- E. Councilmember Hebert

1. Florida Retirement System (FRS) Discussion – Item pulled.

- F. Councilmember King
- G. Councilmember Schmidt

1. Construction Parking Plan

Councilmember Schmidt moved to direct staff to come back with suggestions dealing with construction parking plans for residential developments; seconded by Councilmember King.

Councilmember Schmidt noted that they currently do not have a plan where to park and to have a staging area for construction equipment and materials during construction, and they badly need to have a plan in place.

Councilmember Geile warned against being so prescriptive as it could prevent good companies from bidding on city projects.

Motion passed 7-0. (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

2. Beach Flag Safety

Item moved to the next council meeting.

3. Norriego Point erosion

Councilmember Schmidt noted that the end of Norriego Point is continuing to erode. There have been a lot of boat traffic in that area. He encouraged staff to continue locking it down as much as possible for safety reasons.

4. Publix Meeting Update and Plan

Councilmember Schmidt moved to direct the Land Use Attorney to work with the mayor in writing a letter to Publix on behalf of the city council reiterating the council's stance on keeping this site a true, mixed-use development; seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

H. Mayor Wagner

I. Land Use Attorney

A. Update - 1 Harbor Blvd

The Land Use Attorney reported that they have communicated the City's final offer of \$8.5 million to the bridge parcel property owner. The property owner has counter-offered at \$9 million. It is the option of this council to accept or decline the property owner's counteroffer.

Councilmember Destin stated that with this acquisition, they are actually adding a parcel with tremendous value for the public purpose they want to achieve which is to preserve the view.

Councilmember Hebert moved to approve the \$9 million counteroffer for 1 Harbor Blvd property with the intent for public use of the property at this time, and subject to the purchase agreement staff will bring back at the next council meeting; seconded by Councilmember King. Motion passed 7-0. (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

B. LDC Amendment to Allow RV Park as Conditional Use in TCMU

Councilmember Hebert moved to direct staff to amend the Land Development Code to establish RV Park as Conditional Use in the TCMU zoning district; seconded by Councilmember King. Motion passed 7-0. (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

C. Call for an executive session to be held on August 7, 2023 at 5:30 pm in DESTIN FISHING FLEET, INC. Plaintiff, vs. Case No.: 2019 CA 002599 CITY OF DESTIN, BI, INC., DEWEY DESTIN'S HARBORSIDE, LLC, and 200 HARBOR BLVD, LLC

Councilmember Hebert moved to schedule a Council Executive Session on August 7, 2023, at 5:30 PM, in DESTIN FISHING FLEET, INC. Plaintiff, vs. Case No.: 2019 CA 002599 CITY OF DESTIN, BI, INC., DEWEY DESTIN'S HARBORSIDE, LLC, and 200 HARBOR BLVD, LLC; seconded by Councilmember King. Motion passed 7-0. (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted "yes").

J. City Attorney

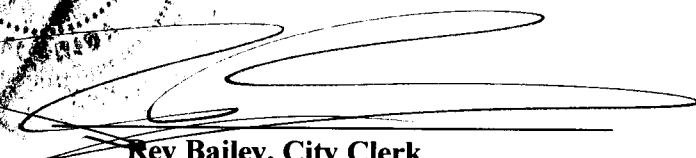
7. PUBLIC COMMENTS

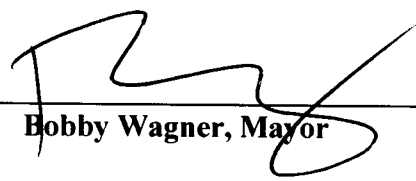
ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 10:45 PM.



ATTEST


Key Bailey, City Clerk


Bobby Wagner, Mayor