DUNEDIN, FLORIDA
MINUTES OF THE CITY COMMISSION REGULAR MEETING
OCTOBER 15, 2015
6:30 P.M.

PRESENT:
City Commission: Mayor Julie Ward Bujalski, Vice-Mayor Heather Gracy, Commissioners Deborah Kynes, Bruce Livingston and John Tornga.

Also Present: City Manager Robert DiSpirito, City Attorney Thomas J. Trask, City Clerk Denise M. Kirkpatrick, Deputy City Manager Doug Hutchens, Public Works and Utilities Director/City Engineer Jorge Quintas, Director of Communications Courtney King, Communications Senior Technical Assistant Justin Catacchio, Interim Director of Finance Jeff Streders, Director of Planning and Development Gregory Rice, Director of Human Resources/Risk Management Theresa Smalling, Director of Parks and Recreation Vince Gizzi, Parks & Recreation Superintendent Lanie Sheets, CRA/Housing and Economic Development Director Bob Ironsmith and approximately sixteen people.

The press was represented by the Tampa Bay Newspapers Executive Editor Tom Germond.

CALL TO ORDER

Mayor Bujalski called the meeting to order at 6:30 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

City Attorney Tom Trask gave the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

Mayor Bujalski advised although this is not on the agenda she wanted to wish Vice-Mayor Gracy a Happy Birthday, which she will be celebrating on Halloween.

1. FLORIDA NATIVE PLANT MONTH PROCLAMATION – October 2015

Commissioner Tornga read a proclamation declaring October 2015 as Florida Native Plant Month and encouraged residents to visit the Florida Native Plant Society’s website to learn about the preservation, conservation and restoration of native plants and native plant communities of Florida.

Rebecca Wellborn accepted the proclamation and thanked the City Commission for the recognition. She commended the City on their use of native plants. She announced their Native Plant Festival is on Saturday, October 17, 2015 at the Wilcox Nursery in Largo. In attendance with her were other members of the Pinellas Chapter Florida Native Plant Society: Norma Bartolini, Frank Brandt, Linda Brandt, Liza Ryan, Debby Sheldon, Mary Sanders, Pam Avis and Nancy Harrison.

2. NATIONAL BREAST CANCER AWARENESS MONTH PROCLAMATION – October 2015

Commissioner Kynes advised Rosemary Hodge was unable to attend the meeting; however, Commissioner Kynes wanted to recognize her for working tirelessly for this cause. This will be the 7th Annual Fundraiser for the Mammogram Voucher Program.
Commissioner Kynes read a proclamation declaring October 2015 as National Breast Cancer Awareness Month and encouraged citizens, government agencies, private businesses, and all interested groups to join in activities that will increase awareness of what can be done to prevent and control breast cancer.

3. NATIONAL RETIREMENT SECURITY WEEK PROCLAMATION – October 18-24, 2015

Commissioner Livingston read a proclamation declaring the week of October 18-24, 2015 as National Retirement Security Week in Dunedin and encouraged everyone to take advantage of the many opportunities both online and in the community to become more educated about retirement planning and setting goals to save for retirement.

Theresa Smalling, Director of Human Resources & Risk Management, accepted the proclamation. Ms. Smalling thanked the Commission for recognizing National Retirement Security Week which is a national event to promote the benefits of saving for retirement.

She hoped everyone would make time and put effort into retirement planning. It may be the best thing we ever do for ourselves and our families.

4. SOME VIEWS OF OUR HISTORY AS COLLECTED AND PRESERVED BY OUR DUNEDIN HISTORICAL MUSEUM

Mayor Bujalski advised Christy Bower was not in attendance at this time, but if she showed up, the Commission would allow her to provide her presentation.

ANNOUNCEMENTS

FOR MEETING OF NOVEMBER 5, 2015, there will be a public hearing to discuss and receive comment on the FIRST READING OF ORDINANCE 15-36 FOR THE DEVELOPMENT AGREEMENT AND ORDINANCE 15-37 FOR REZONING REGARDING APPLICATION DEV-S/D-ZO-LDO 15-60.00 - Request for Development Agreement per 104-33 of the LDC, Preliminary Conceptual Review followed by Final Design Review per Section 104-24.4 of the LDC, Parkland Dedication per Section 104-26 and the Rezoning (from Form Based-Medium FX-M to Form Based-High FX-H) of the property located at 375 Patricia Avenue for the purpose of building 280 apartment units, 56 townhome units or 168-bed ALF, 7,200 SF of retail, and 44,649 SF of office.

Owner/Applicant/ Representative: Wells Fargo Bank, National Association / Richard L. Trzcinski (Primerica Developments, Inc.) / Richard C. Kelley (WRA, LLC)

CITIZEN INPUT

Sabrina Smith of 1931 Saddle Hill Road North provided and referenced a letter she received from City Arborist Craig Wilson after applying for a permit to have a dead pine tree removed from the house she rents that is right next door to where she lives.

She had a concern about the struggle to get a permit to remove a palm tree from her property. He neighbors told her she should have done it without the City’s permission as many of them have. She felt the citizens should have more education on this policy if it is going to be enforced.

When she received the letter which indicated a $1,000 fine and not everyone can just go out and spend $1,000 on trees. She also believes residents have a right to greenspace on their own property; she felt the City should reevaluate these codes.

Mayor Bujalski advised Ms. Smith since receiving her email, people have been talking about the issue and the code is being reviewed. She noted there are some grandfathering clauses in a
different part of the code that would have applied to Ms. Smith’s situation had they been connected, but the Arborist did not know it was there and offered an apology for that. She explained that City staff will be reviewing this issue in depth.

City Manager DiSpirito apologized for the trouble Ms. Smith went through and thanked her for bringing attention to the language.

Diana Carsey of 518 Virginia Street spoke regarding the Causeway Bridge Replacement Project:

This spring each of the Commissioners had the opportunity to look at a proposal from SDG Architects represented by Rod Coleman. Everyone looked at it and thought it was worthy of analysis and the Commission directed for it to go to the Ad Hoc Committee with the concept which was done in April; following that meeting the Chair of the committee requested the County’s consultant include this project in their analysis of all the proposals.

In July, the City received a status report from the County’s consultant in which numerous proposals were summarized. This proposal was noted by the consultants to have several considerable obstacles related to environmental impacts, but there was no business analysis. It was only providing a professional opinion that aspects of this proposal probably would not be approved by the Federal Government.

She respectfully requested that at the end of this phase of study, related to the Causeway Bridge, the Commission require a thorough cost/benefit analysis regarding time and money related to this particular proposal along with the others; there will be three or four and this should be one of them. In this way the Commission will have the data in hand before making their recommendation to the County for their preferred alternative.

Mayor Bujalski in response advised:

Staff met this week in regard to this subject and there is an analysis on the proposal referred to by Ms. Carsey; however, Ms. Carsey feels that it could be more extensive.

There has not been a more extensive analysis on the other alternatives either.

The major concern is it is not known whether a federal grant could be received because of the environmental impacts of this particular bridge and that is the concern of the County consultant and engineers.

The concern County Commissioner Eggers has brought forward is that the County group working on this bridge made a presentation on the alternatives that has been seen by the County Commission without the knowledge of anyone in the City of Dunedin.

During that meeting there was discussion about the fact that the center alignment bridge was the preferred alternative. That would require a temporary bridge at a very high cost and there was at least one, if not more, County Commissioner who wanted to know if Dunedin was going to pay for that and of course as expected Commissioner Eggers stated absolutely not as this is a County project. Commissioner Eggers is concerned the more Dunedin pushes on certain issues the more that may come up, so there must be caution.

Mayor Bujalski advised in the meantime she has left a message for David Talhouk at the County and she will request that he try to include this proposal in his process, but her guess is the answer will be no because the analysis costs money. She stated the Commission may write a letter as a
group if they agree; however, County Commissioner Eggers is concerned regarding the City making a major public statement and would prefer using back channels.

Kelly Siegel of Empath Health advised of an event titled “The Working Caregiver”, to be held on November 7 at the Dunedin Public Library. She explained she is a Community Outreach Specialist for Empath Health and Suncoast Hospice. She invited the Commissioners to present at the welcome at the event as well as to attend the event.

PUBLIC HEARINGS - None.

CONSENT AGENDA

1. APPROVE THE MINUTES for the regular Commission meetings of October 1, 2015.

   MOTION: Motion was made by Vice-Mayor Gracy and seconded by Commissioner Kynes to approve the Consent Agenda, as presented.

   VOTE: Motion carried unanimously.

OLD BUSINESS

1. AQUA MARKETING & COMMUNICATIONS - Quarterly Update and Presentation

   Director of CRA/Housing and Economic Development Bob Ironsmith introduced Aqua members Megan Brewster and Kaley Volkmann who gave the quarterly update. He advised they had recently received the Flagler Award that it was also Kaley’s Birthday.

   Megan advised this is the fourth component of the quarterly updates and reviewed the PowerPoint presentation:

   Efforts since Last Presentation
   - Coverage Highlights
   - Additional Results: Great travel writers came to the City.
   - September 2015 - August 2016 PR Plan
   - Upcoming Efforts
   - Questions

   Month-by-Month

   JULY
   - Local / Regional: Unique Events (1 month in advance of events)
     - Purple Heart Day (August 6)
     - Event, Purple Heart City Recognition, NASLEMM, LVT
   - Long-lead pitch: Weddings (for December issues)
     - Top Destination/Beach Weddings
     - Honeymoon Island, Caladesi, Andrews Memorial Chapel

   AUGUST
   - Local / Regional: Business
     - Best Downtowns for Business, family-owned businesses
   - Long-lead pitch: Green Thinking (for January Issues)
     - Best Place to Visit for New Year’s Resolutions

   Travel more to be with family and friends
Spend more time outside to exercise

SEPTEMBER
Local / Regional: Culinary
• Eat Around the World
• Experience dining cuisines from all regions in downtown Dunedin

Long-lead pitch: Unique Events (for March issues)
• Top Small Festivals
• 50th Anniversary Highland Games (April 2)

Highlights & Results

Publication Date: 6/8/2015
Title: Dunedin, Florida: Historic Coastal Getaway with a Scottish Twist Outlet: Preservation Nation Blog Unique Visitors Per Month: 992,862

Publication Date: Summer 2015 Issues
Title: Dunedin aka DOGedin Outlet: Fido Friendly Magazine Unique Visitors Per Month: 85,164
If Fido Friendly Magazine handed out best Fido Friendly City awards Dunedin would get my vote, but we don’t.

Publication Date: 08/27/15
Title: Nothing is off the table at Dunedin Fine Art Center’s Wearable Art Show Outlet: Tampa Bay Times
Unique Visitors Per Month: 3,589,232
Tampa Bay Times
WINNER OF 10 PULITZER PRIZES

Recap of Results
City of Dunedin Secured Coverage June - August 2015
SUMMARY:
No. of Aqua Placements: 8
Total Media Value: $8,326.53
Total Impressions: 6,629,973*

Results to Date
City of Dunedin Secured Coverage July 2014 - August 2015
SUMMARY:
No. of Aqua Placements: 37
Total Media Value: $68,029
Total Impressions: 33,699,133*

Ms. Volkmann continued with the PowerPoint presentation.

Additional Results
HuffPost Voces and Nexos
Focus: Summer Travel Destinations on Florida’s Gulf Coast
• Spanish Version of Huffington Post and Nexos
• Nexos: Bi-monthly in-flight publication
Regular Meeting Minutes
October 15, 2015

• Nexos Impressions: 11.7 million
• Press Trip took place September 25 - 27

Simon and Baker Travel Review
Focus: Luxury Travel and Accommodations
• Designed to provide traveler’s perspective of accommodations, locations and interests
• Written for experience, savvy travelers
• Global news website with weekly postings
• Press trip took place October 2 - 4

Several positive articles were written and one is already on the City’s Facebook page.

Public Relations Plans

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<td>Couple Travel</td>
<td>Spring Training</td>
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Upcoming Efforts
Month-by-Month

OCTOBER
Local / Regional: Unique Events
• Arts & Crafts Festival, Wines the Blues, Celtic Festival

Long-lead pitch: Lifestyle (for April issues)
• Work / Life Balance

NOVEMBER
Local / Regional: Healthy Living- Lifestyle
• History of Taoist Tai Chi Society
  Will reschedule and instead pitch December holiday events.

Long-lead pitch: Lifestyle - Family Travel- Green Thinking
(for May issues)
• No Car Vacation
• Jolley Trolley, Ferry
• Bikes, Canoes, Walking

Mr. Ironsmith advised Dave Di Maggio from Aqua was also in attendance.

COMMENTS
Mayor Bujalski reiterated about Aqua receiving the Best of the Best Flagler Award for their vision, perseverance and imagination in marketing and offered congratulations.

Commissioner Kynes commented she liked the process and the topics chosen for focus each month and how it meshes with Dunedin’s spirit.

Mr. Ironsmith commented on the momentum and that Aqua is hitting their stride and it is evidence of the competition of cities today in terms of economic development and tourism.

Commissioner Tornga noted the City gives Aqua a lot to work with in terms of all the events.

Mayor Bujalski suggested some local/regional pitches for the upcoming Spring Training given the fact the Blue Jays are doing so well right now.

Commissioner Kynes suggested the Artisan Incubator would be a good topic also. Mr. Ironsmith advised Aqua is being provided the information on that topic and they will be getting back to staff on that.

2. DOUGLAS AVENUE ARTISAN INCUBATOR LEASE AGREEMENT APPROVAL
City Manager DiSpirito provided the information on the Artisan Incubator concept and lease agreement.

At the July 30, 2015 meeting he presented, on behalf of staff, a proposal having to do with an Artisan Incubator project on a specific piece of property at 958 Douglas Avenue owned by Mr. Randy Davis and his family for the purpose of promoting the long stated goal of the City Commission to begin to establish an Arts District in the vicinity of Douglas Avenue.

There has been a wonderful nucleus on that site for the last six years or so with the Creative Arts Institute with Bill Coleman and his associates operating a fantastic operation. Also, Mr. Coleman oversees the management of some smaller artisan spaces in the same structure at that address.

He wanted to bring together the desire of the Commission for arts on the street with the opportunity to lease additional space at the site with the hope to preserve the ongoing operation of the Creative Arts Institute and the other artists there; also provide an entrepreneurial opportunity that would provide jobs. The City would help facilitate the costs; underwriting some of that expense much like traditional industrial incubators where
some of the overhead and facility cost is addressed in the incubator concept and try to bring in more players so more resources are involved overall in order to spread the cost more broadly among the various participants and that the cost is more affordable.

He reached out to the Dunedin Fine Art Center representatives and proposed there be some space here, since he was aware of their desire to expand and ultimately relocate their stone carving and woodturning operations. There is a portion of the structure at the Douglas Avenue address that seems to fit the bill.

Also, coincidentally, the neighbor to the south sold that property to a local developer and the City had been leasing that space for public parking and a downtown maintenance operation, so this was another opportunity to bring that operation there as well. The CRA has traditionally funded this operation for the Downtown, so that allows for accessing some CRA funds.

The expense to the City for leasing this overall site would come from the General Fund; however, that will be offset to a certain extent by the rents that would be paid to the City. The Dunedin Fine Art Center and the Creative Arts Institute would help defray any direct expenses the City would have in providing this overhead.

With the permission of the Commission, he entered into discussions with the property owner for a multiyear lease and here he is proposing a five-year lease with an option for additional years following with a schedule attached that indicates the amount of square footage, which buildings, which other property on the site and the dollar amounts assigned with some escalating negotiated costs for the years 2 through 5.

He spent a lot of time this summer working with Mr. Davis and the spirit in which he worked with the City is appreciated and Mr. Davis understands the larger goal the City is attempting to accomplish.

At this time, Mr. Coleman has approximately six smaller spaces which under this proposal he would continue to manage.

He will come back to the Commission with a couple of subleases in addition to the lease directly with the property owner Mr. Davis. The City will need some subleases with its own tenant and it will cover some things including insurance and the rent schedule, utilities and various items to be addressed on larger scale in this agreement. What they wanted was to get this basic agreement in place first and request consideration of the Commission to enter into this agreement with Mr. Davis, even though today is October 15th, the proposal is to be retroactive to October 1st, the beginning of the fiscal year that works out well with the funds that had been approved by the Commission for FY2016 and it also provides an opportunity for a fresh start.

City Manager DiSpirito recognized Bill Coleman for establishing the anchor operation in the building and helping to bring the City's thoughts towards art on the street. He also noted representatives of the Dunedin Fine Art Center were present, Ken Hannon and Christine Renc-Carter. He noted Mr. Davis was invited to attend and he expressed appreciation; however, felt it was not necessary for him to be here; he and his attorney have reviewed this agreement, which was drafted by City Attorney Trask and they are comfortable with it. He also acknowledged the involvement of Interim Finance Director Jeff Streder, CRA/Housing and Economic Development Director Bob Ironsmith, Parks and Recreation Director Vince Gizzi.
Parks Maintenance Supervisor Brian Bechtle and his staff in this team approach and the Arts and Culture Committee that provided a letter strongly endorsing this project. Also, Deputy City Manager Doug Hutchens was very helpful as well as Public Works & Utilities Director/City Engineer Jorge Quintas and his staff.

Bill Coleman thanked everyone for their hard work on this project. He commented this will be a wonderful experience for the arts all round.

Ken Hannon commented on a great project with the arts bringing people together as a basis of economic development and adding to the vibrancy of the community. He stated the DFAC is thrilled to be a part of the project, allowing them to expand some programs which have needed the space to grow and look forward to growing them on a national scope.

City Manager DiSpirito discussed some details of leases and incorporating some other structures that will be brought to the Commission in the future.

Diane Carsey on behalf of the Arts & Culture Committee advised the committee was very pleased when they heard about this concept. She noted the committee conveyed to City staff the importance of considering long term planning and having a professional art skills person employed by the City who would assist through these types of projects.

Commissioner Kynes, as liaison to the Arts and Culture Committee, commented industrial arts is another realm of vibrancy and calling somewhat to the millennial and has been seen around the country. She acknowledged there have been many people working on this concept and it has been a long time coming and will be an integral part of that kind of vibrant and eclectic arts district envisioned years ago now becoming a reality. She commented regarding the varied components of the area which have evolved.

Vice-Mayor Gracy stated her support for the project.

Commissioner Livingston commented on his support and wonderful collaboration that went into this project. He requested City Manager DiSpirito review some points in the agreement in terms of the City's investment in this opportunity.

City Manager DiSpirito advised all of the details are contained in the staffing and the public can obtain a copy or find it on the website and noted:

The City will pay the landlord a year one (Fiscal Year 2016) rent of $76,891 for the 12,996 square feet. This expense will be defrayed in part with income from the City's tenants Creative Arts Institute ($30,240), Dunedin Fine Art Center (DFAC - $5,000) and an existing tenant who would like to finish his lease through the end of this year ($2,000) for a total of $37,240.

The source of funds for this $76,891 is $20,000 from the CRA (for the maintenance yard), and $56,891 from the General Fund. This $56,891 General Fund expense will be offset by the above-mentioned $37,240 in tenant revenue to the City. Thus, the total lease expense to the City's General Fund for FY2016 will be $19,651. The City budgeted an estimated amount of $37,500 for the General Fund portion of the rent. Thus, the balance of $17,849 can now be applied to various improvement and utility expenses to the building.

Mayor Bujalski stated since the Douglas Avenue Corridor Study was done, almost eight years ago, the City wanted an Artist District; however, could not seem to define that concept, but that was the area where it should be, given the existing elements. She noted the thinking of going
toward the home office type of ordinance to have a studio at your house in an attempt to cut costs for artists to work where they live which was done, but did not really take off. She stated her support of the proposal that fits in with the goal.

Mayor Bujalski commended City Manager DiSpirito for spearheading this entire concept and following through to accomplish this goal.

**MOTION:** Motion was made by Commissioner Tornga and seconded by Commissioner Kynes to approve the Douglas Avenue Artisan Incubator five-year lease agreement retroactive to October 1, 2015.

**VOTE:** Motion carried unanimously.

**NEW BUSINESS**

Mayor Bujalski adjusted the agenda format to hear New Business Item 4 first.

**4. ***STARRED ITEM*** REQUEST BY 203 N. MARION STREET, LLC/JOSEPH KOKOLAKIS TO ENTER INTO A DEVELOPMENT AGREEMENT FOR A PUBLIC/PRIVATE MUNICIPAL GARAGE AND MIXED-USE PROJECT AT 940 & 966 DOUGLAS AVENUE**

**MOTION:** Motion was made by Commissioner Livingston and seconded by Commissioner Kynes to place the item on the agenda.

**VOTE:** Motion carried unanimously.

Housing and Economic Development/CRA Director Bob Ironsmith advised:

This item is a request from the developer, Joe Kokolakis, to enter into a development agreement for the properties at 940 and 966 Douglas Avenue.

The proposal is for apartments as well as retail and work with the City relative to a parking garage.

This request is required by the City’s Land Development Code for the developer to request beginning discussions.

Staff will be coming back to the Commission with that development agreement for comments, input and deliberation.

Mr. Kokolakis was unable to attend the meeting.

**MOTION:** Motion was made by Commissioner Livingston and seconded by Commissioner Kynes to approve the request to enter into a Development Agreement.

Commissioner Tornga stated:

He strongly supports a parking management system and a parking plan for the Downtown area, which has not been noted exactly what that area is.

He supports certainly for implementation immediately of a parking plan that requires no more than taking care of the basic issues which are identifying, marking, communicating and having, for example, ambassadors communicating what it is the City hopes people will do and fine tuning that during a tough time.
There have been meetings over time, but recently over a year where there was a hope to have a number of things in effect by October 1st, which is known as the season and things begin here.

As previously stated he strongly supports a P3, Public/Private Partnership.

He can also support a relationship with Mr. Kokolakis and with his firm that has a quality reputation as a contracting firm.

He would certainly support a plan that has a strong vision in order to understand what happens now and what might be happening in the future and what this might all look like.

He supports the Commission having an open, inclusive further conversation on who is going to pay for this in order to have good input from folks and it is clearly understood who it is thought should be paying for the parking in this plan related to the parking management system.

He would like to have an open conversation about the other big subject which is the BP money, which he calls the special asset $3 million fund to understand what the Commission wants to do with that and let others provide their input.

MOTION: Motion was made by Commissioner Tornga to postpone this item until after a City Commission Meeting or Commission Workshop which would occur as soon as possible that would include a discussion on who should be paying for the parking, specifically who should pay for the parking spot they may be in and then a consensus on the proposed utilization of the special asset of the $3 million received referred to as the BP award.

Mayor Bujalski requested advice from City Attorney Trask who explained the motion to postpone would be the controlling motion, if it is seconded.

The motion died for the lack of a second.

MOTION: Motion was made by Commissioner Livingston and seconded by Commissioner Kynes to approve the request to enter into a Development Agreement.

VOTE: Motion carried 4 – 1, with Commissioner Tornga dissenting.

1. BIDS/CONTRACTS/AGREEMENTS
   a. DAY REPORTING PROGRAM INTERLOCAL AGREEMENT – Addendum 3

Planning and Development Director Rice advised the Day Reporting Contract is an Inter­Local Agreement between the Pinellas County Sheriff and the City of Dunedin that allows incarcerated prisoners from the Pinellas County Jail to be used as day laborers supervised by municipal government divisions like streets, solid waste, etc. This is a two year agreement that will expire on November 18, 2017. Staff recommends approval.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Livingston to approve the Day Reporting Program Interlocal Agreement – Addendum 3.

VOTE: Motion carried 4 – 0. Commissioner Kynes stepped away from the dais.

b. REMOTE TELEMETRY CHANGE ORDER TO BID #15-1043 Production Well Maintenance Project
Director of Public Works & Utilities / Engineer Quintas advised:

This change order is the result of negotiations related to an existing contract and currently under construction.

Staff worked with the successful contractor in order to advance some work which was identified in the Master Plan for new Telemetry hardware and software associated with well work currently underway.

This resulted in a savings with credit from the current bid and getting all of the City's wells completed rather than just 3 wells and advance some work planned for 2017 for implementation of Master Plan Telemetry and hardware installation at the waterfront.

Public Works & Utilities Assistant Director Stanek explained regarding the work plan for 2017, it was part of the Master Plan and budgeted in the CIP. The budget request will be reduced in 2017 in order to get this work done early and have everything on one system.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Kynes to approve change order in the amount of $296,590 to the existing construction contract with Southeast Drilling Services, Inc. (SEDS) of Tampa, FL.

VOTE: Motion carried unanimously.

2. DUNEDIN BOAT CLUB PRESENTATION - Presenters: Architect Jim Graham and Dunedin Boat Club Board Member & Building Committee Chair Randy Morgan

Deputy City Manager Hutchens introduced local architect Jim Graham who would give a PowerPoint presentation on near term and some long range visions of the Boat Club for their facilities, programming and activities.

Mr. Graham thanked the City Commission and City staff for all they have done for the Boat Club through the years. He acknowledged the Boat Club members present. He reviewed the PowerPoint presentation.

Dunedin Boat Club Building Committee Report - December 2014

In 1931 The Dunedin Boat Club was created.

Political and legal technicalities over the years have changed ownership of the land, building, and marina between the City of Dunedin and the Club, however, the partnership between City and Club to maintain and operate the waterfront facilities has remained strong and successful. The Club building has been in place since 1938; this November will be the 77th Anniversary of the Boat Club in this building.

Current Use and Users

The Dunedin Boat Club Building is routinely used by a diverse group of people and organizations. In addition to regular meetings of the Club, Club events and regattas, the Dunedin women's sailing group Windlasses, the Dunedin Youth Sailing Association, the Sea Scouts, and the Dunedin Chapter of the International Order of the Blue Gavel (Past Commodores Association) all hold meetings at the Club Building.

Ways the Dunedin Boat Club Benefits the Dunedin Community

15-449
The Dunedin Boat Club benefits the community in many ways including creating the Dunedin Youth Sailing Association, raising money through Dunedin Cup Regatta for DYSA, conducts fundraisers for the Sea Scouts, donated $1,500.00 to the Caladesi tower project, and volunteers the DBC clubhouse for the Windlasses and many other ways.

**Short Term Repairs, Changes, and Improvements**

In the process of assessing the options related to a catastrophic event, the committee discussed concerns for the current state of the building. The Club and club members spend considerable time and money maintaining and improving the building. During the last ten years, the club has spent approximately $35,000. Some completed projects in 2014 include painting the outside of the building, refinishing and staining the outside deck flooring and repairing the east doors.

While the overall condition of the building is good for a 75 year old structure, there are some items the committee recommends addressing.

**Items recommended to be addressed**

1. **Electrical Wiring.** Portions of the electrical wiring date back to before current three wire grounded outlets existed. Some of the wiring may be from the original construction in 1938. The committee recommends replacing wiring to meet current Electrical Code including grounded outlets and GFI outlets. Rough cost estimate: $2,500.

2. **ADA Compliance.** Currently there is no ADA compliant entrance or restroom facility in the building. The parking also does not meet ADA standards. Discussions in the past and recently with the City have shown willingness on the part of the City to modify the parking lot and remodel the west side entrance and men's restroom to ADA standards. This would result in an accessible ramp and entrance and a unisex ADA compliant restroom. Rough cost Estimate: $8,000 to $10,000.

3. **Storm Resistant Windows and Doors.** The beautiful location of the Boat Club building along the intracoastal waterway exposes the building to wind which could overwhelm existing windows and doors in a storm. Estimated costs to replace the windows and doors and associated hardware with hurricane resistant replacements are approximately $11,650.

4. **Fire Alarm System.** The current fire alarm minimally alerts nearby people to a fire inside. The wood structure of the building should be protected by a monitored modern fire detection system. The understanding is now the City is moving forward with a fire alarm system on the Boat Club building and the PRAM shed.

5. **Sound System Upgrade.** The current speaker system inside the building is old and only uses wired microphones. The speakers provide sound only inside. The Club has budgeted funds to install an upgraded amplifier and outdoor speakers for both porches and a wireless microphone.

6. **Automatic External Defibrillator (AED).** The Committee suggested the purchase of an AED and training. This would provide added safety for members and the general public.
Mr. Graham presented photographs, renderings and proposed plans of the building and pointed out the location of the proposed ADA access and bathroom facilities, the interior including the kitchen facilities with no stove as it did not meet fire code and other proposed improvements including two handicapped spaces where there is currently shell with a recommendation to add some asphalt area.

**Other Considerations**

The committee also noted two pending projects which could affect the current building and its use.

- In the near term, the project to complete the marina sea wall construction will include directional drilling under the building. While the intent of the project is to minimize the impact on the building, vibrations and ground movement present a risk to the structure. Efforts to protect the contents of the building during the construction will be necessary. The boat club may not be able to meet at this location during the construction process.

- In the longer term, plans to replace the current Dunedin Causeway Bridge have included discussion of building a boat ramp and sailing center on the causeway. While this idea could influence future use and requirements for a replacement building. The details and schedule are too far off to include in this plan. At an appropriate time in the future, this plan should be updated.

**Catastrophic Damage Plan**

The original charge to the committee was to develop a plan to rebuild the Clubhouse were the building to be destroyed. It was also a recommendation of the Waterfront Taskforce Report from 2013 that "A plan be in place in case of a catastrophic event were to happen in the marina and surrounding areas". The committee determined several things in pursuit of this goal:

1. The location and building itself are special to the membership of the Dunedin Boat Club.
2. The membership would not want to relocate the Clubhouse to a different location.
3. A replacement building should retain the character of the current Club.
4. Short term meeting facilities could be utilized while a replacement building is under construction.
5. A true ready-to-build plan would not be cost-effective and would need to reflect the changing nature of building codes, materials, requirements, etc.

The committee believes the membership would want to rebuild facilities in the same general location in the Dunedin Marina. The ability to access the marina, the waterfront, and the Downtown Dunedin area, coupled with the view and beauty of the area are key features of the club.

Members of the committee discussed holding meetings at the Dunedin VFW on a temporary basis. It might be beneficial to have the arrangement formalized.
The committee discussed options for rebuilding and how plans could be created. The committee determined that true, ready-to-build plans would need to be revised regularly to be truly "ready" and would represent a significant expense. With that understanding in mind, the concept drawings represent a starting point for that process.

Proposed Building

The recommendation of the committee is to plan to rebuild the club facilities at the north end of the peninsula.

This building would be two or three stories tall, have storage space on the ground level, contain meeting space and kitchen facilities and be handicapped accessible including ramps and/or elevator. It would comply with coastal construction rules and current City and other building code requirements. The site plan would improve parking and traffic flow and improve the visual effect of the building and site. The design would combine historic architectural themes with modern construction techniques to provide a storm resistant facility in an attractive building. The plan can be amended to address the concerns of the Fire Department for a turnaround for emergency vehicles.

The proposed building would be approximately 2,000 square feet; the current Boat Club is 1,200 square feet.

Commission Comments

Mayor Bujalski noted the drawing shows a new kitchen with a stove and hood; however, any items recommended to be addressed are not listed.

Mr. Graham explained it was not an oversight it was discussed, but the list was for absolute needs versus wants. They would really want a kitchen with a stove that is functional and bigger than 8X8. He stated all the projects together would be approximately $40,000 to $50,000 with the Boat Club doing some of the work. He has offered to donate his design time and the Boat Club has a committee that paints and so forth. He would recommend against the members doing the heavy lifting work.

Mayor Bujalski recalled two to three years ago the City was ready to do approximately $25,000 worth of work that was actually just the bathrooms and the kitchen.

City Manager DiSpirito noted also the ADA ramp was explored, exit signs and possibly upgraded electrical.

Mr. Graham advised the Boat Club put in exit signs that met code and then the fire department put in lighted exit signs.

Mayor Bujalski stated she would like to see the work done all at once for cost efficiency. She suggested getting it into the next budget and if the Commission would be agreeable to that then use this year finalizing the design and deciding the best time for each of the elements. She noted there are some significant events that happen at the Boat Club and limited downtime.

Deputy City Manager Hutchens advised:

Staff is already working with a fire alarm control company and probably as early as next week that will be worked on so that in case of emergency the alarm with be triggered as other City buildings are for quick response.
In terms of expediting the two handicap parking spaces, that can be done as part of the west wall improvements and that is in the current fiscal year and the contract has been awarded and probably will begin in the next two to three weeks with some down time in the contract because of the December events. To clarify that project is funded by the Marina Enterprise Fund; therefore, if there is comfort using those funds for the handicap spaces at the Boat Club staff can accommodate that; it would be more than $2,000.

Commissioner Tornga stated staff could look at what is feasible right now out of the existing budget. He noted the City owns the building and it is designated a historical building/landmark. He commented on the many activities that go on in the area. He suggested if there is an electrical problem perhaps staff can determine if that can be taken out of the existing budget; however, the stove might be another issue.

Mr. Graham in response to the question from Vice-Mayor Gracy stated the sound system could come off the list of immediate needs.

Vice-Mayor Gracy asked if the ADA compliance was previously reviewed.

Mr. Hutchens stated he cannot speak to why that did not proceed; however, there were meetings on site and the City looked at items that were urgent and needed to be addressed; restrooms, the ramp was at that time tied to a renovation/expansion of the kitchen which as the drawings indicate compromised the restrooms and required some rework. That was an early discussion from a couple of years ago which did not get traction. He suggested the opportunity exists now to get this and possibly take a step back and come up with a plan and approach to address this and as mentioned look at doing the majority of this work next year in partnership with the Boat Club, cost/labor sharing and so forth.

Mr. Hutchens noted:

For example, on the wiring issue, it makes sense not to do all of the wiring now and then go back and rework the bathrooms and kitchen.

The fire alarm system at approximately $5,700 is well underway.

The proper time to do doors and windows would be with the remodeling.

Staff would like to do the paving for the two handicap parking spaces, it will not be any less expensive or convenient as a patchwork project in two years and that would be Marina dollars, but if there is another funding source that would be okay.

The defibrillators which are in several City buildings; however, those not City occupied like the Dunedin Fine Art Center, the Historical Museum and the Boat Club do not have them and there is a cost associated for installation and training.

Staff would like to bring these issues back at the budget workshops, the City would take care of the small amount of paving and the fire alarm system for safety and then during the budget workshops next summer, between now and then, work with the Boat Club and have a plan and budget to present to the Commission for consideration and determination for funding.

Mr. Graham stated it would be helpful for the City to send inspectors to evaluate the electrical issues.
Mayor Bujalski advised she approached City Attorney Trask in regard to Penny-for-Pinellas funds and he advised the remodeling portion could qualify.

Commissioner Livingston verified with Mr. Graham the footprint of the building would not change with the remodel and stated it would make sense to add on to an existing contract now for the two handicap parking spaces. He noted another funding source in consideration of being a historical landmark would be grant opportunities.

It was clarified that probably National Historical and/or State Historical grants could not be sought for the building as the designation is by the City only.

Commissioner Kynes expressed appreciation for everything the Boat Club members have done for this City landmark and she knows the City and the Boat Club will continue to work together in a reasonable way to address the concerns and in particular the safety concerns and ADA. She recalled there was a State grant for defibrillators that Representative Tom Anderson worked on and that could be explored.

Commissioner Tornaga noted the defibrillators in other public areas have the instructions inside for use.

Mr. Graham recommended if the defibrillators come to fruition there be annual training set up for the Boat Club membership.

Vice-Mayor Gracy expressed her thanks to everyone in the Boat Club.

Mayor Bujalski reviewed the consensus that staff will determine what can be done this year and will work with the Boat Club to make a plan for the balance of the needs including the kitchen for the next year’s budget to be discussed during the budget workshops.

Mr. Graham advised governmental agencies can only require you to spend up to 20% of your total construction costs on a renovation for ADA upgrades.

BREAK AT 8:38 P.M. TO 8:48 P.M.

3. CITY ATTORNEY EVALUATION

Human Resources Director Smalling advised the anniversary for City Attorney Trask with the City is October 1st and the Commission was sent evaluation forms and it was suggested they spend some time with the City Attorney to discuss his performance over the past year. The forms were completed and returned to HR, compiled into one document provided to the Commission to use as a supplement in the discussion and evaluation.

Commissioner Kynes stated she gave City Attorney Trask very high marks. She believes him to be courteous, professional and knows he has 25 years of experience in government law, a real specialty. She noted also property rights are probably the most important financial asset of anyone and when people derogate other peoples’ rights by their actions then they can expect legal action and there are many steps with liens from Code Enforcement and City Attorney Trask does a very good job.

Commissioner Tornaga stated his conversation with City Attorney Trask was short and in his experience with attorneys finds him to be very easy to work with. He appreciates the professionalism and quality.
Commissioner Livingston stated the comments have been excellent and he too had a nice conversation with City Attorney Trask. He thinks it comes down to trusting what counsel is telling and the willingness to act on those recommendations which this Commission does with the knowledge it is on solid legal ground. He noted also being laymen, City Attorney Trask is able to give explanations the Commission can understand and take action. He stated the only items he pointed out were to evaluate the scope of the volunteer committees and possibly to have some availability at City Hall during the week.

Vice-Mayor Gracy stated she would echo all the comments of her peers on City Attorney Trask’s. She counts on the expertise of those from his office as much as she does his. She commented he is always available and approachable and she finds his opinions very practical.

Mayor Bujalski echoed the comments from everyone as well. She commented it has been an interesting year with new people who had to learn a lot about what can and cannot be done, the Sunshine Law and so forth. From what she has seen City Attorney Trask appears to have spent good quality time in advising everyone on the new procedures. He is very direct and only gives his personal opinion if asked to do so, which she appreciates.

Mayor Bujalski reviewed the goals at the end of the evaluation to be sure there was consensus by the Commission on those goals:

- Office hours at City Hall for Department Heads on some regular basis
- Utilization of relationships and network with the County Attorneys and State contacts in consideration of the many issues the City is involved in now including the Blue Jays and the Causeway Bridge.
- City Attorney Trask is already staying on top of the Legislative concerns and reporting to the various departments and is asked to copy the Commissioners.
- Provide the Code Enforcement memos earlier when possible, which was done this week.
- Ethics and Sunshine Law education to include a regular schedule
  
  City Attorney Trask noted the most recent request for education was in dealing with Public Records requests and he has given presentations for quasi-judicial boards and information to the Local Planning Agency and the Dunedin Code Enforcement Board.
  
  Commissioner Kynes noted the Public Records requests class was recorded on video and that works well and it is important training and quasi-judicial can be difficult at times.

The issue regarding the citizen committees has been worked on by City Clerk Kirkpatrick and will be presented soon.

City Manager DiSpirito publicly thanked City Attorney Trask and his staff for all their hard work. He also feels staff and he can always rely on his good judgment and professional expertise.

City Attorney Trask expressed appreciation for the Commissioners’ time, thoughts and suggestions in the individual meetings during the evaluation process that were helpful to him. He stated the things discussed were more than what was written on the evaluation forms and he appreciates having those discussions which he took note of. He stated he appreciates the opportunity to be the City Attorney and is very proud of that and has worked toward that goal since 1988, so it was an exciting day when he was chosen. He thanked each of the
Commissioners, City Manager DiSpirito, City Clerk Kirkpatrick, all the Department Heads and professional staff. He noted his firm represents eleven municipalities and he has been in most of them quite often and here they are very professional, smart, good people working for the City and that makes his job easier.

Ms. Smalling advised the City Attorney’s contract was renewed last year for another 2-year period.

5. BOARDS AND COMMITTEES
   a. BOARD OF FINANCE
      MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Kynes to reappoint members Mark McClintock, David Loeffert and Lowell Suplicki for another three year term expiring October 2018.
      VOTE: Motion carried unanimously.
   b. DUNEDIN FIREFIGHTERS PENSION TRUST FUND
      MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Kynes to appoint applicant Linda Summers to finish a two year term that expires November 2015 and reappoint Ms. Summers to another two year term expiring November 2017.
      VOTE: Motion carried unanimously.
   c. COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE
      MOTION: Motion was made by Commissioner Kynes and seconded by Commissioner Livingston to appoint applicant Thomas “Jim” Graham to finish a three year term that expires March 31, 2017 and appoint Hans Hess as Board Member of the Downtown Dunedin Merchants Association ex officio member.
      VOTE: Motion carried unanimously.
   d. LIBRARY ADVISORY COMMITTEE
      MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Kynes to appoint alternate member Margaret DeLargy to regular membership to finish a three year term that expires March 2016 and appoint applicant Lucinda E. Miner as an alternate member to finish a three year term that expires March 2017.
      VOTE: Motion carried unanimously.
   e. YOUTH ADVISORY COMMITTEE
      MOTION: Motion was made by Commissioner Kynes and seconded by Commissioner Tornga to reappoint regular members Daniel Ace Rose, Daniel Salazar and Desmond Blair for another three year term that expires November 2018. Appoint alternate member Cora Paolillo to regular membership to finish a three year term that expires November 2017 and
appoint applicant Jordan Judd as an alternate member to finish a three
year term that expires November 2017.

VOTE: Motion carried unanimously.

6. CITY CLERK’S UPDATE

City Clerk Kirkpatrick advised she will work with City Attorney Trask on the Boards and
Committee procedures to place it on an agenda.

7. CITY MANAGER’S UPDATE

City Manager DiSpirito’s written Manager’s Update is part of the official file, available at City
Hall and on the City’s website.

City Manager DiSpirito, in addition to his written report, advised:

An email was sent to the Commission to determine if there was an interest in canceling the
November 19, 2015 City Commission meeting or continuing to have it.

Cancelling the meeting would require a Special Meeting with respect to one item of
business regarding Year End Budget Adjustment necessary to close the books on the last fiscal year.

The memo provided the options:

Keep the originally scheduled November 19, 2015 meeting and conduct business with
three Commissioners. It is his understanding two Commissioners will not be able to be present at that meeting.

Reschedule the November 19, 2015 meeting for another meeting to proceed with City
business.

Cancel the November 19, 2015 City Commission Meeting and schedule a Special
Meeting, day or night to address the Year End Budget Adjustment.

A memo from Interim Finance Director Streder advised the Year End Budget Adjustment, necessary to close the books on the last fiscal year, must fall within a certain time period of November 16, 2015 at the earliest and November 27, 2015 the latest. The earliest the amendment could be ready would be November 16, 2015 and the latest day due to the Thanksgiving Holiday would be November 24, 2015.

City Manager DiSpirito explained continuing with the November 19, 2015 regular meeting
would include the Budget adjustment and the Presentations, Citizen Input and other standard
items. He noted a Public Hearing that would have been on the agenda has already been
postponed and there are no other significant items.

Commissioner Tornga inquired if the two Commissioners who could not be present on the 19th
could still give input on the agenda items. City Attorney Trask advised that could only be done
by email - one direction or correspondence – one direction or a memo – one direction, but the
two Commissioners not present may not vote, but the Commissioners present could read their
comments, but not reply to them as that would be a violation of the Sunshine Law.
CONSENSUS: The Commission directed staff to cancel the Regular City Commission Meeting of November 19, 2015 and schedule a Special City Commission Meeting on Monday, November 23, 2015 at 10:00 a.m.

City Manager DiSpirito made the following announcements:

Halloween Happenings, sponsored by the Parks & Recreation Department, is on Saturday, October 24, 2015.

Downtown Trick or Treat, sponsored by the Merchants Association and the Parks & Recreation Department is on Friday, October 30, 2015. The street will be closed and there will be a parade, a safe environment for children to come; and Trunk & Treat will be at the United Methodist Church.

8. LEGAL UPDATE

City Attorney Trask advised on:

1502 Cottonwood Terrace, Dunedin, FL. City Attorney Trask advised he provided a memo. The purpose of the memo is to request authorization to accept a settlement offer of $10,000.00 for two Code Enforcement liens against the property located at 1502 Cottonwood Terrace, Dunedin, Florida.

In December 2013, the Code Enforcement Board heard testimony and received evidence for numerous code violations against the property that was then-owned by Lawrence and Renee Rose for overgrowth of weeds, offensive accumulation, maintenance of vegetation, roofs and drainage, protective treatment, fence maintenance and failure to obtain a building permit. The Board ordered compliance by January 19, 2014 or the property owners would suffer a fine of $150.00 per day. The property was not brought into compliance until July 6, 2015 and therefore a fine of $81,075.14 through October 13, 2015 was incurred. While the Code Enforcement action was pending the mortgage company was foreclosing its mortgage on the same property. In fact the mortgage foreclosure case was filed on December 3, 2012. The Notice of Lis Pendens was also recorded on the same day. The City's Code Enforcement Lien was recorded after the Notice of Lis Pendens and pursuant to Florida Statute any liens recorded after the Notice of Lis Pendens is issued are deemed ineffective. Therefore, the bank could rely upon its Final Judgment and the State statute for marketable title issues; however, the title insurance policy issued on the property would include an exception for the Code Enforcement lien. Most banks don't want that to be an issue should the property subsequently be sold. The property owner's only other option would be to bring a quiet title action against the City to have a judge enter a court order stating the Code Enforcement lien was ineffective as it relates to the subject property. It is his belief that the court costs and attorney's fees for bringing a quiet title action would range somewhere between $3,500.00 and $5,000.00 and take approximately 6-9 months to be completed.

After the foreclosure sale the current owner, LSF8 Master Participation Trust, purchased the property. The City then initiated code enforcement proceedings against the new property owner for failure to obtain a building permit and other fence issues. The Code Enforcement Board found the property in violation and ordered the property to come into compliance by June 22, 2015. The property did not come into compliance until July 23,
2015. The daily fine of $200.00 accrued during that timeframe. The total due under the second Code Enforcement lien is $6,286.16.

Recently, he has received an offer of settlement in the amount of $10,000.00 for both Code Enforcement liens. The City would treat the first $6,286.16 as complete satisfaction of the second Code Enforcement lien and $3,713.84 for the Code Enforcement lien that was wiped out during the foreclosure process.

It is his recommendation that the City accept the $10,000.00 offer of settlement for a Partial Release of the Code Enforcement lien issued in February 2014 and a complete Release of the Code Enforcement lien issued in July 2015.

In response to the question from Mayor Bujalski regarding the partial release of lien, City Attorney Trask explained this enables him to reserve the opportunity to go after the prior property owners for the remaining balance who may have other properties and the lien will stay valid for twenty years and if they attempt to purchase other property the City might be able to collect some of that.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Livingston to authorize City Attorney Trask to accept the $10,000.00 offer of settlement for a Partial Release of the Code Enforcement lien issued in February 2014 and a complete Release of the Code Enforcement lien issued in July 2015.

VOTE: Motion carried unanimously.

47 Arnoni Drive, Dunedin, FL City Attorney Trask advised he provided everyone with a memo. The purpose of the memo is to request authorization to reject a $4,500.00 offer to pay off a Code Enforcement lien against Federal Home Loan Mortgage Corporation a very big financial institution which could have resolved these Code Enforcement Issues. The bottom line is they failed to bring the property into compliance as noted.

On February 10, 2015, the Code Enforcement Board heard testimony and received evidence of numerous code violations against the property owned by Federal Home Loan Mortgage Corporation located at 47 Arnoni Drive, Dunedin, Florida. The violations consisted of overgrowth of weeds, swimming pool maintenance, maintenance of structures, maintenance of vegetation, roofs and drainage and interior surfaces. The Code Enforcement Board ordered the property owner to bring the property into compliance by March 15, 2015 or suffer a fine of $250.00 per day. The property was not brought into compliance until May 5, 2015. A total of 51 days passed and therefore the total amount of the fine was $12,750.00. In addition to that dollar amount is $38.50 for recording and interest through October 13, 2015 of $267.14. The total due is $13,055.64. The property owner petitioned the Code Enforcement Board for a fine reduction; however, the Code Enforcement Board denied that request on July 7, 2015. Over the past several weeks, City Attorney Trask has been discussing settlement possibilities with Larry Winslow, Jr. of RAS Title, LLC. Recently, he received a settlement offer of $4,500.00 in full settlement of the $13,000.00 Code Enforcement lien. City Attorney Trask advised he has read the materials provided to him by the property owner. None of the information shows a hardship or any legitimate reason as to why the property was not brought into compliance timely.
Since the property owner's previous request for fine reduction was denied by the Code Enforcement Board and has failed to show a hardship or other legitimate reasons why the property was not brought into compliance it is his recommendation to reject the $4,500.00 settlement offer. It is his belief that he will be able to collect the entire fine amount plus recording costs and interest.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Kynes to authorize City Attorney Trask to reject the $4,500.00 settlement offer.

VOTE: Motion carried unanimously.

9. COMMISSION DISCUSSION

Aid to Organizations Subcommittee. Vice-Mayor Gracy advised the Aid to Organizations Subcommittee will meet on October 26, 2015 and requested placing discussion of three organizations on the November 5, 2015 City Commission Agenda.

Mayor Bujalski commented regarding receiving several sponsorship opportunities and over the past month a number have been received which she has not heard about. She stated she does not know what the process should be; however, would presume the Aid to Organizations would process those requests as well. She requested the subcommittee discuss a process and bring that back to the Commission.

BP Oil Money. Commissioner Livingston suggested further discussion regarding the BP Oil money as brought up by Commissioner Tornga. He noted the only project any of those funds has been committed to is the Public/Private Partnership with Mr. Kokolakis; however, staff has not come back with an amount as yet.

City Manager DiSpirito noted the direction to staff so far is to bring back a proposed development agreement for the project with Mr. Kokolakis. He noted whatever the balance that will be a policy decision and staff will have some thoughts to share with the Commission on options. He explained the options are to have a general discussion about that balance or since it is in the General Fund, as opportunities arise, the Commission can have discussion as to whether those opportunities should involve potential use of some of the BP money.

Mayor Bujalski suggested having the discussion after the numbers are presented for the project with Mr. Kokolakis.

Commissioner Tornga commented it is a policy decision and a discussion would provide City staff direction as to how to expend the funds after allowing input from everyone and it should be done as soon as possible. He clarified he is referring to the $2.92 million as a concept of the entire funding.

City Attorney Trask referred to an email in which he explained if this issue came up there would need to be a motion for reconsideration of the Commission's prior action regarding the $1.8 million. At this time what is left open is the $1 million to have the discussion on, so that motion would have to be made and seconded and carried to change the prior action of the Commission.

Commissioner Livingston noted the Commission by consensus has committed a certain dollar value be placed toward the Public/Private Partnership, yet to be determined and staff was directed to come back with recommendations and possible alternative forms of financing. He
suggested possibly a discussion would result in not doing the buy down and that would take away a certain portion of the original proposal. He suggested having a high level policy discussion; it really could not be specific without the staff recommendations on dollar amounts.

City Attorney Trask stated his recollection of the meeting is there was approximately $1.8 million committed.

City Manager DiSpirito stated that was correct in that it was a tentative estimate. He did not recall if the "up to" language was indicated.

Mayor Bujalski recalled the action was to spend the amount estimated by staff based on the vote was to spend whatever the exact amount staff presented $1.8 Million of BP funds towards this partnership and move forward with the P3 and pursue a revenue stream. She explained her understanding, confirmed by City Attorney Trask's e-mail, was that the Commission can talk about the balance of the $1 million which has not been publicly discussed or a motion to reconsider that vote.

Commissioner Torga asked what happens if the City Manager does not need the $1.8 million; his recollection was there was openness about it.

Vice-Mayor Gracy referred to the staffing from September 17th that stated approximately $1.9 million.

City Manager DiSpirito commented approximately $1 million plus of that was for the proposed project with Mr. Kokolakis and a certain portion of that was anticipating a couple of leases at two locations currently being negotiated and those are completely separate and would be brought back to the Commission for consideration. Again those were estimates.

Mayor Bujalski inquired if there was a motion to reconsider the previous motion.

Commissioner Kynes inquired as a point of order if such a motion had to be made by prevailing party.

City Attorney Trask explained the Commission has adopted a rule of procedure different from the normal Robert's Rules in which motion of reconsideration would have to be made at the same meeting or the meeting immediately following and it would have to be made by a person who was on the prevailing side of the main motion. He explained the Commission's rules of procedure makes a specific notation in them that the rules of procedure regarding petitions or motions for reconsideration do not control, so when it was drafted by Former City Attorney Hubbard and adopted years ago, there must have been a lengthy discussion; it is very odd, but the rules of procedure say, Robert's Rules do not apply when it comes to motions for reconsideration. He noted in the email he set forth the rules.

Mayor Bujalski stated the Commission can certainly talk about the $1 million; however, anything else would require for the entire vote which included three components to be reconsidered.

There was no motion for reconsideration.

Mayor Bujalski recalled it was not consensus direction; however, two Commissioners said they would like to use more of the BP money for parking and she said an additional portion could be put in a seed fund. So it was not a directed consensus, but there were three people basically saying the same thing, but it was not part of the motion.
City Manager DiSpirito acknowledged staff would need time to work on the numbers for the P3 project as well as the other two negotiations, so there will not be a hard number immediately. Mayor Bujalski noted staff could come back when there is a better idea of the numbers.

Vice-Mayor Gracy suggested once that number is known the CIP and the planning document worked on in February/March could be discussed by the Commission.

Causeway Bridge. Commissioner Tornga requested consideration regarding the Causeway Bridge project of getting an “envelope number” of what the cost might be and what value it would bring to the City.

Mayor Bujalski advised there has been discussion on that issue this past week and there might not be the business analysis Ms. Carsey was looking for; however, can get an estimated number.

City Manager DiSpirito clarified with Commissioner Tornga his request was for the additional option addressed by Ms. Carsey. He advised he consulted City Engineer Quintas and his estimate was approximately $250,000 and about a year and Commissioner Tornga clarified he was talking about that level. City Manager DiSpirito will consult with staff and attempt to bring back some number.

Commissioner Tornga noted the first step is to determine if permitting is an obstacle.

BP Award. Commissioner Tornga noted one of his listed items was to request an agenda item to discuss whatever may be left of the BP money. He is concerned about not knowing how the other Commissioners feel about the issue and there could only be a discussion on the dais. He stated he would back off of that request right now.

Sign Ordinance. Commissioner Tornga advised there has been a question as to whether a homeowners’ association or subdivision could use an electronic sign for example advertising their functions and the opinion was, perhaps not. He suggested staff could bring that issue back to the Commission after review of the sign ordinance.

City Attorney Trask advised there was an important Supreme Court decision called Reed vs. Town of Gilbert within the past year which has affected every sign code in the State of Florida. He is currently working with Attorney Bill Brinton of Jacksonville, the expert the City worked with previously who litigated the case in Oldsmar and assisted in drafting an ordinance in Dunedin, Oldsmar and other local cities. They are attempting to have an estimate of the cost if Mr. Brinton were given all 11 cities his firm represents and the rate for a simple review of the sign code. He will bring back more information as soon as possible. He suggested not addressing the sign code until there is a review based on that recent decision.

City Attorney Trask will review the current sign code as to whether an electronic sign is allowed for subdivisions in the common areas at the front entrance as described by Commissioner Tornga.

Parking. Commissioner Tornga inquired if the Commission would like have an agenda item to discuss who should pay for parking; should it be the person parking, the person who wants someone to park in a space or the City from the General Fund.

Mayor Bujalski expressed concern regarding going down the road or re-discussing what has already been voted on. She noted there was a vote on going down the road of a revenue stream for parking and she was concerned Commissioner Tornga’s suggestion is a revamp of
the same conversation. She wanted to be sure it is according to the rules and the Commission is not rehashing the same vote.

City Attorney Trask advised it is the same answer as the prior question regarding a motion for reconsideration.

Commissioner Livingston commented it is all part of parking and will be flushed out as the parking plan moves forward. He noted there will be different aspects of “revenue stream” for paid parking.

Commissioner Kynes commented a discussion of whether it is the Dunedin residents or the people who come would be an interesting discussion and would be a very broad discussion and she thinks that will be flushed out too.

Vice-Mayor Gracy stated what she is hearing is that this will get flushed out; it will come inherently within the parking plan which she agreed. She would welcome more dialogue from the Commissioners addressing these types of issues. She hopes to be as flexible as possible so whether it is driven by the Commission or staff it will be discussed.

Mayor Bujalski reiterated the discussion could not continue down this road unless there is a motion to reconsider according to the rules.

City Attorney Trask reiterated if there was a prior motion made and the request is to change it, then it requires a motion for reconsideration. In terms of the discussion, there can be discussion all day long, but nothing is going to change with that discussion.

Commissioner Tornga commented he is looking for at least being able to have a conversation and allowing for input on some very fundamental questions.

Vice-Mayor Gracy stated she heard last week, “please do not put parking meters on the Causeway” and she did not recall talking about that and she does not know where that came from. That is why her initial reaction was to agree to some discussion.

Mayor Bujalski commented regarding having a discussion that could have an end result and not one that cannot.

Commissioner Tornga clarified his suggestion is to talk about every other aspect that was not a part of that motion.

Mayor Bujalski explained that is part of the plan staff is working on and there cannot be a discussion without staffing and that is what Commissioner Kynes requested for a calendar.

Commissioner Tornga disagreed in that it would be a policy discussion which is the responsibility of the Commission and these will be questions coming up and minimally it might spur continued research.

Commissioner Tornga explained in this specific area regarding a parking plan, staff came to the Commission and asked about spending the money coming in and that should have been a policy discussion earlier and then there was a vote on that issue and that is done; so what is next, who should be paying for the parking.

Mayor Bujalski stated her understanding to discuss what is next after the determination of the P3, and so forth as one item, Commissioner Tornga said, not just who should pay for parking as he noted previously.
Mayor Bujalski stated the issues have been voted on the P3 coming out of the BP money and the person using the parking space pays for it.

Commissioner Livingston stated his understanding that the ship has sailed in terms of the partnership and the allocation of funds; a part of the motion included direction to staff to have a revenue component attached to the parking plan and that is what Commissioner Tornga is talking about. After getting through the partnership agreement, what does the total parking plan revenue stream look like, who is going to participate in that?

Commissioner Tornga stated that is what he was getting at and was sorry it was not done prior to getting to this point because it is a big policy issue and now we are calling the plan for this downtown area as set forever and it will always be paid for out of this fund, it will not be able to be paid for out of a revenue stream at first.

Mayor Bujalski explained her impression after the September 17th motion, that City Manager DiSpirito would work on the development agreement and would also be coming back with what Commissioner Kynes requested in terms of a calendar as to when staff was coming back and it is her understanding staff will be coming back with refined suggestions on the Parking Management Plan. What is being done now is just one piece, so the conversation Commissioner Tornga wants will come when staff has had the time to get to that point. She is concerned about how really busy staff is and they need the time.

City Manager DiSpirito stated no dates were set and staff said they would come back to the Commission with a calendar and they are in the process of doing that which is tied to the complex work on the larger questions. Soon he will come back with a calendar which will include more discussions of a refinement of the issues discussed at the last parking discussion which was centered on the three tenants the Commission directed. The negotiation for the P3 came forward tonight; getting to a plan that includes a revenue stream is what staff is spending most of their time on now. He stated beyond that specific direction there were many good comments being reviewed and discussed by staff.

Vice-Mayor Gracy commented this is such a big issue she feels coming back in pieces is better. She noted the more the Commission can discuss on the dais and educate the public, the easier this transition and plan will take place.

Commissioner Kynes agreed there should be no vacuum of information and people need to understand there are many options.

Vice-Mayor Gracy asked if the Walker parking study had any indication or recommendations in terms of implementation. City Manager DiSpirito stated yes and it depends on many aspects and avenues and the timing will depend on those ultimate decisions.

City Manager DiSpirito stated in following up the suggestions made by Commissioner Tornga, staff is currently working on funding for Wayfinding and looking at maximizing space in all lots, owned or leased, and education to downtown business owners.

Mayor Bujalski suggested the City Manager’s Update include Parking Updates to give everyone a sense of the work that is going on behind the scenes.

Commissioner Kynes discussed with City Manager DiSpirito some ideas regarding employee parking downtown. City Manager DiSpirito advised of the steps being taken to communicate with the downtown merchants and to enlist their cooperation.
10. COMMISSION COMMENTS

Commissioner Livingston:

Reported he attended the Institute of Elected Municipal Officials; a three day seminar which was very worthwhile. He noted City Attorney Trask’s firm presented the Sunshine Law and Ethics portion.

Reported the Tampa Bay Regional Planning Council is working on Tampa Bay Express regarding a dynamic toll system with another lane in 2019.

Mayor Bujalski suggested Commissioner Livingston present to the TBRPC that the Metropolitan Planning Council (MPO) and Pinellas Suncoast Transit Authority (PSTA) are working to bring that same lane into Pinellas County and ask that they advocate for that as well. She also commented a report will be coming from staff on Medical Tourism by the end of December.

Vice-Mayor Gracy:

Expressed appreciation to everyone who participated in the “Walk to School Day”.

Noted there is a new electronic sign at Dunedin High School and they are their own authority and do not adhere to the City’s sign code. She commented it was nice gesture from the principal to offer to run anything on the sign for the City.

Advised the Dunedin Scottish Arts Foundation is preparing for the November 21st Celtic Festival at Highlander Park.

Commissioner Kynes:

Gave kudos to the United Methodist Church for their event. Commissioner Tornga noted well over 10,000 lunches were packed.

Advised she also participated in the “Walk to School Day.”

Announced she will be speaking at the Dunedin Council of Organizations tomorrow.

Advised the Scottish Arts Foundation is doing wonderful things on finding a home.

City Manager DiSpirito announced the City Commission Workshop on Tuesday, October 27, 2015 at 9:00 a.m. with discussion on Historic Preservation and the Board of Finance.

Commissioner Tornga:

Announced the Pinellas Trail’s 25 year celebration and commented regarding the MPO survey and Security Task Force done in 2014 in which 80% of the trail users are for exercise and recreation; 70% of the users average over the age of 50. In the last 2 to 3 months there have been no security issues on the trail of any significance and security is becoming tighter.

Advised the MPO, the leadership group will be meeting on November 5th to discuss the CSX issue and how it connects to the Gateway and the airport.

Mayor Bujalski:

Announced the Stone Crab Festival at Edgewater Park on Saturday and Sunday.

Advised Commissioner Kynes will be judging at the Junior League Art Harvest.
Announced the Honeymoon Island Half is going for a Guinness Book of World Records number of bridesmaids and groomsmen.

Noted she watched the Blue Jays Game and the 7th inning was phenomenal.

11. AGENDA APPROVAL

Mayor Bujalski advised the “Aid to Organizations Discussion” was added to New Business.

MOTION: Motion was made by Vice-Mayor Gracy and seconded by Commissioner Livingston to approve the revised proposed agenda for the regular meeting of November 5, 2015.

VOTE: Motion carried unanimously.

The meeting adjourned at 10:32 p.m.

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

Attest:

Denise M. Kirkpatrick
City Clerk

Julie Ward Bujalski
Mayor