



AGENDA

CITY COUNCIL MEETING - REGULAR SESSION

MONDAY, OCTOBER 23, 2023 at 6:00 PM

Midtown Plaza, 401 McLaughlin Ave., Bonifay, FL 32425

I. CALL TO ORDER

A. Invocation

B. Pledge of Allegiance

II. APPROVE AGENDA

III. APPROVE MINUTES

[A.](#) 10.10.2023 Regular Session

IV. APPROVE ACCOUNTS PAYABLE / TRANSFERS / FINANCIAL SHEETS TO REVIEW

V. VISITORS – PUBLIC ADDRESSING THE COUNCIL

NON- AGENDA AUDIENCE

Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the Board. The City of Bonifay welcomes you to this meeting. This is time set aside for the Citizens of Bonifay to address the City Council. This is NOT a question and answer period. It is NOT a political forum, nor is it a time for personal accusations and derogatory remarks to/or about City personnel. Those who wish to speak are reminded to observe proper decorum, and to avoid the use of profane or vulgar language. If you would like to address the City Council please come to the podium, state your name and address for the record.

A. Richard Willsey - Address Council regarding City Procurement Policy

VI. PLANNING & ENGINEERING

[A.](#) D.H. Melvin- Resolution 23-75

VII. OLD BUSINESS

- [A.](#) Approve Resolution 23-80 10 Minute Time Limit for Agenda Speakers
- [B.](#) Discussion and/or Action for the City of Bonifay to Assume the obligations and responsibilities of the DEO Grant as a condition of the transfer of the Authority's utility system assets to the ownership of the City of Bonifay.
- C. Approval for City Attorney Michelle Blankenship-Jordan to send a demand letter to Mediacom requesting removal of their lines on old utility poles in the City within 30 days, as authorized under Ordinance # 298.
- [D.](#) Personnel Policy Updates
- [E.](#) Ordinance 438 - Capital Improvements Plan

VIII. NEW BUSINESS

- A. Permission for Mayor to sign Resolution to FDOT Supporting Waukesha and Hwy 90 Sidewalk Improvements
- [B.](#) Regulatory 20 MPH Reduced Speed School Zone on SR 10 (US 90)
- C. Police Department relocation to Old Sheriff's Department

IX. COUNCIL / DEPARTMENT SUPERVISORS / CITY ATTORNEY DISCUSSION

Items not listed on Formal Agenda.

- A. Personnel Updates
- B. Department Updates
- C. Employee Spotlight
- D. Grants Update

X. ADJOURN

Persons with disabilities needing special accommodations to participate in this proceeding should contact City Hall at (850) 547-4238, at least five days prior to the proceedings.



MINUTES
CITY COUNCIL MEETING - REGULAR SESSION
TUESDAY, OCTOBER 10, 2023 at 9:00 AM
Midtown Plaza, 401 McLaughlin Ave., Bonifay, FL 32425

I. CALL TO ORDER

Mayor Larry Cook called the meeting to order at 9:00 am.

PRESENT

Mayor Larry Cook
Council Member James Sellers
Council Member Shelley Carroll

ABSENT

Council Member Rick Crews

Also present:

City Clerk Rickey Callahan, Police Chief Johnny Whitaker, City Superintendent Trey Barbee, Executive Assistant Sierra Smith, Deputy Clerk Tracy Walker, and WWTP Operator Shawn Canaday

A. Invocation

City Clerk Rickey Callahan gave invocation.

B. Pledge of Allegiance

City Clerk Rickey Callahan led the Pledge of Allegiance.

II. APPROVE AGENDA

Motion made to approve the agenda by Council Member Sellers, Seconded by Council Member Carroll.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll

III. APPROVE MINUTES

- A. 09-05-23 Emergency Session
- B. 09-18-2023 Special Session
- C. 09-25-2023 Regular Session
- D. 09-25-2023 Special Session

Motion made to approve the minutes of 09-05-23 Emergency Session, 09-18-23 Special Session, 09-25-23 Special Session, and 09-25-213 Regular Session by Council Member Sellers, Seconded by Council Member Carroll.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll

IV. APPROVE ACCOUNTS PAYABLE / TRANSFERS / FINANCIAL SHEETS TO REVIEW

None to approve.

V. VISITORS – PUBLIC ADDRESSING THE COUNCIL

NON- AGENDA AUDIENCE

Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the Board.

Tammy Sullivan requested information on the 79 Corridor Project.

Mayor Cook stated that there is a lot of interest, in addition to the Busy Bee.

City Clerk Callahan stated that the water and sewer project was completed.

Richard Willsey questioned nepotism and asked for the Mayor to resign.

VI. PLANNING & ENGINEERING

- A. City Planner

No updates.

- B. Mott MacDonald

No updates.

- C. DHM Melvin Engineering

No updates.

- D. Dewberry

No updates.

VII. OLD BUSINESS

- A. Capital Improvements Plan Ordinance- Council previously approved by way of resolution, Attorney Jordan advised that it must be approved by way of ordinance.

Ordinance will be provided at the next Regular Session meeting.

VIII. NEW BUSINESS

- A. Department of Transportation Sidewalk Resolution

Executive Assistant Smith stated that the sidewalk project had been approved, and they also found nearly 1/2 million dollars to finish out the funding for that project.

Motion made to adopt Resolution 2023-2370 by Council Member Sellers, Seconded by Council Member Carroll.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll

- B. Time Limit for Citizens on the Agenda

Mayor Cook requested a motion to limit speaking time to 10 minutes on agenda items.

Motion made to limit speaking time to 10 minutes on agenda items by Council Member Sellers, Seconded by Council Member Carroll.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll

IX. COUNCIL / DEPARTMENT SUPERVISORS / CITY ATTORNEY DISCUSSION

Items not listed on Formal Agenda.

- A. Personnel Updates

No updates.

- B. Department Updates

Executive Assistant Smith stated she is working on a grant application for energy efficient lighting at Middlebrooks Park.

Police Chief Whitaker said he would like to move Michael Antunovic from full-time to part-time position, and Jason Evans from part-time to a full-time position.

- C. Employee Spotlight

Mayor Cook stated the rodeo was a huge success due to the City employees. The Kiwanis Club was very receptive of all the help of the City.

Mayor Cook said there was a contest between Holmes County EMS, the Sheriff's Office, Bonifay Fire Department, and Bonifay Police Department. Our police department, lead by Chief Johnny Whitaker, won the contest and visitors to the pancake breakfast nearly doubled this year.

X. ADJOURN

Motion made to adjourn by Council Member Sellers, Seconded by Council Member Carroll.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll

Mayor Cook adjourned the meeting at 9:17 am.

Persons with disabilities needing special accommodations to participate in this proceeding should contact City Hall at (850) 547-4238, at least five days prior to the proceedings.

RESOLUTION NO. 23-75

A RESOLUTION OF THE CITY OF BONIFAY CITY COUNCIL, BONIFAY, FLORIDA,
APPROVING AN APPLICATION FOR A STATE OF FLORIDA, RURAL
INFRASTRUCTURE FUND (RIF) GRANT FOR POTABLE WATER AND
WASTEWATER TREATMENT PLANT IMPROVEMENTS FOR THE CITY OF
BONIFAY, PROVIDING AN EFFECTIVE DATE

WHEREAS, The State of Florida has established the Rural Infrastructure Fund Program, and it has been determined the City of Bonifay is eligible to make application for certain funds under this program; and

WHEREAS, the City of Bonifay has identified the following as pertinent to economic development.

1. City of Bonifay Potable Water and Wastewater Treatment Plant Improvements project. This effort will pursue improvements to the city's potable water system and Wastewater Treatment Facility.

WHEREAS, the City intends to submit grant funding application to the Rural Infrastructure Fund Program for the City of Bonifay; and

WHEREAS, that the City Clerk has authority and rights to execute all required grant related application and agreement documents in the absence of the Mayor.

NOW, THEREFORE, be it resolved by the City of Bonifay City Council, Bonifay, Florida, that submission of the RIF application for certain sanitary sewer improvements and associated signature authority is hereby approved for submission.

CITY OF BONIFAY

BY: _____
[NAME], [TITLE]

I, _____, Clerk for Bonifay, Florida, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the City of Bonifay City Council at its meeting held on the ____ day of October, 2023.

IN TESTOMONY AND WITNESS WHEREOF, I subscribe my name below hereto officially as the Clerk for the City of Bonifay, Florida this __ day of October, 2023.

Rickey Callahan, Clerk
City of Bonifay

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, ESTABLISHING A TIME LIMIT OF TEN MINUTES FOR PRESENTATION OF AGENDA ITEMS BY THE PUBLIC AT ALL REGULAR MEETINGS OF THE CITY COUNCIL; PROVIDING FOR AUTHORITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, effective and efficient city council meetings are essential to address the diverse needs and concerns of our community in a timely manner;

WHEREAS, it is imperative to ensure that all agenda topics receive due attention and that city council meetings do not unduly extend in duration;

WHEREAS, setting time limits for discussions can enhance focus and facilitate the accomplishment of meeting objectives;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA:

Section 1: Discussion of agenda topics during regular city council meetings shall be limited to a maximum of 10 minutes per topic, unless otherwise specified by a majority vote of the council.

Section 2: The time limit for each agenda topic shall be enforced by the Mayor or Vice-Mayor, who will signal when the allotted time is nearly exhausted, allowing for the orderly conclusion of the discussion.

Section 3: In the event that a council member believes that a particular agenda topic requires additional time for discussion, they may make a motion to extend the discussion time, which shall be subject to a majority vote by the council members present.

Section 4: This resolution shall take effect immediately upon its passage.

Section 5: All prior resolutions or rules that conflict with this resolution are hereby repealed.

RESOLVED by the City Council of the City of Bonifay on _____, 2023.

CITY OF BONIFAY, FLORIDA

ATTEST:

By the City Clerk, Rickey Callahan

By its Interim Mayor, Larry Cook.

APPROVED AS TO FORM:

Michelle Blankenship Jordan
City Attorney

Highway 79 Corridor Authority

Section VII, ItemB.

Board Agenda Item

September 13, 2023

Item

GC-2 Update Regarding Letters to DEO/FDOT Regarding Possible Conveyance of the Authority's Utility System to the City of Bonifay

Executive Summary

This item provides the Board with an update regarding the possible transfer of the Highway 79 Corridor Authority's Utility System to the City of Bonifay ("City").

Background and Analysis

At the Board's May 2023 meeting and workshop, the Board and the member governments discussed the potential dissolution of the Authority and transfer of its utility assets to the City. As a prerequisite to any such potential dissolution of the Authority and conveyance of its assets, it was discussed that consent and authorization would need to be obtained from the granting agencies (DEO and FDOT), as there are presently restrictions in the grants on the Authority's ability to convey the grant-funded assets to a third party.

On May 19, letters were sent to FDOT and DEO respectively.

FDOT Grant to the Authority

In July, General Counsel received the attached email correspondence from FDOT. The correspondence appears to indicate that the Authority's utility assets may be transferred if doing so does not "violate or diminish the purpose and benefits of the scope of work awarded through the Legislature funding." FDOT also stated that any transfer in ownership must be subject to the requirement that future ownership, use and maintenance of the facilities, will be consistent with the authorized purpose of the funding noted in the Legislature awarded. This requirement must survive any future transfers to ensure the public purpose and taxpayer benefit is continued throughout the life of the facilities.

FDOT indicated that they would need to review and approve in advance a draft agreement conveying the Authority's utility assets to a third party.

DEO Grant to Washington County

The Manager and General Counsel had a conference call with DEO representatives in mid-June to discuss the issue. DEO has indicated the following:

- The infrastructure could be conveyed by the Authority to the City with prior notice to DEO. The infrastructure must at all times remain publicly owned. Transfer of the infrastructure to

the City will not release Washington County of its return on investment obligation grant (creation of 219 jobs and \$10 million capital investment by June 2032).

Section VII, ItemB.

- A request could be sent to DEO to assign the grant agreement to the City which would transfer all responsibilities and obligations under the grant to the City. DEO would then review the request and conduct due diligence and approval from leadership would need to be obtained prior to any such assignment becoming effective.

It is important to note that pursuant to the interlocal agreement creating the Authority, Washington County, Holmes, County, the City, and the Authority are jointly and severally liable for repayment of any amounts required to be repaid to DEO. Such obligation survives the termination of the Authority.

Options

This item is for informational purposes only.

Attachments:

1. Email Correspondence from DEO
2. Email Correspondence from FDOT

From: Weiland, Steve <Steve.Weiland@deo.myflorida.com>
Sent: Tuesday, June 20, 2023 2:24 PM
To: Blalock, Sarah; thawkins@washingtonfl.com; robert.sheets@anseradvisory.com
Cc: Rosenthal, Evan
Subject: RE: [EXTERNAL] - Highway 79 Corridor Authority

Evan,

Thank you for your time this week. I have done some research and reached out to the previous contract manager. I have confirmed a couple of things. First that the contract is the responsibility and ownership is with Washington County. I see documents that the Highway 79 Authority submitted requesting to amend the agreement to have the authority share the responsibility. The Highway 79 document and or amendment was not accepted or signed by DEO. The amendment A1 that was completed for this project was for the purpose of adjusting deliverables and to grant permission for a construction management firm to provide services. The contract and the amendment were both signed by Washington County Board of County Commissioners. There was also a Resolution number 18-4 supplied at time of contracting.

Washington County can assign over the ownership of the facility with proper notification. The infrastructure must stay publicly owned. But by signing over the facility it does not release Washington County of the responsibility of the Return on Investment section 2 (c), possible financial consequences section 5 (a), and Reporting section 6.

Washington County could request an assignment of agreement. This would transfer all responsibilities of the contract to Bonifay. DEO would have to do some due diligence and obtain approval from leadership here at DEO before any assignment can be completed.

Let me know if you have any further questions.

Steve

Steve Weiland, CPM, FCCM

Bureau Chief/Compliance and Accountability
 Division of Strategic Business Development

Florida Department of Economic Opportunity

Office: 850-717-8961

www.FloridaJobs.org



From: Blalock, Sarah <sblalock@ngn-tally.com>
Sent: Friday, May 19, 2023 10:52 AM
To: Weiland, Steve <Steve.Weiland@deo.myflorida.com>; Sowinski, James <James.Sowinski@deo.myflorida.com>; thawkins@washingtonfl.com; robert.sheets@anseradvisory.com
Cc: Rosenthal, Evan <erosenthal@ngn-tally.com>
Subject: [EXTERNAL] - Highway 79 Corridor Authority

On behalf of Evan Rosenthal, attached is this firm's correspondence regarding the Highway 79 Corridor Authority. Please let me know if you encounter any issues opening the file.

Sarah Blalock
Legal Assistant

**Nabors
Giblin &
Nickerson** P.A.

ATTORNEYS AT LAW
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070 / telephone
(850) 224-4073 / Fax

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From: Showalter, Maria <Maria.Showalter@dot.state.fl.us>
Sent: Thursday, July 13, 2023 1:54 PM
To: Rosenthal, Evan
Cc: Saliba, Christopher; Hodges, Carla; Jadofsky, Meghan
Subject: RE: Highway 79 Corridor Authority

Good afternoon Mr. Evan and thank you for your patience in the response.

Thank you for reaching out to us on the guidance for the transfer of the Utility Facilities to the City of Bonifay. In review we offer the guidance, I have reached out to both District Legal and District Management to provide that the transfer of the facilities does not violate or diminish the purpose and benefits of the scope of work awarded through the Legislature funding. In addition, we require that the transfer sets forth, that future ownership, use and maintenance of the facilities, will be consistent with the authorized purpose of the funding noted in the Legislature awarded, see below. This requirement must survive any future transfers to ensure the public purpose and taxpayer benefit is continued throughout the life of the facilities.

HB 4211: Scope of Work; Create water and wastewater services along approximately 2.1 miles of SR 79 south of I-10 to support the special dependent district corridor authority being created by Holmes and Washington Counties and the City of Bonifay to extend the Bonifay existing water and wastewater system.

Please keep us informed on the transfer, as we will need to review the draft before execution to ensure the District Maintenance office reviews for valid permits.

Please let me know if you should have any additional questions.

Thank you,

Maria Showalter

Florida Department of Transportation
 D3 Local Programs Administrator
 850-330-1227
maria.showalter@dot.state.fl.us
 MS Teams Call or [Chat](#)

From: Rosenthal, Evan <erosenthal@ngn-tally.com>
Sent: Friday, July 7, 2023 10:49 AM
To: Showalter, Maria <Maria.Showalter@dot.state.fl.us>
Cc: Saliba, Christopher <csaliba@uswatercorp.net>
Subject: RE: Highway 79 Corridor Authority

Good morning, I wanted to follow up with you on this.

Thanks,

Evan

From: Rosenthal, Evan
Sent: Monday, June 12, 2023 1:27 PM

To: Showalter, Maria <Maria.Showalter@dot.state.fl.us>
Cc: Robert Sheets <rsheets@govserv.com>
Subject: RE: Highway 79 Corridor Authority

Thanks, we look forward to your response.

Evan

From: Showalter, Maria <Maria.Showalter@dot.state.fl.us>
Sent: Monday, June 12, 2023 12:31 PM
To: Rosenthal, Evan <erosenthal@ngn-tally.com>
Cc: Robert Sheets <rsheets@govserv.com>
Subject: RE: Highway 79 Corridor Authority

Received.

Mr. Sheets,

This is being reviewed and I will respond in a timely manner.

Thank you,

Maria Showalter

Florida Department of Transportation
D3 Local Programs Administrator
850-330-1227
maria.showalter@dot.state.fl.us
MS Teams Call or [Chat](#)

From: Rosenthal, Evan <erosenthal@ngn-tally.com>
Sent: Monday, June 12, 2023 8:13 AM
To: Showalter, Maria <Maria.Showalter@dot.state.fl.us>
Cc: Robert Sheets <rsheets@govserv.com>
Subject: FW: Highway 79 Corridor Authority

Hi Maria, I received the below email from Dustin Castells suggesting that I forward this on to you. Please see attached request for guidance on behalf of the Highway 79 Corridor Authority.

Thanks,

Evan J. Rosenthal, Esq.

**Nabors
Giblin &
Nickerson**^{PA}

ATTORNEYS AT LAW
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070
erosenthal@ngn-tally.com

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Section VII, Item B.

Internal Revenue Service regulations require that certain types of written advice include a disclaimer. To the extent the preceding message contains advice relating to a Federal tax issue, unless expressly stated otherwise the advice is not intended or written to be used, and it cannot be used by the recipient or any other taxpayer, for the purpose of avoiding Federal tax penalties, and was not written to support the promotion or marketing of any transaction or matter discussed herein. Thank you.

From: Castells, Dustin <Dustin.Castells@dot.state.fl.us>

Sent: Sunday, June 11, 2023 7:24 PM

To: Rosenthal, Evan <erosenthal@ngn-tally.com>

Cc: thawkins@washingtonfl.com; robert.sheets@anseradvisory.com; Blalock, Sarah <sblalock@ngn-tally.com>

Subject: RE: Highway 79 Corridor Authority

Hey Evan,

I am not longer in Local Programs. Please contact Maria Showalter (Local Programs Admin) or Meghan Jadofsky.

Thanks,

Dustin Castells

District 3 Work Program Administrator

Florida Department of Transportation

Phone (850) 330-1270

Email dustin.castells@dot.state.fl.us

1074 Highway 90, Chipley, Florida 32428

From: Rosenthal, Evan <erosenthal@ngn-tally.com>

Sent: Thursday, June 8, 2023 2:45 PM

To: Castells, Dustin <Dustin.Castells@dot.state.fl.us>

Cc: thawkins@washingtonfl.com; robert.sheets@anseradvisory.com; Blalock, Susan <SBlalock@NGN-Tally.com>

Subject: RE: Highway 79 Corridor Authority

EXTERNAL SENDER: Use caution with links and attachments.

Good afternoon, I wanted to follow up regarding the attached correspondence. If there is someone else within FDOT that this should be directed to, please let me know.

Thanks,

Evan J. Rosenthal, Esq.

**Nabors
Giblin &
Nickerson**^{PA}
ATTORNEYS AT LAW

1500 Mahan Drive, Suite 200

Tallahassee, Florida 32308

(850) 224-4070

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From: Blalock, Sarah <sblalock@ngn-tally.com>

Sent: Friday, May 19, 2023 10:49 AM

To: Meghan.Jadofsky@dot.state.fl.us; dustin.castells@dot.state.fl.us; thawkins@washingtonfl.com; robert.sheets@anseradvisory.com

Cc: Rosenthal, Evan <erosenthal@ngn-tally.com>

Subject: Highway 79 Corridor Authority

On behalf of Evan Rosenthal, attached is this firm's correspondence regarding the Highway 79 Corridor Authority. Please let me know if you encounter any issues opening the file.

Sarah Blalock
Legal Assistant

**Nabors
Giblin &
Nickerson** P.A.

ATTORNEYS AT LAW
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
(850) 224-4070 / telephone
(850) 224-4073 / Fax

Highway 79 Corridor Authority

Section VII, ItemB.

Board Agenda Item

September 13, 2023

Item

GC-3 Update From City of Bonifay Regarding Assumption of Grant Obligations.

At the July Board meeting, the Board discussed the potential for the City of Bonifay to assume responsibility for the return on investment obligations (creation of 219 jobs and \$10 million capital investment by June 2032) under the DEO grant as part of a potential transfer of the Authority's utility assets to the City. The City of Bonifay's representatives indicated that they would discuss this matter with the City Council and inform the Authority of the City's willingness to assume such grant obligations.

It is important to note that pursuant to the interlocal agreement creating the Authority, Washington County, Holmes, County, the City, and the Authority are currently jointly and severally liable for repayment of any amounts required to be repaid to DEO. Such obligation survives the termination of the Authority.

Options

This item is for informational purposes only.

Personnel Policy

6.1 Compensatory Time

Compensatory time is granted at a rate of one and one half time the amount of time worked over and above the regular forty (40) hour work week. Compensatory time is offered in lieu of + pay, at the discretion of the employee and upon approval by the City Clerk.

Employees will schedule the use of compensatory time with the Department Director to meet the operational needs of the Department and the City. The employee should make every attempt to schedule compensatory time off as soon as possible after it is earned.

Compensatory time earned may not accumulate to more than a total of one hundred and twenty (120) hours. If an employee's accumulated compensatory leave exceeds the one hundred and twenty (120) hour maximum, he/she shall be paid for the compensatory time earned exceeding one hundred and twenty (120) hours at his/her regular rate of pay.

Compensatory time may be taken in increments of quarter hours.

If an employee is separated from service (dismissed, resigns, or retires, etc) without having used accumulated compensatory time, the employee will be paid for the compensatory time earned, not to exceed the one hundred and twenty (120) hour maximum, at his/her regular rate of pay at the time the separation occurs.

For record keeping purposes, use and accumulation of compensatory time shall be reported on time sheets.

16.5 Bereavement Leave

Additional days off will require an employee to use their annual leave, sick leave, compensatory time, or leave of absence without pay. Administrative leave may be granted at the discretion of employee's direct supervisor.

ORDINANCE NO. 23-438

AN ORDINANCE OF THE CITY OF BONIFAY, FLORIDA, APPROVING THE ADOPTION OF A CAPITAL IMPROVEMENT PLAN FOR THE FISCAL YEAR OF 2023 AND 2024; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute 163.3177(3)(a) requires Comprehensive Plans to contain a Capital Improvements Element, and a schedule of capital improvements for a 5-year period; and

WHEREAS, Florida Statutes Section 163.3177(3)(b) states that the Capital Improvements Element must be reviewed on an annual basis, and further that modifications to update the 5-year Capital Improvements Element schedule may be accomplished by ordinance and may not be deemed an amendment to the Comprehensive Plan; and

WHEREAS, the City of Bonifay adopted its first Capital Improvements Element, including its 5-year Capital Improvements Element Schedule by Ordinance 193 on April 27th, 1981; and

WHEREAS, the City reviewed and adopted its most recent Capital Improvement Program by Ordinance 358 on July 14th, 2008 pursuant to City Charter Section 8(7)(b) and now desires to update the Capital Improvements Element Schedule pursuant to Florida Statutes Section 163.3177(3)(b).

NOW, THEREFORE, be it ordained by the City Council of the City of Bonifay, Florida:

Section 1. Purpose.

The purpose of this Ordinance is to update the Capital Improvements Program schedule that is now a part of the Comprehensive Plan. This amending ordinance may be referred to as the "Capital Improvement Element Schedule Update 2023".

Section 2. Adoption of the Capital Improvements Element Schedule Update 2023.

The City Council hereby amends its Capital Improvement Element Schedule to reflect the latest adopted Capital Improvement Projects for the City attached hereto as Exhibit A.

Section 3. Conflict.

All ordinances, resolutions, official determinations, or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are hereby repealed to the extent inconsistent herewith.

Section 4. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading this 23rd day of October, 2023.

PASSED AND ADOPTED by the City Council of the City of Bonifay, Florida this 13th day of November, 2023.

ATTEST:

CITY OF BONIFAY, FLORIDA

By Rickey Callahan, City Clerk

By its Interim Mayor, Larry Cook

APPROVED AS TO FORM:

Michelle Blankenship Jordan
City Attorney

**Florida Department of Transportation****RON DESANTIS**
GOVERNOR1074 Highway 90
Chipley, Florida 32428**JARED PERDUE, P.E.**
SECRETARY

October 13, 2023

The Honorable Earl Stafford, Chairman
Board of County Commissioners, Holmes County
107 E Virginia Ave
Bonifay, FL 32425

SUBJECT: REDUCED SPEED FLASHING SCHOOL ZONE – 20 MPH
LOCATION: SR 10 (US 90) at Bonifay K-8 School in Holmes County, Section Number 52010000

- Establish a 20 MPH Reduced Speed Regulatory School Zone

Dear Commissioner Stafford,

This notice is to inform you of a pending traffic regulation change on a portion of the State Highway System within your governmental entity.

This change is being made in accordance with the Manual on Uniform Traffic Control Devices as amended and adopted by the Department under Rule 14.15.010. The change has evolved from recommendations determined from an approved engineering report.

This regulation will become effective upon placement of the implementing traffic control device. If you have any questions, you may contact Brian Pettis by phone at (850) 638-0250 or by e-mail at brian.pettis@dot.state.fl.us.

REGULATORY NUMBER/DATE	COUNTY/ SECTION NO.	ROUTE NO.	LOCATION	RECOMMENDED REGULATION
3SZ23-04 10/12/2023	Holmes 52010000	SR 10 (US 90)	Beginning 425' west of Blue Devil Dr to 300' east of Stewart St (MP 22.485 to MP 22.886)	Establish a 20 MPH reduced speed school zone

Sincerely,

DocuSigned by:

89D0FD561F494D7...

Kimberly Toole, P.E.
FDOT District Three Traffic Operations Engineer

KT/BP/jf
cc: Local Law Enforcement