DUNEDIN, FLORIDA
MINUTES OF THE CITY COMMISSION WORK SESSION
APRIL 18, 2017
9:00 A.M. – 1:30 P.M.

PRESENT:

City Commission: Mayor Julie Ward Bujalski, Vice-Mayor Deborah Kynes, Commissioners Heather Gracy, John Tornga and Maureen "Moe" Freaney.

Also Present: Interim City Manager Doug Hutchens, City Attorney Thomas J. Trask, City Clerk Denise M. Kirkpatrick, Finance Director Joe Ciurro, Planning and Development Director Gregory Rice, Housing and Economic Development/CRA Director Bob Ironsmith, Economic Development Specialist Danny Craig, Public Works and Utilities Director/City Engineer Jorge Quintas, Assistant Director of Public Works & Utilities Paul Stanek, Plans Review Engineer Tai Truong, Communications Director Courtney King, Communications Senior Technical Assistant Justin Catacchio, Accounting Manager Katherine Oster, Accountant/Financial Analysts Scott Caterson and Ashley Kimpton, Public Works Section Engineer Marcello Tavernari, Human Resources Director Theresa Smalling, HR/Risk Manager Mike Rowe, Parks and Recreation Director Vince Gizzi, Solid Waste & Recycling Sustainability Coordinator Christina Perez, Purchasing Agent Chuck Ankney and approximately five people.

CALL TO ORDER

Mayor Bujalski called the workshop to order at 9:00 a.m.

Mayor's Challenge Presentation

Jeff Rhoads, owner of the Florida Auto Exchange explained this was an idea that came from his thinking we were fortunate to have baseball in two cities so close and that it would be good to have some comradery between the two cities and with the help of the two Cities and the Blue Jays it was accomplished. This year they have a trophy provided by the Blue Jays to present for the winner to keep in their city for that year. He presented the trophy to Mayor Cretekos for their victory.

Clearwater Mayor George Cretekos expressed appreciation to Mr. Rhodes and his colleagues in Clearwater. He thanked Mayor Bujalski and Mayor Eggers before that because they have been able to turn Dunedin around working together with the Blue Jays and Mr. Rhodes as each of the Commissioners has done to make sure the Blue Jays understand how important they are to Dunedin and to the Greater Tampa Bay Area. On behalf of everyone in Clearwater and their Phillies, he thanked the City for keeping the Blue Jays here in Dunedin. He knows the County Commission understands the value of those Canadians coming to Dunedin and spending time and money in Pinellas County and Dunedin.

Mayor Cretekos presented a Phillies Jersey to Mayor Bujalski for her to wear for the duration of the Work Session since Dunedin lost the Mayor's Challenge at Toronto Blue Jays Spring Training Opening Day in Dunedin.

CITIZEN INPUT - None.

ACTION ITEMS

1. **Consent Agenda**

   a. **Approve the Commission Minutes of the:**

      1. **March 2, 2017 Regular Meeting - revision**
      2. **April 4, 2017 Work Session**
      3. **April 6, 2017 Regular Meeting**

   b. **Boards and Committees**

      1. **Personnel Review Board,** Appoint applicant Patricia Blizzard to finish a three year term that expires February 2020 and ratify the reappointment of Elizabeth "Betsi" Lewis Knapp for another three year term that expires February 2020.

   c. **Approve the Use of the State of Florida Contract with Office Depot - Business Solutions Division** for the purchase of office supplies in the estimated annual amount of $70,000.

   d. **Approve the Rehabilitation of Sanitary Sewer Manholes** using the City of St. Petersburg contract with Rowland, Inc. of Pinellas Park, FL for the rehabilitation of seventy-seven (77) City sanitary sewer manholes at a cost of $97,436.25.

   e. **Approve the Purchase of Six (6) Flygt Pumps from Xylem Water Solutions USA, Inc.** of Apopka, FL in the amount of $73,609. Pricing is based on piggybacking Pinellas County contract # 123-0146-B.

   Commissioner Gracy pulled item 1a from the Consent Agenda.

   Commissioner Freaney pulled item 1b from the Consent Agenda.

   Mayor Bujalski pulled item 1d from the Consent Agenda.

   MOTION: Motion was made by Commissioner Freaney and seconded by Commissioner Gracy to approve the Consent Agenda with the exception of items 1a, 1b, and 1d.

   VOTE: Motion carried unanimously

Items pulled from the Consent Agenda

Item 1a. Approve the Commission Minutes of the March 2, 2017 Regular Meeting.

Commissioner Gracy advised she had a change to the March 2, 2017 minutes, first page, second paragraph under item 1. Teacher Appreciation Day

Steve Spathelf ~~Anna Stearns~~ of Dunedin Chamber Cultural & Education Foundation accepted the proclamation and thanked the Commission for the recognition.

MOTION: Motion was made by Commissioner Freaney and seconded by Vice-Mayor Kynes to approve the minutes of the March 2, 2017 Regular Meeting as amended.

VOTE: Motion carried unanimously.

Item 1b. Approve the Commission Minutes of the April 4, 2017 Work Session

Commissioner Freaney advised she had a change to the April 4, 2017 minutes:

Page 17-243, eighth paragraph from the top.

Dunedin Cares. Commissioner Freaney was approached by Dunedin Cares ~~her~~ about two months ago and asked if she would consider being liaison from the Commission. She talked with Donna who talked with Mr. Hutchens who thought it seemed appropriate. There is a letter from the organization which she will distribute to everyone and if it is agreeable make that formal.

Page 17-245, seventh paragraph from the top of the page.

Commissioner Freaney commented having watched the TDC meeting that Mayor Cretekos was amazing with fact based support. Also, she became aware thru the grapevine that Mayor Bujalski who was supposed to be away taking care of her son and being out looking for colleges came back for that meeting during the week which shows a passionate ownership of caring. ~~and it is worth noting and she found out through a grapevine~~. She wanted to express appreciation publicly.

MOTION: Motion was made by Vice-Mayor Kynes and seconded by Commissioner Gracy to approve the minutes of the April 4, 2017 Work Session, as amended.

VOTE: Motion carried unanimously.

Item 1d. **Approve the Rehabilitation of Sanitary Sewer Manholes** using the City of St. Petersburg contract with Rowland, Inc. of Pinellas Park, FL for the rehabilitation of seventy-seven (77) City sanitary sewer manholes at a cost of $97,436.25.

Mayor Bujalski advised she just had a question, because she noticed this on another contract later. She stated it's really important that the community understands what the City is doing with this sanitary sewer situation, so maybe just very briefly for the community, let's talk about how City got to this.

Assistant Director of Public Works & Utilities Stanek advised this is something we do every year. We've been lining manholes for probably more than a decade now, but based on the extensive rains we had in our actual own sanitary sewer overflows in our SSOs because the rest of the acronym (INI) the inflow and infiltration, we did lose some sewage out in the streets. The ways to counteract this was by lining our manholes and by lining our sewer mains. Usually this is a 20 to $30,000 budget item for us, but based on the need to ramp up what we do in order to not have any issues in the future, we've done it between a 400 and 500% increase in the number of manholes that we're going to be coating. That's going to be the same way that we're going to be doing the sewer lines when we come to you later in the day. Working with the Stormwater and Wastewater Task Force, this is one of the areas where we feel not only us as a city, but us the other municipalities and the county can help counteract all the inflow and infiltration that we're getting into our system.

Mayor Bujalski commented this is already budgeted, correct? Mr. Stanek advised that was correct. This was budgeted as the lesser amount. We were about 400% higher when we received the rains and had our sewage outfall last year. Mayor Bujalski inquired why we are not doing the budget adjustment today.

Mr. Stanek stated he believes budget adjustments are done on a quarterly basis. Interim City Manager Hutchens verified budget adjustments are done on a quarterly basis, instead of having to do one each time somebody comes up for one, that's been through finance moved to a quarterly basis where they do them all at one time.

Finance Director Ciurro confirmed.

Mayor Bujalski advised she presumed Mr. Ciurro felt confident that we're not doing something we shouldn't be doing by taking a budget amendment first before we vote on the contract. She feels comfortable with it.

Public Works and Utilities Director/City Engineer Jorge Quintas stated the financing from the Public Works & Utilities perspective. Mr. Ciurro commented that was accurate.

MOTION: Motion was made by Commissioner Freaney and seconded by Commissioner Gracy using the City of St. Petersburg contract with Rowland, Inc. of Pinellas Park, FL for the rehabilitation of seventy-seven (77) City sanitary sewer manholes at a cost of $97,436.25.

VOTE: Motion carried unanimously.

2. **Comprehensive Annual Financial Report (CAFR)** for fiscal year ended September 30, 2016.

Accounting Manager Katherine Oster introduced Jeff Wolf, CPA Audit Manager of Moore Stephens Lovelace, P.A. who gave the presentation.

Mr. Wolf commented the audit this year was smooth with good results. He advised the City received a required communications letter and offered to answer questions.

Deliverables

Internal Audit Report on Pages 9 & 10

An unmodified or clean opinion which is the best opinion to have on that audit on the financial statements.

Compliance Section

Report on Internal Controls and Other Matters on Pages 153 & 154 indicating no findings or issues in this report.

Independent Accountant's Report on Page 155 is a report on compliance with Florida Statutes as it relates to investments indicating no comments or findings.

Independent Auditor's Management Letter Pages 156 & 157 indicating no findings or comments.

Financial Highlights Pages 27-29

This is a high level view of citywide analysis which is more if the City was a business.

Both governmental and business type activities were fairly consistent.

The current ratio, the City's ability to pay current liabilities through its current assets, both numbers are consistent with last year and pretty strong ratios.

The Unrestricted Net Position is a part of total expenses, again this is a number to show the City's ability to pay its upcoming expenses and both numbers are very strong.

General Fund (Operating Fund), the comparison between the two years again pretty comparable to last year and the important number here is the 20.5% Unassigned Fund Balance as part of total expenditures which drops slightly from last year; however, above 20% is a pretty strong number.

Comparison of the General Fund Budget, the actual came in $.3 Million above the final budget and Total Expenditures were $1 Million less compared to budget.

Enterprise Funds, shows the Operating Income increased slowly in the Solid Waste; Assets increased as well as Liabilities related to a Capital Lease; however, everything else is fairly consistent. The Unrestricted position increased by the $.5 Million; Water & Sewer Utility is fairly consistent as well with the Unrestricted in that position decreasing by $.3 Million. Stormwater was consistent with Overall Operating of $.1 Million and the Marina is also almost identical to last year. Overall the Enterprise Funds remain the same.

Commissioner Freaney inquired how long the firm has been the City auditors and Ms. Oster advised 2013 was their first year and there is one more year on the contract.

When Commissioner Freaney asked if every year he has done this the City is pretty solid, Mr. Wolf stated he would say he can see improvement every year, when a recommendation is made the Finance Department takes it seriously and fixes it within the next year; therefore, regarding the CAFR document both partners said it was a very easy, clean CAFR read and he does not get that comment often from both partners.

Commissioner Freaney clarified with Mr. Wolf they do a test, they do not do a thorough look at every account, just testing of some of the financial policies that are in place and based on that they do not have findings, but that does not mean there is not something in there that is missed because they have to do basically a test. Mr. Wolf acknowledged that was correct, they do not look at everything, materiality comes into play, the size of the account, but they do random testing on the internal controls; there is no guarantee, there could be an error.

Commissioner Tornga commended the Finance Department for the report that was an easy read and acknowledgement of each one of the segments is outstanding.

Ms. Oster commended staff noting she began in 2013 with pretty much an entire new Accounting staff and every year because of the dedicated staff always looking for efficiencies and care for the City they are constantly making improvements. She is glad to see it reflects in their work every year they try to make a better product and doing it more efficiently.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Gracy to accept the City CAFR for the Fiscal Year that ended September 30, 2016.

VOTE: Motion carried unanimously.

3. Change Order No. 1 for the Lakewood Estates Drainage Improvements Project

Public Works and Utilities Director/City Engineer Quintas advised:

During the award process for the project concern was raised by the citizens and residents of the area with respect to the impacts to the eagle nesting area as well as discharge that was proposed to Lake Ebert and Tooke's Lake.

Following the award process as directed by the Commission to try to minimize potential impacts to those areas while the project was under construction and to address those concerns staff subsequently did a revised design of the storm sewer system network while the outfall portions of the project were under construction and those design elements were reviewed by a third party consulting firm to make sure the concerns were addressed as well as providing a revised design that would be acceptable to the Southwest Florida Water Management District (SWFWMD).

The project revisions were implemented utilizing the "Contingency" pay item in the contract in order to keep the project going and under construction with no impacts to the timeline.

There are multiple funding sources for the project approved June 2016 for the $4.6 Million project with SWFWMD as a partner contributing $968,000 reimbursable towards the construction.

In order to address the revised design to help mitigate the neighborhood concerns and quite a bit of clay encountered on the project the purpose of this change order is to replenish the "Contingency" pay item amount. The expectation is to be paving in the next week or so along Oakwood.

Public Works Section Engineer Tavernari went through a PowerPoint presentation showing some of the original concerns of why the project was implemented and some of the ongoing progress during construction and the various challenges encountered.

Commissioner Tornga noted the project essentially went from $4.6 Million approval to $5.2 Million and fundamentally it is improving the project not only from what was found, but making it a smoother and better project and long lasting and in the right-of-way.

Mr. Quintas commented the project may not completely address any flooding that may happen in the neighborhood, but will certainly reduce the duration of how long the water stands in the roadways after substantial rains.

Commissioner Tornga clarified with Mr. Quintas the amount from SWFWMD remains the same and was mostly related to water quality aspects.

Commissioner Gracy inquired if there is any way to find out about the clay issues prior to construction and Mr. Quintas explained there is geo tech testing that could be done; however, in this instance since the redesign went down a roadway that was not intended and there would not have been any geo tech done.

Commissioner Freaney inquired how much of the $596,377.85 is Contingency versus it was really already spent and is needed to cover bases. Mr. Quintas advised the original Contingency amount in the award of the project was $400,000 and that was consumed and there were some credits and replacements and about $200,000 and that needs to be replenished in case more clay is encountered, no more changes to the system are anticipated.

Commissioner Freaney asked how the residents are doing and Mr. Quintas commented he thinks after Oakwood is paved later this week before the rainy season they will be quite pleased and it will go a long way for those residents who have been inconvenienced for almost 9 months.

Vice-Mayor Kynes inquired who has been dealing with the residents and Mr. Tavernari advised Mike Blanton who had a great career in the Water Department transferred over to Engineering and has been a real asset communicating with the residents.

Mayor Bujalski opened the meeting to public comment with no one wishing to speak.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Freaney to approve Change Order No. 1 to the Keystone Excavators, Inc. contract in the amount of $596,377.85, for storm sewer system revisions, and clay removal / disposal costs incurred.

Mayor Bujalski commended Mr. Quintas and his Department for the hard work noting he had to go through a lot redesigning in bringing this project forward.

VOTE: Motion carried unanimously.

4. **Approve the Relining of Sanitary Sewer Mains** using the City of Punta Gorda contract with Insituform Technologies, LLC, of Chesterfield, MO, in the amount of $396,948.50, to reline various sanitary sewer mains.

Assistant Director of Public Works & Utilities Stanek advised:

The Wastewater Division would like to have several sanitary sewer mains in their collection system rehabilitated. The lines range in diameter from 6" – 12", with the majority being 8" mains. The majority of the mains are located in the Lift Station #8 service area, near and around Hammock Park, and in the Michigan/Pinehurst area. These mains were selected because of the deteriorated condition of the mains, which became apparent following the severe storm events caused by Hurricane Hermine, resulting in increased I & I (Inflow and Infiltration) flows into our Wastewater System and into our Wastewater Treatment Plant.

During the December 15, 2016 Commission Meeting, staff presented an update following Hurricane Matthew, focusing on the causes of sanitary sewer overflows (SSO's) and the efforts of the "Pinellas County Wastewater/Stormwater Task Force Technical Working Group", of which the City of Dunedin is a member.

The Technical Working Group subsequently provided a 90-day report with short-term and long-term recommendations targeted at efforts necessary to mitigate SSO's not only here in Dunedin, but throughout the county and the region; that was presented to the "Wastewater/Stormwater Task Force Steering Committee on January 30 2017, attended by our Mayor. This request for increased funding is in line with the recommendations made by the "Technical Working Group", and supported by input received from this Commission during the aforementioned December 15, 2016 meeting.

The City is piggybacking on a contract with the City of Punta Gorda and as stated earlier about the seer manhole line we are increasing what we normally do by about 500%. Going forward the department is hitting this hard; this year it was not budgeted as the budget was complete prior to the heavy rainfalls. This year coming forward with the FY2018 budget it will be noted at about the same level with the anticipation for the next year and the next several years until the City is further ahead on its sewer mains and trying our best to limit the I & I.

Staff recommends approval.

Vice-Mayor Kynes commented she keeps hearing about a insituform issue around the Santa Barbara area and asked if this is a contract to go in this year and do all the insituforms where needed. Mr. Stanek stated:

> That is correct and as far as staffing they have listed all the areas they will be working on with this contract; it will be a continuous process with a little over 100 miles of sewer pipe; it will not be able to be done in one year; they looked at the areas where with those heavy rainfalls they saw Lift Stations working harder or not being able to keep up.
>
> In the short term staff is focusing heavy on the City's sewer mains and making them as tight as possible and in the long term they are looking at other areas where water can be getting in, specifically on the private side. Working with the County there might be a bigger play on the entire Legislative part of things because it is a State of Florida problem.

Commissioner Freaney noted also there is something on Santa Barbara that is happening and it is her understanding it is being worked on and is in the budget this year; she does not know if it is the same issue, but it was something about a pipe collapsing and it is currently budgeted. Mr. Hutchens advised that is a stormwater pipe that discharges into through the seawall into the St. Joseph Sound and that is to be addressed this year.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Freaney to approve Change Order No. 1 to the Keystone Excavators, Inc. contract in the amount of $596,377.85, for storm sewer system revisions, and clay removal / disposal costs incurred.

Mayor Bujalski suggested for a workshop discussion.

VOTE: Motion carried unanimously.

5. **City Attorney Seeking Authorization for a Settlement re: Janet & Thomas Putnam v. City of Dunedin consideration to** approve the settlement amount of $65,000 and authorize the City Attorney's office to enter into a settlement agreement with Plaintiffs for their claims.

City Attorney Trask advised this item is in regard to settlement of a personal injury lawsuit filed against the City in March 2016 as a direct result of Mrs. Putnam falling on a raised or uneven portion of the City's sidewalk. There was a severe injury, she shattered her elbow and was hospitalized, there was surgery and she is undergoing post-surgery rehab. After filing the lawsuit one of the associates and his partner in the firm were handling the case and took it to mediation where there was information provided reflecting that she had paid $103,000 in medical bills, those had been paid and there is also exposure of another $53,000 to the insurance carrier that the City has some exposure to. At the mediation it was tentatively settled for $65,000 and he is requesting authority to complete that settlement process. The reason this is coming to the Commission is pursuant to the City's liability claims procedure any case that settles over $20,000 must be approved by the City Commission.

MOTION: Motion was made by Commissioner Freaney and seconded by Vice-Mayor Kynes to approve the settlement amount of $65,000 and authorize the City Attorney's office to enter into a settlement agreement with Plaintiffs for their claims regarding Janet & Thomas Putnam vs. City of Dunedin.

VOTE: Motion carried unanimously.

6. **City Attorney Seeking Authorization for a Settlement re: DCEB Case 16-446 re 1589 Franklin Way, Dunedin** consideration to authorize the City Attorney to accept a $2,000.00 settlement offer from Amanda Mariam Farid-Gabro in exchange for a Release of the Lien at 1589 Franklin Way, Dunedin.

City Attorney Trask advised an offer of settlement has been received in this Code Enforcement case. The property has a $5,600 lien and the offer of settlement is in the amount of $2,000; attached to his memorandum is the letter she sent to him. The Commissioners received an email from her over the last month or so explaining her plight. He thought this a reasonable offer based upon the circumstances of the case and requested authority to accept the $2,000 in full settlement of the Code Enforcement Lien.

Commissioner Freaney asked what the logical path is if the settlement is not accepted.

City Attorney Trask explained:

> This is homestead property; therefore, more than likely the lien will sit there and he would never suggest filing a separate action against the family to collect on a judgment. Obviously to him the only way to collect the money would to go after personal property and bank accounts.
>
> This is a young family with three or four children involved and he would not suggest that. They are cleaning up the property; it is in compliance otherwise he would not bring the offer of settlement.
>
> There is an issue with some City owned property behind a fence with some vines that grow over the back of the fence and taking over her yard and the City has cut it every once in a while and that is what initiated the case with the overgrown yard and they moved their play equipment to the front yard which is not permitted under the Code, so they have cleaned up the back yard and put the play equipment in the back yard again which stopped the fine from running.

Commissioner Freaney commented on her sympathy with neighbors who have to deal with these issues.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Tornga to authorize the City Attorney to accept a $2,000.00 settlement offer from Amanda Mariam Farid-Gabro in exchange for a Release of the Lien at 1589 Franklin Way, Dunedin.

VOTE: Motion carried unanimously.

INFORMATIONAL ITEMS

1. **Presentation: Views of our History as collected and preserved by our Dunedin Historical Museum** by Vinnie Luisi, Executive Director of the Dunedin Historical Society and Museum

History Moments in Dunedin; Comm. Mtg. April 18, 2017

One hundred eight years ago, according to an article written in the West-Hillsborough times, by C.S. Cushing, Clerk and Tax Assessor in Dunedin the first levy for taxes was for the total valuation of the Town which came to the amount of $17,900. The Total amount of taxes collected was $158.32. The population of the town at that time was approximately 103

individuals. The largest parcel of property to show the amount of taxes collected was from the Yacht Club Inn on Broadway and Monroe Streets. The assessed value was $1,680.00. The total tax collected for this parcel was $13.44. For the year 1899 the Tax Assessor and the town Marshall, A.J. Grant, each received 5% of $158.32 for a total of $16.20.

One hundred years ago, in April of 1917, a Boy Scout group was organized in Dunedin. It was the second in Pinellas County and sponsored by the public school with James Hitt as Scoutmaster. In 1921, the Boy Scout group was reorganized and chartered as Troop 10, under the supervision of Mr. Roy Troutman. During the almost 13 years Mr. Troutman headed Troop 10, it was rated as one of the best in Pinellas County. On Sunday Dec.5, 1966, Troops 10 and Troop 26 , another troop Mr. Troutman organized and ran for 30 years held a reunion to honor Mr. Troutman who had turned 80 years old. The main speaker was the Rev. Norris Trapnell who served as an eagle scout under Troutman. Total attendance was said to between 200-300 people and alumni from both scouting groups of Dunedin and Palm Harbor.

Thirty-eight years ago..... On Friday, September 16, 1983, The Dunedin Times reported that after 20 years the City of Dunedin needed to officially adopt the Coat of Arms that was designed in 1965 as the official logo for the City. City Commissioner Jack Cella thought it was high time for the city government to officially adopt the coat of arms designed for it way back in 1965. Cella did his research and found no clear documentation of the City ever adopting the coat of arms for the city, Cella requested at the commission meeting to "officially" accept the coat of arms for the City of Dunedin, and include the Coat of Arms as the official City Flag. Cella also requested that the saying Delightful Dunedin be replaced back to the original Crest design of Dunedin on the Gulf.

2. Thursday, April 20, 2017 Agenda Review, ACTION ITEMS

A-1 Public Hearing: Resolution 17-09 regarding Application No. 17-2V, request to vacate the approximate westerly 1.9 feet of the five-foot utility easement adjacent to the east parcel line of Lot 23, Dunedin Lakewood Estates, AKA 941 Knollwood Drive, consisting of approximately 111.89 square feet.

Public Works and Utilities Director/City Engineer Quintas advised:

An application has been received requesting a partial vacation of 1.9 feet of an existing 5-foot utility easement adjacent to the eastern property line of Lot 23, Lakewood Estates.

For some reason this home has existed on this parcel quite some time and apparently it was not caught on subsequent title searches, but was noted during a recent sale that a sliver of the corner of the house is actually sitting on top of the easement which was part of the plat for the subdivision when it was built many years ago.

In order to clear title the current has asked for a partial vacation of the easements.

All private utilities were contacted and there were no concerns in that regard.

Staff recommends approval as the City has no utilities within the easement.

Commissioner Freaney verified with Mr. Quintas the house is as it was originally built and there is no addition; apparently the house was laid out incorrectly and it was never caught. Commissioner Freaney commented then it makes sense to make it fit with the map and clear title.

A-2 Resolution 17-11, Naming the VFW Post 2550 Dunedin Cuban Sandwich the Official Sandwich of Dunedin

City Attorney Trask advised:

If the Commission would recall Denis Brogan Commander of VFW Post 2550 Dunedin came to the Commission with a Cuban sandwich created at the VFW and asked whether or not the Commission was interested in naming it the City's sandwich and the Commission directed him to prepare a resolution.

Mr. Brogan wanted to make a connection between some of the ingredients of the sandwich and the City of Dunedin; therefore, he did some research and he has included in some of the recitals in the sandwich resolution some history about oranges in the City of Dunedin, the Toronto Blue Jays and the Canadians visiting the city as well as references to the lively and spicy culture of Dunedin which is why the pepper jack cheese is included.

He forwarded the resolution to Mr. Brogan a couple of times with revisions and he thinks this is an adequate resolution for the Commission to consider naming the City's official sandwich.

In Section 1 it lists specifically how it is to be made.

Mr. Brogan requested that Section 2 reflect that the VFW Post 2550 be known as the creator of that particular sandwich, which was included.

Commissioner Freaney asked if there are no other official Dunedin sandwiches and City Attorney Trask advised he did not do that research; however, assumed there were none.

A-3 Second Quarter Report on the Downtown Parking Management Plan

Housing and Economic Development/CRA Director Bob Ironsmith noted the Parking Team was present and advised:

The results of the 2nd Quarter – January 1 – March 31 are very positive on various levels.

The Off-Street Occupancy in the Core area was 48%.

The On-Street Occupancy was 42%.

The Turn-Over in the Core area is a 3.3

The Net Revenue for the 6-months from the October 3rd implementation is $195,000.

Targets are beginning to be reached and the program is in the green.

Also in the 1st Quarter Report there was discussion of revision to the Parking Plan that was called 2.0 with the goal at that time to have unlimited time, make some modifications, get back to Main Street during the day and more entertainment district at night. Staff feels very comfortable this dual purpose goal has been hit; it is more relaxed during the day with more free parking, there are no time limits and the retail merchants have reacted very positively. At night and on weekends when parking is in higher demand there is more of the turnover component which has worked out well.

Communications Director Courtney King has done a lot with the public outreach aspect which the Commission emphasized about getting the word out and it has received very positive reaction.

Public Outreach

Ms. King reviewed the list of outreach efforts taken since the 2.0 Update:

Updated the 2.0 parking map and distributed it as a full page insert in the Dunedin Beacon with approximately 19,000 circulations

Digital outreach was done via the City of Dunedin website, Park Dunedin, Social Media and E-notify.

A parking video was produced with local resident TV hosts with the target of emphasizing how much free parking there is still in the downtown 24/7 if you know where to find it. This received the first positive feedback on parking with minimal negative comments. The video was posted and shared by residents and civic groups which was not something that was happening before.

Since the 2.0 update she can say personally very few negative e-mails and comments were received compared to the first quarter.

A Parks & Recreation ad is out now at the community centers and on on-line and a Park Dunedin inside the Parks & Recreation magazine.

Outreach will continue through all the various outlets with plans to emphasize the resident discount.

Staff talked with the public at several events including the Dunedin Downtown Market with the Public Relations Committee and an event hosted by the Dunedin Council of Organizations at the Hale Center. Face to face communication seemed to bring about more understanding of what we were attempting to be achieved, time changes and more free parking available.

Parking Dashboard

Dunedin Downtown Parking Dashboard, Attachment A to the staffing memo, a graphic depicting information October – March

Planning and Development Director Rice explained staff wanted to get feedback from the Commission regarding whether or not there were other things they wanted to see on the dashboard in order to incorporate that and possibly get it out monthly.

Economic Development Specialist Danny Craig stated staff is pleased with the numbers they are seeing. He referred to the bar graph:

The gradual improvement of the system and people are becoming more used to it and therefore more are using it very successfully.

The 1st Baptist Lot Revenue

This is the biggest lot and the City owns it and it is seen to be used quite frequently. In the lot that has been free Monday – Friday before 2.0 it was the model used for the east and west side and has been very successful; but also on the evenings from 6:00 – 10:00 and on weekends the paid parking revenues continue to increase as well.

Fednet Revolte, Senior Manager at SP+ (SP Plus) - For Tampa Bay referred to the graph:

Citations and Appeals

The percentage for January was 7% of the number of citations issued versus what was appealed; for February it's 12% and then it went back down for March to 9%.

Basically not a lot of backlash is being seen as far as the citations; most people understand why they have received a citation.

The ones who do appeal, 90% do not show up. The last hearing 10 people show up.

Merillen Jimenez, Facility Manager with S+P Plus does a great job with anything that does not need to go in front of the Special Magistrate, for example someone who says they paid and shows the receipt that does not go forward to an appeal that is voided in the back office.

Commissioner Freaney commented there were some glitches in the appeal process and she sees that they are low, but at some point it was not together and some people were frustrated and some people were not contacted so they would drop it; she asked if the appeal process is in a good state right now running well. Mr. Revolte stated it is running as it should; he is not sure of the issues at first. Commissioner Freaney explained the forms were not right, they got the wrong form and waited and did not get contacted and they were visitors. Mr. Revolte explained at that time it was a manual appeal process and not through the back office and that has been addressed and corrected.

Mayor Bujalski referred to the graph and asked if the 576 for January, 585 for February and the 580 for March is the number of tickets written and she presumed taking the number of transactions and dividing it by the number of citations will tell the percentage of citations to transactions there are. Mr. Revolte will provide that information on Thursday. Mayor Bujalski asked if he could provide a comparison possibly to another City they work for to determine if the City is putting out a normal amount of citations.

Mayor Bujalski would like to understand what the projection would be if the City started giving warnings and how that would affect the revenue. Mr. Revolte advised Finance Director Ciurro would be the one to answer that question and he explained the only thing they will not be able to quantify is the number of people who stop paying because they know they won't get a citation once that started.

Mayor Bujalski referred to an incident this weekend which would not have happened had there been a warning system in place. Mr. Ironsmith advised a new procedure is being put in place relative to the incident she referenced with Fox 13.

Mr. Revolte explained basically they have taken voiding citations away from the enforcement officer to prevent that from happening with friends, family members or certain restaurants that give them a discount, so voiding has only gone through Ms. Jimenez.

Mayor Bujalski asked for an explanation about the system that catches the 0's, O's, I's and 1's. Mr. Revolte explained once the incorrect license plate number is put in the enforcement officer has to cross check with every possible combination and there will be some times when they will not be able to catch every one; what is being done again is once they show payment was made, just with the incorrect license plate the citation is voided. They check Parkmobile, SP + system and Parkeon, but there is still the chance of not catching it and the customer would just have to reach out to Ms. Jimenez or appeal to void the citation.

Mr. Rice explained the new system is better giving the enforcement officer the authority to void the ticket once payment is shown.

Mayor Bujalski asked if the Enforcement Officers get paid a commission on the number of tickets they write and Mr. Revolte advised no, not at all. Mayor Bujalski commented they get no financial benefit for the number of tickets, no time off or perks and Mr. Revolte stated absolutely nothing and not even SP+ gets anything and having no citations has no effect.

Commissioner Gracy asked what the occupancy number was for the model. Mr. Ironsmith advised Resolution 16-23 had the performance measures and it was 30% On-Street; 27% Off-Street and the Turnover Ratio of 3.0 or greater and all the numbers have been reached.

Mr. Rice advised regarding the 6 Month Performance – Net Revenue (graph) and the 1st Quarter Performance Measure (graph).

The two quarters combined for the model would be at $220,000 and the actual was $195,000 approaching the model number.

The question is in the next two quarters will it reach the $110,000 net revenue and see where it finishes.

Mayor Bujalski asked if the $110,000 is consistent for every quarter or if for future quarters is it less, more or the same. Mr. Rice explained he just divided the $440,000 by 4; a quarterly or monthly projection was not done, just annual; he noted the point of the winter months would be anticipated as the best performing. Mr. Ciurro explained that could have been done; however, there was no history to base the proportions.

Ms. Jimenez advised regarding the transactions by vendor, the total monthly transactions and the transaction types.

Commissioner Freaney asked if failed transactions were being tracked at one time and Ms. Jimenez advised the back office would only let them know if it was declined, if the payment was not accepted on the card.

Mr. Rice commented regarding in the past the problem was people were not swiping the cards properly and Mr. Revolte explained that issue was resolved with the machine now asking the customer to please swipe the card again with instructions to please insert the card all the way.

Commissioner Gracy asked if some of the pay stations have been moved around town and Ms. Jimenez advised five pay stations were moved.

Mayor Bujalski asked how many of the residents are registered and Ms. Jimenez estimated 500, residents and the 20% discount. Mayor Bujalski asked if there is a way to improve that with an automatic way where they do not have to register, some simplification. Mr. Revolte will look into it without privacy issues.

Commissioner Freaney suggested setting something up at various events showing people how to register.

Commissioner Gracy asked how to move more to Parkmobile where the discount is available and if there is information about the usage and Mr. Revolte advised he could obtain some data for comparison.

Mayor Bujalski asked if it could be presumed that Parkmobile users are probably regular folks coming to the City and Mr. Revolte stated he would say regulars for Pinellas County, it would be hard to say for the City.

Vice-Mayor Kynes asked how vulnerable are the pay stations to skimming and Mr. Ironsmith advised there are anti-skimming devices installed by Parkeon and there is literature he can share with the Commission. Mr. Rice explained the process the people doing the skimming have to go through and his research indicated it would be impossible if someone could place a device on a pay station to use that card the same day. Vice-Mayor Kynes would like to have statistical information about that kind of usage and the invulnerability of these machines to guard against it.

Mr. Ironsmith presented the Parking Lease Table provided in the staffing memo.

Commissioner Gracy commented on the reliance on other peoples land and asked if there is a plan in place that will stop that reliance and she noted the rents are going up. Mr. Ironsmith advised staff will recommend a transition plan for the at-risk lots after the parking garage is in play. Mr. Rice elaborated on staff discussion on this issue including turning the tables and telling the land owner what the City thinks their parking is worth depending on the elements of the parking lot including whether or not it was paid parking.

Commissioner Freaney asked how much parking revenue comes from the Arlis lot and Mr. Ironsmith advised $9,000; a good return on investment.

Mayor Bujalski requested some consistency in the names of the parking lots and for a while put in parenthesis what the old name was.

Commissioner Tornga recalled discussion of using the address so people could put it in a wayfinding device.

Mayor Bujalski inquired for Thursday could information be provided on the cost per space and the revenue per space for comparison for the lots that have revenue. Also, could there be information on the improvements to the lots since the last report.

Mr. Ironsmith advised the Bushnell lot had washed shell and there was asphalt milling at Dunedin Station and at the Justice property was rock. Mayor Bujalski expressed concern that the Bushnell lot is very dark and Mr. Ironsmith explained the owner did not wish to have lighting installed.

Current Financial Information

Finance Director Ciurro referenced the *Parking Management System Income Statement (Unaudited) for the Six-Months Ended March 31, 2017* within the staffing.

Compared to the 1st Quarter the increase is three times what it was at that point in time.

The resolution for performance measures had a Red, Yellow and Green; anything below $200,000 was Red; between $200,000 and $447,000 was Yellow and everything above was Green. It is almost at the Go/No-Go line of $200,000 through 6 months.

It is anticipated to have positive cash flows over the next two quarters and believe it will be at least in Yellow. Currently it is in Red if operations were to stop.

The Revenue by month has continued to increase from the previous month. From an average standpoint the model project was the average monthly intake over the entire year

was roughly $63,600 and in this particular quarter per month it averaged $74,800 as expected for this quarter to be the one that garnered the most revenue.

Expectations are pretty consistent with what happened from a Revenue and Expenditure point. Expenses were just slightly double over the 1st Quarter with the implementation costs for 2.0.

He expects a continued increase with a solid month in April and then getting closer to the summer months a decline per month in revenue collection.

Mayor Bujalski clarified with Mr. Ciurro technically looking at the whole annual projection the $195,000 would be in the Red not having reached $200,000, but on a projection basis it is expected to be Yellow.

Mayor Bujalski inquired regarding the signage noting she has seen e-mails since the 1st Quarter indicating people did not see the signs and did not know there was paid parking and they ended up with a ticket. She believes additional work has been done with the signage to make them more visible and asked for information on the improvements for Thursday.

A-4 380 Main Parking Lease Agreement

Housing and Economic Development/CRA Director Ironsmith advised:

This is for the lot known as OceanOptics and the lease agreement with Arlis Construction the current owner.

There is proposed development; however, the developer is currently in revision to his design for the mixed use project giving some additional time to extend the lease on a month to month basis.

The price of the lease is increasing significantly from $2,000 per month to the negotiated price of $4,000 per month. Much of the increase was based on the revenue the City receives from this paid parking lot is $9,000 for this high demand lot and makes sense for the City to continue with the lease agreement.

The projection is this lot will be available until November; it is 41 parking spaces in a very high demand area and the lot has been leased since 2008.

The parking garage in partnership with Kokolakis Contracting on Douglas is anticipated to be available in late December and these two should be fairly closer to coinciding.

The $2,000 is from the CRA and the additional will come from the CRA from a budget amendment at a later date and the CRA does have the financial ability to do that.

A-5 * Starred Item *** Second Amendment to Toronto Blue Jays Dunedin License Agreement Version 2.0**

Interim City Manager Hutchens advised this amendment is a bridge agreement between the existing 15-year agreement which terminates at the end of this calendar year and a proposed long term license agreement under negotiations.

Parks & Recreation Director Gizzi advised of the highlights of the amendment:

The Blue Jays agreement will be ending December 31, 2017. There are two additional 5-year option periods. The License Agreement requires that the Blue Jays advise the City by May 1, 2017 of the intent to exercise the first additional 5-year term.

The second amendment is to be the bridge between the existing agreement and provide the needed time for planning, design and financing associated with construction of the new facilities.

The second amendment will extend the license agreement for an additional two years through December 31, 2019 with three additional 1-year options.

The terms and conditions of the license agreement will remain the same with the exception the Blue Jays will make an annual payment of $125,000 each year which will be placed into a special projects account reserved for either capital improvements or for soft costs associated with the design of the improvements; however, should the negotiations fail the City would refund the unspent dollars to the Blue Jays.

Commissioner Tornga inquired who makes the determination regarding the $125,000 and Mr. Gizzi advised it would be a collective group with either the Blue Jays or the City making the recommendation and the other party would have to authorize it. Commissioner Tornga clarified with Mr. Gizzi if the Blue Jays wish to spend additional funds they may and the City will only be budgeting for more repair for roofs, plumbing, and electrical type of maintenance; the plan is to budget $50,000 for next year; in past years $95,000 was budgeted.

Mr. Gizzi noted the $125,000 has been used for financing costs in the past and now it will strictly be for capital or soft costs for the design of the upcoming new facilities.

Commissioner Gracy verified the City would be holding the $125,000 in a special account and all the terms and conditions of the current agreement will remain.

Vice-Mayor Kynes requested City Attorney Trask explain the mechanics of a bridge contract which in her understanding that is what this is, bridging a time lapse of when something ends and providing the ability to work within that time period with no legal liabilities.

City Attorney Trask explained it is basically extending the license agreement for the term listed in the 2nd Amendment.

Mayor Bujalski reiterated everything remains the same except the term and the use of the $125,000 that was in there before, but was used for financing costs/debt service which is no longer needed.

Interim City Manager Hutchens advised:

The debt funding associated with the Blue Jays and the City's portion of the 15-year agreement has been paid in full.

The remaining balance of debt is on the facilities, but those are the debt expenses associated with the State money which was $1 Million a year for 20 years versus the 15-year agreement.

Under the 5-year agreement that $125,000 would not be coming to the City, so the Blue Jays have offered to continue making that payment that is in their budget, though they are not required to do so and it will go into the Capital Fund.

Vice-Mayor Kynes requested an explanation of the "soft costs" and Mr. Hutchens advised it would be items such as survey work of the facilities, geo technical work, preliminary design leading to an eventual design and construction of the facilities proposed.

A-6 Review the Proposed Agendas for the:

a. May 2, 2017 Work Session

b. **May 4, 2017 Regular Meeting**

4. **Commission Discussion** – None.
5. **City Clerk's Update** – None.
6. **Interim City Manager's Written Status Report** relative to matters affecting the City. – None.
7. **City Attorney's Update** – None.
8. **Commission Comments**

Vice-Mayor Kynes:

Advised there was private opening of the Penny Lane exhibit at the Dunedin Fine Art Center and she think people will be pleased with it noting it is an unusual attribute to have this level of Beatles memorabilia. There will be a proclamation to Dr. Robert Entel who worked hard to be able to have this shown to the public. She expressed appreciation to Dr. Entel, his family and everyone who worked on bringing this forward.

Announced the upcoming Garden Party in the Fenway Cottage.

Advised things are moving forward with the Give Me Shelter and will be moving quickly toward a Request for Proposal process. Mease Dunedin Hospital and Baycare will be giving a proclamation on Thursday are major partners along with the Pinellas Suncoast Transit Authority and the City of Dunedin in this endeavor.

Work has begun getting the committee together and reviewing the options on a mural for the VFW wall facing the Pinellas Trail, a very exciting project.

Advised a Tool Kit had been put together by the North Pinellas Cultural Alliance for cross walks and she provided Interim City Manager Hutchens a copy of the Call to Artists.

She was called by the Florida League of Cities to ask if she would chair the Environmental Energy Natural Resources Legislative Committee, a great honor to her and she looks forward to that.

Commissioner Gracy advised she attended a Principals' Meeting yesterday with much information shared. She commended the Parks & Recreation Department being recognized for how hard they work on behalf of the Dunedin Elementary Principal.

Mayor Bujalski advised:

The Blue Jays management is in town this week and was meeting with the County Commissioners individually and they will be attending the Tourist Development Council meeting along with her and other staff members this Wednesday. She is not aware if there will be a second vote; however the first vote was in favor of Dunedin.

Next week the County Commission will hopefully vote on all the projects and they want to know about the deal between the Blue Jays and Dunedin and staff is working on providing the information on what the Blue Jays would be doing in support over the next 25 years because the County has to go into negotiations with them and if that is not provided they have said they likely will not vote next week. She noted there are many letters of support from various cities and chambers in the area and the Blue Jays have the same from their sponsors and businesses.

Mayor Bujalski suggested staff be prepared to address and answer any questions regarding the Noah Pransky issue as shown on Channel 10; she does not believe anything inappropriate has been done, but it should be addressed. She commented this type of

issue comes up around any stadium for people talking about no public funding for the stadiums.

3. Workshop Items: Medical Marijuana Dispensary Regulations

Planning & Development Director Rice explained his research of every city with a Medical Marijuana ordinance most of which were like Dunedin's with a moratorium and did not have a lot of information yet. He has met multiple times with Matthew Stevens whose experience is very helpful because he was stationed in Colorado and watched small cities there transition, but to a full recreational model which is very different. He provided the following information:

Right now there are 28 states that have medical marijuana; seven of those have gone to not only medical, but recreational use. The recreational use is the one heard about the most.

In this initial ordinance for Dunedin it is the medical marijuana one, in the staffing he provided some highlights of what is happening in Florida.

This is not where people can grow it in their house; you can't smoke it.

This is to be dispensed in a dispensary.

In order to become a qualifying patient there has to be a physician certification.

At this time the Department of Health is drafting all those regulations to certify doctors on the procedure on how a person can obtain that certification.

Commissioner Gracy noted it is also not in the form of any candy, gummy bears, cookies or other edibles.

Dunedin Draft Medical Marijuana Ordinance

Conditional Use Permit

Staff felt the best method to do this was to allow medical marijuana dispensaries as a Conditional Use Application.

This provides for a public hearing the same as all other Conditional Uses and it would be decided by the Board of Adjustment and Appeal.

Also in the Florida Constitutional Amendment is what is called a medical marijuana treatment center that is the actual facility where the marijuana is grown, processed and distributed. Initially only 7 licenses were granted, but there are bills in the Legislature right now that could expand the number of license; however, here in Dunedin we are not contemplating any type of large growing facility or distribution center.

Dunedin is talking only about a dispensary where a patient would go and get their product in whatever form.

Six other stipulations were added to the Conditional use permit:

The applicant is either the property owner and if there is a tenant that they put the application in together. There would be some background checking on that.

Information is to be included on the lease.

Proof the individual was authorized by the State of Florida.

A survey provided.

A site plan provided

Require any other information that might be necessary.

Conditional Use Permit Required

Prohibitions

The medical marijuana dispensary would be the sole activity of the business.

Wholesale storage cultivation or processing of any form would not be recommended in Dunedin.

On-site storage would be only what is necessary for the patients.

A large cross section of ordinances was reviewed for times of operation and the recommendation is Monday – Friday 8:00 a.m. to 6:00 p.m. and Saturday 8:00 a.m. to Noon.

Number 5 on this list needs to be deleted since it references the distance requirement which will be covered later.

There should be adequate seating so there is no loitering or lines outside the building.

The dispensary shall not have a drive through or drive-in service aisle; everything will happen inside.

There is to be no queuing of vehicles in the right-of-way which would be addressed in the site plan requirement.

Commissioner Tornga inquired if there is normalcy in this of what exists in other states in terms of the form the marijuana is dispensed. Mr. Rice advised the Health Department Regulations would list the available treatment options; he did not research that in the other states. City Attorney Trask explained depending on the actual medical condition the person has it may be given orally in a pill format or it may be oil or ointment because of a particular type of condition; that is the reason for the different applications.

Commissioner Tornga clarified this is something called in by a physician like a prescription; therefore, he assumes the patient will know when it is available to drive in and pick it up so it is really a drive through. City Attorney Trask advised there would be no drive through it is basically a pharmacy where people have to get out of their car, walk into the building and to the desk like a professional doctor's office and then it would be dispensed based upon the prescription.

Commissioner Tornga commented that it could be a free standing facility and asked if there is enough of a business for someone like that and what is the experience in other states with only medical use. Mr. Rice explained what he gathered from the ordinances he reviewed they could be a free standing building or a storefront. City Attorney Trask suggested probably what will be seen is separate standing buildings; the people he has had contact with are all looking for their own building so they do not have to deal with the issues to the left or right in a shopping center atmosphere, but it could be done either way.

Mr. Rice asked where the 67,000/68,000 people per dispensary come from, City Attorney Trask explained when the Florida League of Cities began this process of reviewing the Medical Marijuana Amendment they began gathering information and in one of the seminars he attended they indicated there was a study stating the appropriate number of dispensaries is 1 for every 60,000 people which works out to roughly in this type of area, 1 in every 5 miles, that is the belief based on the information given a month or two ago.

When Commissioner Tornga noted then Dunedin would only need one, City Attorney Trask noted people outside the city limits would be using the dispensary inside the city limits and people in Dunedin could be using dispensaries outside the city as well. Mr. Rice noted this is what leads into the first distance requirement that there will not be another dispensary within 5 miles; the City is 10 square miles, but the recommendation will be to have one; however, there can be more.

Commissioner Tornga asked in relation to the hours he would not want to be restrictive if this is what a doctor wants a patient to have. Mr. Rice explained staff is not recommending restricting what they keep on hand inside their business in terms of product and if the Commission feels the hours recommended are too restrictive that can be adjusted.

Commissioner Tornga commented on the information indicating 1 facility for every 60,000 people it would be a viable operation and the according to what the doctors will prescribe, that is the information Mr. Rice received. Mr. Rice noted that could be adjusted if a much higher demand was seen.

Vice-Mayor Kynes commented what is being considered now under the Health Regulations that some of the forms might be tinctures, salves and asked about vapor and Mr. Rice advised not right now, no vapor, no edible and no smoking. She noted the bongs with THC that are supposed to relieve some of the symptoms of the debilitating deceases.

Vice-Mayor Kynes asked if a person has these debilitating deceases would there not be chronic pain associated with them and City Attorney Trask stated he does not know the answer to that question and it is not something the City can regulate; Vice-Mayor Kynes realized that noting that will come under the State, but she is putting it out there. She has been interested at the State level and with the list of diseases she would wonder if chronic pain would not be a by-product of many of these diseases as would mental components like PTSD. Mr. Rice commented he was not aware of how much of pain killer this is; he thought it was more to help people eat like when struggling with keeping food down like with chemo therapy; also good for epilepsy and those type diseases.

Distance Requirement

Mr. Rice stated if the Commission is comfortable with one dispensary in the city, the 5 miles works for that. He and City Attorney Trask would come back on a separate issue to determine the number of dispensaries with a process to determine who would be able to apply for the Conditional Use. The distance requirements listed are almost identical to the alcohol ordinances relating to schools and churches.

Mayor Bujalski commented with the 5-mile issue, for example if there is one in the middle of Palm Harbor, the west side you have to go another 5 miles before another one can exist; she is sure there are certain areas of the city we want.

City Attorney Trask stated:

> We want to make sure it fits within these requirements, the distance requirements of not within 300 feet of a public, private or parochial school, any child care center or public park and in addition not more than one every 5 miles.

In terms of the question of there being one just outside the city limits then, yes, they do have to go 5 miles before there is another one, otherwise there could be one just outside the jurisdictional lines one right inside and then another one in five miles.

An analysis will be required of the closest dispensary in accordance with a proposed location and that will be verified; even though the City has no control over what happens in unincorporated Pinellas County there is control as to the location within the City. That is an issue that will be looked at when an application comes in.

Commissioner Tornga noted the City is trying to determine how to best serve the citizens with this new service/product they will be able to obtain and as someone said what if there was one right on the border of Palm Harbor, that means someone has to go 5 miles from that spot. He wants to be sure a resident can get to this relatively easily and some of these folks might not be driving. Mr. Rice explained his thinking was it would probably somewhere from Mease Dunedin and on S.R. 580 which makes it easy to be 5 miles as that is almost the middle of the city. Commissioner Tornga explained his thinking that if there was only going to be one that it should be central.

Mayor Bujalski noted that was her question, could the City determine the corridor for the facility and no to any other corridor. City Attorney Trask stated you can, but he is not sure about going that route and explained that could probably be accomplished with the distance requirements being considered. He advised what he drafted in Madeira Beach indicated only two buildings in the entire city because of being a park or school or some other place in the conditions.

Mayor Bujalski suggested a map to go along with the distance requirements. She agreed S.R. 580 seems to be the logical place or according to the way staff has it laid out if a certain corridor was not chosen, then where could it be with the restrictions in place.

Vice-Mayor Kynes questioned about not knowing where other dispensaries would be outside the City's political jurisdiction. City Attorney Trask explained the applicant would provide that information and the City would verify.

Mayor Bujalski explained her concern is there would be a dispensary for example on the other side of the city limits in Clearwater and coming 5 miles into Dunedin forces it to be in an area, there are certain commercial spots that would warrant a small building, but she would be concerned about it being that area. She suggested it might be easier is to determine what corridor or area everyone would be comfortable with, still with the distance requirements.

City Attorney Trask commented these are really pharmacies and from the outside of the building no one would know that it was anything else other than the no loitering signs and a marquee. There will be some work in the Planning & Development Department to figure out where they can be located. If the Commission wants staff to do that before bringing it back for first reading, he does not know how much time Mr. Rice needs to do that work.

Mayor Bujalski expressed concern for the first one to go up in an odd place, because it is new and they are not used to dealing with it with Dunedin having a higher percentage population of seniors than other cities.

Mr. Rice commented regarding the adult use portion of the City's Code which Former City Attorney Hubbard somehow got that zeroed into a fairly specific location and he suggested doing some type of hybrid of that.

Vice-Mayor Kynes commented it can be argued that Arizona has interestingly handled this and maybe if the City cited it is more a portion of an older population or burgeoning middle population or whatever, Arizona would definitely fall into an older population pocket and yet they have seen a pretty strong usage of the availability of the MMD's, she was not aware if they had gone recreational. It is difficult to base anything on demographics per say.

Mr. Rice clarified the suggestion to try to get the location on a somewhat centralized and perhaps the biggest corridor and he will provide a map of where it could be according to the distance regulations provided. Mayor Bujalski clarified the map would be a step in determining whether or not to have a centralized location.

City Attorney Trask suggested creating the map and see where that puts it and if the Commission direction is to have it in a certain area, then the number does not need to be limited.

Commissioner Tornga verified this is for dispensing medical marijuana and they are selling nothing else, not an aspirin, not a crutch, etc.

Mayor Bujalski commented it is a good question if this is in relation to a medical issue then why aren't the pharmacies handling this. City Attorney Trask explained it is control and there are a lot of building code issues the City will be reviewing, but basically it is controlled by the state. Mayor Bujalski commented pharmacies have all these protections in place. City Attorney Trask commented it may eventually come to that, but right now it is not.

Discussion ensued regarding Federal and State regulations and rights and the various issues and exceptions involved on this topic. It is a learning process for everyone.

Supplemental Building Standards

These are standards gathered from other ordinances that will be applicable, architecture and compatibility, only permitted use on the property, no cannabis plants, no consumption on the premises, no consumption of alcohol on the premises, no vending machines, no outside display of products and the amount of security for the building.

Vice-Mayor Kynes inquired regarding the signage. Mr. Rice advised right now if there is just going to be that one building the thought was to leave it to the regular sign requirements, but if there were many in a row there might have to be some additional regulations. City Attorney Trask advised the sign can be whatever the owner wants to call their business and they will be able to use the same size sign as any other business; however, they will not be allowed to put a marijuana leaf on the sign.

Commissioner Tornga inquired who and/or what controls price and City Attorney Trask advised staff did not know the answer to that question. Commissioner Tornga commented it often comes to availability, supply and demand, so if it is a medical physician's prescription and there being only one place to buy it and people having to drive for instance 20 miles to get what they need because of price.

Mr. Rice noted this is a workshop so staff will put all this together and then bring it back to a Commission agenda.

Planning for the Future

Mr. Rice suggested the PowerPoint presentation, *Zoning for Marijuana in Dunedin* included in the agenda packet provided by Matthew Stevens was for information and future use. He noted

the indication for areas that went to full recreational use that it can change the demographics of a city or perhaps the downtown which was among the things Mr. Stevens wanted to bring to attention in not waiting for the day that Florida passes its recreational which may never come; it is a good idea to do some preparation in terms of control of full recreational.

Vice-Mayor Kynes commented after much thought it seems to her for a person with one of these debilitating conditions that the person who would know that best is your private physician and if they have to find a physician who can give out this particular script, why doesn't your private physician. Mr. Rice stated they can, it is up to them to get certified, any physician can choose to get certified.

Vice-Mayor Kynes also thought it a very interesting idea noting we may not move to recreational; however, it was mentioned putting together a group to study the ramifications if this formation shows an inclination to move to another type. Mr. Rice explained that is because of the 28 states that have medical marijuana 7 are recreational now and about 11 more are considering it; if that is the trend he thinks if there was some thinking, research and perhaps some planning with draft ordinance language the City would be ahead of the game instead of being reactive. He does not know how formal the Commission might want to make such a group.

Mayor Bujalski reiterated her concern noting she does not mind the 5-mile restriction and still saying S.R. 580 only providing Dunedin's dispensary gets in first; she does not want the 5-mile to force a facility that would meet the code but be less than desirable for Dunedin. She has more concern for the 300-foot distance requirement and would prefer to be more conservative at first and then back away as there is more comfort and she thinks the map will provide information on what to do on that issue. In terms of the parking requirement possibly taking a strong look and determining if it is different from another retail store.

Commissioner Tornga noted although there was discussion that there is no drive through in the recommendation, he did make a rather flippant remark that this is really just a drive through because you're not shopping for anything else and normally a script is called in or the patient makes sure the script is there so when you come there and just picking up that one thing, a person does not need to go inside and look at people.

Mayor Bujalski asked if these prescriptions can be called in like any other medication or do they have to be physically brought into the facility. City Attorney Trask assumed it would be either way.

When Vice-Mayor Kynes asked about delivery, Mayor Bujalski stated that is not being considered.

Commissioner Tornga commented there is a P3 capability that could actually help fund another service we wish to fund within the community.

ANNOUNCEMENT

Mayor Bujalski announced the Dunedin Showcase Theater upcoming production of "The Trouble with Cats" at the Dunedin Community Center.

ADJOURN MEETING

The workshop adjourned at 12:56 p.m.

NOTE: The meeting was completely recorded and the recording is in the official file. This meeting was also broadcast by *Dunedin TV*.

Julie Ward Bujalski
Mayor

Attest:

Denise M. Kirkpatrick
City Clerk