



City of Chipley
Special Council Meeting
December 30, 2024 at 5:00 PM
City Hall - 1442 Jackson Avenue, Chipley, FL 32428
AGENDA

A. CALL TO ORDER

B. PRAYER AND PLEDGE

C. APPROVAL OF AGENDA

D. AGENDA ITEMS

1. **Resolution No. 25-15** - ARPA Funding
2. **Resolution No. 25-16** – Disposition of Surplus Real Property
3. Name Streets for Traffic Study - Discussion

E. ADJOURN

F. ZOOM

1. ZOOM Information

Any subject on the agenda, regardless of how stated, may be acted upon by the Council. The Council reserves the right to add other items to the agenda. Anyone desiring a verbatim transcript of the meeting must make personal arrangements as the City takes only summary minutes. Persons with disabilities needing special accommodations to participate in this proceeding should contact City Hall at (850) 638-6350, at least 48 prior to the proceedings.

CITY OF CHIPLEY

STAFF REPORT

SUBJECT: Resolution No. 25-15 – ARPA Funding

MEETING DATE	PREPARED BY
Monday, December 30, 2024	Patrice Tanner, City Administrator

SUMMARY

This resolution will approve the allocation of funds received under the American Rescue Plan Act (ARPA).

RECOMMENDATION

City Staff recommend approval of Resolution No. 25-15.

ATTACHMENTS

- 1. Resolution No. 25-15.

RESOLUTION NO. 25-15**A RESOLUTION APPROVING THE ALLOCATION OF FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE CITY OF CHIPLEY, FLORIDA.**

WHEREAS, the American Rescue Plan Act (ARPA) provides funds to local governments for the purpose of aiding in their recovery from the COVID-19 pandemic; and

WHEREAS, the City of Chipley has been allocated funds under the ARPA; and

WHEREAS, the City Council of the City of Chipley desires to utilize these funds for the purposes outlined in Exhibit A attached hereto.

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

1. The City Council of the City of Chipley hereby authorizes the expenditure of the American Rescue Plan Act ("ARPA") funds allocated to the City of Chipley for the purposes and in accordance with the terms outlined in Exhibit A attached hereto.
2. This Resolution pertains to the allocation and use of funds received under the American Rescue Plan Act (ARPA), aimed at providing emergency assistance for local governments in response to the economic and health effects of COVID-19.
3. The City Council hereby resolves to allocate the ARPA funds in accordance with the following priorities:
 - a. Support for public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, and behavioral healthcare services.
 - b. Address negative economic impacts caused by the pandemic, including assistance to unemployed workers, support for small businesses, and aid for industries hit hardest by the pandemic.
 - c. Provide premium pay for essential workers, offering additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors.
 - d. Invest in water, sewer, and broadband infrastructure, to improve access to clean water, support vital wastewater treatment, and expand broadband internet access for education, telehealth, and remote work.
4. All allocations and expenditures of ARPA funds by the City Council shall comply with the guidelines and restrictions set forth by the ARPA and any other applicable federal, state, and local laws. The City Council shall also ensure transparency and accountability in the distribution and use of these funds, including providing regular updates to the public on how funds are being utilized.
5. Compliance. All expenditures of the ARPA funds shall be in compliance with the terms and conditions of the American Rescue Plan Act, including any guidance issued by the United States Department of the Treasury. The City Council shall ensure that all uses of the funds are in strict accordance with the statutory requirements and regulations as

outlined in the ARPA, and shall maintain adequate records and documentation to demonstrate compliance with these requirements.

- 6. This resolution shall take effect immediately upon its adoption by the City Council. The immediate effectiveness of this resolution is crucial to ensure timely compliance and implementation of projects and initiatives funded under the ARPA.
- 7. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable.

PASSED AND ADOPTED THIS 30TH DAY OF DECEMBER, 2024.

CITY OF CHIPLEY

ATTEST:

Tracy L. Andrews, Mayor

Sherry Snell,
City Clerk

City of Chipley
Exhibit "A"
ARPA Funding - \$1,808,070

Habitat for Humanity Land Purchase - Complete	\$ 75,000.00
Premium Pay for Employees - Round No. 1 - Complete	56,293.89
Premium Pay for Volunteer Firemen - Round No. 2 - Complete	22,559.78
Premium Pay for Employees - Round No. 2 - Complete	57,552.86
Bunker Gear for Fire Department - Complete	45,810.47
New Fire Engine Equipment - Complete	101,555.76
City Hall Safety Camera System - Complete	4,249.69
USDA Public Works Equipment Contribution - Complete	29,519.77
Bunker Gear for Fire Department - Complete	10,310.00
Splash Pad Construction for Jim Trawick Park - Complete	111,275.49
New Fire Engine Pumper - Complete	257,605.23
Audio/Visual Upgrades to City Council Meeting Chambers - Complete	25,199.00
Handheld Radios for Fire Department - Complete	33,524.83
Public Safety Communication Tower/Equipment/Building - Complete	279,570.82
Tanker 2 Tank Replacement - Complete	31,733.00
Police Body Worn Cameras and Camera System - Complete	30,977.00
Caterpillar Broom Attachment - Ordered and Waiting on Delivery	21,859.57
Management Costs	27,680.00
General Services Salaries - Estimated Balance of ARPA Funding available through 12/31/2024	585,792.84
	<hr/>
Total ARPA	<u><u>\$ 1,808,070.00</u></u>

CITY OF CHIPLEY
STAFF REPORT

SUBJECT: Resolution No. 25-16 – Disposition of Surplus Real Property

MEETING DATE	PREPARED BY
Monday, December 30, 2024	Patrice Tanner, City Administrator

SUMMARY

This resolution will approve the disposition of real property - Parcel #00-2358-0003, the Old Davidson Sprayfield.

RECOMMENDATION

City Staff recommend approval of Resolution No. 25-16.

ATTACHMENTS

- 1. Resolution No. 25-16.
- 2. City Code Sections 2-129 through 2-131.
- 3. Powerpoint Presentation.

RESOLUTION NO. 25-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHIPLEY FLORIDA, DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND NO LONGER USEFUL FOR ANY MUNICIPAL PURPOSE, AUTHORIZING THE ACQUISITION OF A FORMAL APPRAISAL OF SAID REAL PROPERTY, AUTHORIZING THE DISPOSITION OF THE PROPERTY IN ACCORDANCE WITH CITY CODE, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Chipley, Florida ("City Council"), possesses the authority and discretion to declare real property owned by the City of Chipley ("City") as surplus property; and

WHEREAS, the City Council deems it necessary and in the best interest of the City to evaluate certain properties within its jurisdiction to determine their status as surplus to the needs of the City; and

WHEREAS, the City Council has previously adopted regulations for the disposition of real property as set forth in Sections 2-129 through 2-131 of the Chipley Code of Ordinances; and

WHEREAS, the City Council now determines that specific real property as further described herein should be declared as surplus and no longer useful for any municipal purpose and should be disposed of appropriately.

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

Section 1. Authority

This Resolution is enacted under the authority granted to the City Council, the governing body of the City, by the laws of the State of Florida and the ordinances of the City. The City Council is empowered to declare real property owned by the City as surplus to its needs and to dispose of such property in accordance with the law and in the best interests of the City and its residents.

Section 2. Identification of Property

The property subject to this Resolution, hereby declared as surplus by the City Council, is described as follows:

See Attached Exhibit "A"

Section 3. Determination of Surplus

The City Council has determined that the subject property is surplus to the needs of the City in accordance with the following criteria and process:

- The Property is not required for the City's foreseeable needs and operations, as assessed by the City Council based on current and projected use.
- The City Council has conducted a thorough review of the Property, including its current use, condition, and any potential for future use by the City or its departments.

- The City Council has considered the financial implications of retaining versus declaring the Property as surplus, including but not limited to maintenance costs, potential revenue from sale or lease, and the impact on the City's budget and financial planning.
- Public input and consultation had been sought by the City Council to ensure transparency and community involvement in the decision-making process.
- The determination of surplus Property had been made by a resolution passed by a majority vote of the City Council at a duly convened meeting.

Section 4. Disposition of Property

The City Council of the City of Chipley, Florida, declares that the disposition of the subject real property shall be in accordance with the standards set forth in Sections 2-129 through 2-131 of the Chipley Code of Ordinances.

The City Administrator is authorized to have prepared a formal appraisal of the subject real property.

Section 5. Effective date

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 30TH DAY OF DECEMBER, 2024.

CITY OF CHIPLEY

ATTEST:

Tracy L. Andrews, Mayor

Sherry Snell,
City Clerk

EXHIBIT "A"

The E ½ of the NE ¼ of the NW ¼ Section 18, Township 4 North, Range 13 West.

And

The W 1/2 of the NE 1/4, Section 18, Township 4 North, Range 13 West, lying North of Interstate Hwy 1-10 right-of-way LESS a parcel beginning at the NE corner of the W 1/2 of the NE 1/4, run West 250 feet, South 580.47 feet, East 250 feet, North 580.47 feet to the Point of Beginning.

All lying and being in Washington County, Florida.

LESS AND EXCEPT: Commence at the Northeast corner of the W 1/2 of the NE 1/4 of Section 18, Township 4 North, Range 13 West Washington County, Florida and run thence South along the West boundary of the East 1/2 of the NE 1/4 of said Section 18, a distance for 580.47 feet; thence South 89°42'02" West 30.00 feet to the Point of Beginning, from said Point of Beginning continue thence South 89°42'02" West 483.00 feet; thence South 150.00 feet; thence South 65°05'49" East 234.83 feet; thence South 250.00 feet; thence North 89°42'02"E 270.00 feet; thence North 500.00 feet to the Point of Beginning.

Sec. 2-129. Sale of municipal real property.

Subject to the following provisions, the city is hereby empowered to sell and dispose of any lands, improvements, public buildings, recreational parks and other lands now owned or hereafter acquired by the city, and in the deed of conveyance, may place such conditions, limitations and restrictions on the use of such property by the purchasers (or the purchasers' successors in interest to the title to the property) as, to the city council, shall seem proper. Nothing herein shall operate in any way to prohibit the city council from imposing in any such grant such covenants, restrictions or provisions as it may deem to be in the public interest, provided only that the same are not inconsistent with the provisions of the state constitution or applicable statutory or local law. The right of the city to sell, exchange, lease, or convey real property under the methods and procedures provided in this article shall not be limited, restricted or abridged on account of the method, source or means by which such property was acquired, the source from which funds were obtained to acquire such property, the use to which this property has been devoted or is presently devoted, or whether such property is used and operated in a governmental or proprietary capacity.

(Code 1987, § 2-39; Ord. No. 948, § 2, 1-9-2018)

Sec. 2-130. Sale or conveyance of real property to public or nonprofit entity.

The city is hereby authorized and empowered to enter into contracts with and to sell, alienate, exchange, give, grant or convey to the United States of America or any of its departments or agencies, the state or any of its counties, districts, subdivisions or agencies, or to any public body, or to any nonprofit entity any real property now owned by the city or hereafter acquired, to be used by such public body or agency for a public purpose, under the following conditions:

- (1) For the purposes of this section, the term "nonprofit entity" shall mean a nonprofit charitable organization, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual, and that has been held to be tax-exempt under the provisions of Section 501 of the Internal Revenue Code of 1954, and that has as its principal mission:
 - a. Public health and welfare;
 - b. Education;
 - c. Environmental restoration and conservation;
 - d. Providing of housing for the indigent or homeless; or
 - e. Relief of human suffering and poverty.
- (2) The city council shall first adopt a resolution determining and declaring its intention to sell, alienate, give, exchange, grant, or convey real property to a designated public body or nonprofit entity, and such resolution shall particularly describe the lands, property, improvements or places intended to be conveyed or improved, the purchase price to be paid, if any, the public purpose for which such land or such property will be used by the grantee, and other details of the sale, and designate a day not less than 30 days after the adoption of such resolution on which a public hearing will be had before the city council upon such proposal.
- (3) If any real property intended to be sold, alienated, given away, granted or conveyed to any other public body or nonprofit entity is encumbered by any bonds or obligations for which such property or the revenue derived therefrom is specially pledged, provision must be made in the proposal and plan to simultaneously discharge and pay the obligations for payment of which such lands or revenues derived therefrom are specially pledged.

- (4) Such resolution shall be published in full in two issues of a newspaper of general circulation published in the city, with the first publication not less than ten days before such public hearing and the second publication one week after the first publication, and both publications prior to the public hearing.
- (5) At the time designated for a public hearing, the terms of the proposal and the use of the property shall be explained to the public and opportunity given for citizens and taxpayers to be heard upon such proposal.
- (6) At such meeting, or any designated adjourned meeting, the city council shall pass another resolution either confirming or repealing the resolution previously adopted or confirming the previous resolution with amendments or additions. If the previous resolution is confirmed in its original form, or with amendments or additions, such confirming resolution shall direct the proper city officials to execute and deliver deed of conveyance under the terms and conditions set out in the resolution as confirmed.

(Code 1987, § 2-40; Ord. No. 948, § 2, 1-9-2018)

Sec. 2-131. Sale or conveyance of real property to private party.

The city is hereby authorized and empowered to sell any municipal lands and improvements thereon, title to which is vested in the city, to any private person, firm or corporation (other than to a public body or nonprofit entity, as defined above) under the following conditions, to-wit:

- (1) *Resolution declaring property not needed for public use; terms of sale.* The city council shall adopt a resolution at a regular meeting of the city council particularly describing the land by metes and bounds, reference to a recorded plat or government survey, its location by street number, if there is any, and a description of all improvements located upon the land, and shall declare how said land has been used since same has belonged to the city, why it is desirable to sell same, and that the city does declare and determine that it is for the best interests of the city that such lands and facilities be sold. The resolution declaring that such lands be sold shall state whether the sale shall be made for cash or terms.
- (2) *Sales of small parcels.* Sales of small parcels may be, but are not required to be, effected under this subsection:
 - a. The city may effect a private sale of a parcel of real property pursuant to this subsection when it finds:
 1. Either that a parcel is of insufficient size and shape to be issued a building permit for any productive improvements or development to be constructed on the surplus property; or that the value of the parcel is \$10,000.00 or less (as determined by a real estate appraiser, the county property appraiser or the city real estate officer).
 2. Due to the size, shape, location and value of the parcel, the parcel is of use only to one or more adjacent property owners.
 3. The property is located in an industrial zoning classification and promotes economic development.
 - b. The city may, after sending notice of its intended action by certified mail to each owner of adjacent property (as that ownership is reflected on the most current county real property tax assessment roll), effect a sale and conveyance of the parcel at private sale without receiving bids or publishing further notice or otherwise pursuant to this subsection. If, however, within 15 working days after the sending of such mailed notice, two or more owners of adjacent property notify the city of such owners' desire to purchase the parcel, the city shall accept sealed bids for the parcel from such responding adjacent property owners and shall either convey such parcel to

the highest bidder or may reject all offers and thereafter dispose of the property otherwise pursuant to this section.

- (3) *Sale without competitive bidding.* Subject to the provisions of this subsection, the city may alternatively, when in the public interest as determined by the city council, adopt its resolution to sell without competitive bidding to a private party making a written offer to purchase lands, but the city may reject any and all offers at any time. An offer shall be accompanied by cashier's checks or certified checks payable to the city in an amount equal to at least ten percent of the offer as an initial payment in the event the sale is consummated. In no event shall the sale be for less than 90 percent of the greater of the value of the property as determined by the city council or the value of the property on the current county ad valorem tax assessment roll.
- a. *Notice; offers.* Within seven days after the adoption of the resolution providing for sale without competitive bidding (after the receipt of such an offer), notice of the offer and of the city's resolution of intent to take action on the offer shall be published by the city in a newspaper of general circulation one time at least ten business days prior to the city council's action on the offer.
 - b. *Protests.* During the period intervening between the adoption of the resolution for sale without competitive bidding and the date of sale, taxpayers and registered electors of the city may protest or object to the sale, or propose other public uses for the said property, and the city council may rescind its former action and repeal the resolution declaring the property should be sold, if it deems same expedient and proper.
 - c. *Resolution accepting offer and authorizing conveyance.* At any regular meeting held at least ten business days after publication of the resolution as provided above, the city council may adopt a resolution accepting the offer and authorizing the execution of a deed of conveyance, provided that if such property is encumbered by any bonds or obligations for which such property or the revenue derived therefrom is specially pledged, the purchase price must be sufficient to pay and discharge such bonds or obligations according to the terms thereof.
- (4) *Sale by competitive bidding procedure.* Sales of real property initiated by the city may also be conducted in such fashion as determined by city council including, without limitation, a public auction or a sealed bid procedure, in one or more of the following manners:
- a. *Sealed bid procedure.* If the city council determines to use a sealed bid procedure, the city shall publish a notice once a week for at least two weeks in a newspaper of general circulation published in the county. The notice shall call for written bids for the purchase of the property so advertised to be sold. In the case of a sale, the bid of the highest bidder complying with the terms and conditions set forth in such notice shall be accepted, unless the city council rejects all bids because they are too low or because the city council determines that the property should be sold pursuant to a different provision of this section. The city may require a deposit to be made, in such form or in such amount as the city council determines, with each bid submitted. If the bid is approved by city council, the successful bidder will be notified of the award, and a contract for sale and purchase will be executed.
 - b. *Public auction procedure.* If the city council determines to use a public auction procedure, the city shall schedule the auction, which shall be held at the city hall (or such other appropriate public place) at a specified time and date. The city shall publish a notice of the auction once a week for at least two weeks in a newspaper of general circulation published in the county. The notice shall announce the sale, subject to any reserve price (to be set by the city council in its sole discretion) or without reserve, for the property so advertised to be sold. The bid of the highest bidder at auction complying with all terms and conditions set forth in such notice shall be accepted, unless

the highest bid does not meet any set reserve, or because the city council determines prior to the auction that the property should be sold pursuant to a different provision of this section.

- c. *Closing costs.* Under either the sealed bid or the public auction procedure, the successful bidder shall pay all closing costs including documentary stamps, title insurance, recording fees, and the cost of the publication of the notice. The city will furnish title insurance at the purchaser's expense. Failure of the successful bidder to close the sale within 20 calendar days after the receipt of the notice of award shall be just cause for the rescission of the award (and termination of any contract entered into) and the forfeiture of any deposit to the city, which forfeiture shall be considered not as a penalty but as liquidated damages.
- (5) *Authorization to pay auction fee or commission.* The city is hereby authorized to retain the services of an auctioneer or to pay a fee or a real estate commission to any registered real estate auctioneer broker licensed to do business in the state. Such fee or real estate commission shall only be paid, however, on the consummation of such sale or lease, and the fee or commission paid shall in each instance be determined by the city council based upon what it believes to be a fair and equitable commission for the service to be rendered.

(Code 1987, § 2-41; Ord. No. 948, § 2, 1-9-2018; Ord. No. 959, § 2, 2-11-2020)

Authorization for Sale of Municipal Property

City of Chipley Real Property Sales Process &
Procedures

Presented to: Chipley City Council

Date: December 30, 2024

Presenter: Michelle Blankenship Jordan, City Attorney



General Authorization for Sale of Municipal Property

Section D, Item 2.

- Unlike counties, Florida cities are permitted to make their own rules for the disposition of real property
- City Council adopted Code Sections 2-129 through 2-131
- City authorized to sell, exchange, lease, or convey city property.
- Includes lands, improvements, and other properties.
- City council can place conditions and restrictions on sales.
- Sales not restricted by acquisition method or current use.



Sale to Public or Nonprofit Entities

Section D, Item2.

- Sale or conveyance to public bodies or non-profit entities for public use.
- Non-profit entity must be tax exempt under Section 501 of the Internal Revenue Code
- Requires City Council Resolution
- Requires a Public Hearing
- Publication of Notice



Sale to Private Parties

- City may sell to private entities
- Requires resolution declaring property not needed for public use
- Small parcel sales have specific conditions
- Sale can be without competitive bidding at minimum 90% of assessed value - requires appraisal



Competitive Bidding Procedures

- Sealed bids or public auction
- Notice published
- Highest bid meeting terms accepted
- Buyer pays closing costs
- Forfeit deposit if not completed
- Council can reject bids or set auction minimums



Broker/Agent Authorization

- City authorized to contract with licensed real estate brokers or agents.
- Council can set terms, conditions, and compensation for services.
- Compensation can be set as a flat fee or percentage of sale price.
- Firm should be procured using a Request for Proposal/Ranking Committee



CITY OF CHIPLEY

STAFF REPORT

SUBJECT: Name Streets for Traffic Study - Discussion

MEETING DATE	PREPARED BY
Monday, December 30, 2024	Patrice Tanner, City Administrator

SUMMARY

Per the Councils request on September 10, 2024, we have reached out and were able to get an estimated cost of \$1,500 per street for a traffic study to be done. We are now at the point where the council will need to decide which streets and how many streets they would like to do this fiscal year since it is not a budgeted item. Then we can decide each year at budget time if there are any additional streets that you would like to have done.

RECOMMENDATION

Discussion

ATTACHMENTS

You are invited to a Zoom webinar.

When: **December 30, 2024 5:00 PM** Central Time (US and Canada)

Topic: **Special Council Meeting**

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/82128338542>

Phone one-tap:

+13092053325,,82128338542# US

+13126266799,,82128338542# US (Chicago)

Join via audio:

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+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

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