

DUNEDIN, FLORIDA
MINUTES OF THE CITY COMMISSION WORK SESSION
JUNE 13, 2017
9:00 A.M. – 1:00 P.M.

PRESENT:

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

Also Present: Acting City Manager Bob Ironsmith, City Attorney Thomas J. Trask, City Clerk Denise M. Kirkpatrick, Finance Director Joe Ciarro, Budget Manager Allison Broihier, Planning and Development Director Gregory Rice, Economic Development Specialist Danny Craig, Public Works and Utilities Director/City Engineer Jorge Quintas, Assistant Director of Public Works & Utilities Paul Stanek, Communications Director Courtney King, Communications Senior Technical Assistant Justin Catacchio, Public Works Section Engineer Marcello Tavernari, Development Project Coordinator Lael Giebel, Traffic Engineer Joan Rice, Parks & Recreation Superintendent Terry Trudell, Parks & Recreation Superintendent Lanie Sheets and Community Center Program Coordinator Jorie Peterson.

CALL TO ORDER - Mayor Bujalski called the work session to order at 9:00 a.m.

CITIZEN INPUT - None.

ACTION ITEMS

1. Consent Agenda

a. Approve the Minutes for the:

1. May 30, 2017 Work Session.
2. May 31, 2017 Special Meeting.
3. June 1, 2017 Regular Meeting.

b. Office Renovations to the Planning Department by awarding of Bid 17-1082 to Iosa Construction Corp. of Dunedin, FL in the amount of \$28,144 for renovations to the Planning and Development Department office area.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Tornga to approve the Consent Agenda as presented.

VOTE: Motion carried unanimously.

2. Resolution 17-14, Third Quarter Budget Adjustment

City Attorney Trask read Resolution 17-14 by title only.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Gracy to adopt Resolution 17-14.

Budget Manager Broihier advised this Budget Amendment provides for appropriation of revenues and expenditures. The affected funds and the net impact on their respective fund balance are detailed below. She highlighted items C-H that are \$25,000 or more.

FUND	IMPACT ON FUND BALANCE
GENERAL FUND	-
PENNY FUND	(229,611)
IMPACT FEE FUND	(120,000)
WATER / WASTEWATER FUND	-
STORMWATER FUND	(596,378)
FLEET FUND	5,000
RISK SAFETY FUND	(290,150)
HEALTH BENEFITS FUND	250,000
TOTAL	(981,139)

If adopted, Resolution 17-14 will amend the FY 2017 City of Dunedin budget as follows:

General Fund

- (A) Increase operating budget for Project 461703: Boat Club Improvements by \$4,521 by transferring \$610 from project's capital budget and \$3,911 from Parks Maintenance contractual services budget. This item has no impact on the General Fund's fund balance.

Fleet Fund

- (B) Increase revenue by \$5,000 through the Fleet ISF for an additional fleet replacement contribution from the Risk Safety program. This will enable the vehicle to be purchased in FY 2018. This will increase Fleet's fund balance by \$5,000.

Risk Fund

- (B) Increase Risk Management program's Fleet ISF expense by \$5,000 through appropriation of fund balance. This will enable the vehicle to be purchased in FY 2018. This will decrease the Risk Safety Fund's fund balance by \$5,000.
- (C) Increase Risk Management program's expense for a transfer-out to the Health Benefits Fund in the amount of \$250,000 to meet the reserve requirement for self-insured entities under Florida Statute.

Finance Director Joe Ciurro explained the reason for this transfer:

Every year he has been with the City and for years prior the Health Fund Reserve level has been below the statutory requirement limit for the 60-day claim average.

Each year a letter is sent to the State to explain there are Risk Reserves that can cover if needed.

In going through the budget process and reviewing where the Health Fund and the Risk Fund are, staff considered if there was a way to get the Health Fund at least at the minimum of where it needs to be.

Since the Risk Fund is used to assist the Health Fund, staff thought it might be an appropriate use to do a transfer to get the Health Fund at the minimum level.

Both funds are supported by all funding sources of the City and the Risk Safety Fund is above its minimum Fund Balance Level. Staff thought based on budget

trends that \$250,000 was available to bring the Health Fund where it should be according to Florida Statute.

This is also based on projections, therefore the request is for this appropriation; however, if at the end of the year no claims come in higher than are being seen currently or the actuarial valuations come in higher than expected then the entire \$250,000 will not be transferred and staff will make sure the Risk/Safety Fund is at least at the minimum Fund Balance level.

Commissioner Tomga clarified this is a transfer that remains once completed in that fund, it is not a loan and it is going from one internal service fund to another internal service fund that supports the entire City; less than the \$250,000 would be transferred in order not to put Risk/Safety Fund below the target minimum level.

- (D) Increase Risk Management program's operating expenses by \$35,150 for legal expenses. This will decrease the Risk Safety Fund's fund balance by \$35,150.

Health Benefits Fund

- (C) Increase revenue to the Health Benefits Fund in the amount of \$250,000 to meet the reserve requirement for self-insured entities under Florida Statute.

Impact Fee Fund

- (E) Increase Impact Fee Fund expenses by \$120,000 to transfer out LDO funds to Penny Fund for repayment of Our Lady of Lourdes property purchase in FY 2016.

Direction from the City Manager for repayment of Our Lady of Lourdes property purchase in FY 2016.

Penny

- (E) Increase Penny Fund revenue by \$120,000 from transfer in from LDO Fund for repayment of Our Lady of Lourdes property purchase in FY 2016.
- (F) Increase Penny Fund expenditures by \$349,611 for acquisition of the Dunedin Golf Club and associated costs.

Stormwater Fund

- (G) Increase capital budget in Stormwater program for Project 531401: Lakewood Estates Stormwater Improvements by appropriating \$596,378 in fund balance.

In April the Engineering Department brought forward a change order, this is increasing the budget for the change order.

Water/Wastewater Fund

- (H) Decrease the capital budget for Project 521602: Wastewater Denitrification Filter Rehabilitation by \$530,600 to increase funding for:
- Project 529803: Sewer line R&R by \$147,100;
 - Project 529502: Manhole Rehabilitation by \$65,400; and
 - Project 529904: Sewer Lining by \$318,100.

This item has no net impact on fund balance.

This item was brought forward to the Commission earlier in the year during the discussion of intrusion and the impact of last year's storm. The budget will be

increased to catch up on the rehab that needs to be done on the sewer system, one project is being decreased and another increased.

The hearing was opened to public comment. Hearing no comments, the public hearing was closed.

VOTE: Motion carried unanimously with Commissioners Kynes, Freaney, Gracy, Tornga and Mayor Bujalski voting aye.

3. **Resolution 17-18**, Parking Citation fine revised to \$10.00 for a first time offender; and **Resolution 17-19**, accounting for a revised revenue net number in 2017 due to \$25,000 reduction in citation fines.

City Attorney Trask read Resolution 17-18 by title only.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Freaney to adopt Resolution 17-18.

Planning and Development Director Rice advised:

Based on a request at the second quarter parking update is to allow for a first time offender ticket of \$10.00 instead of \$30.00.

Staff recommends approval.

Commissioner Tornga clarified once approved this is for an offense going forward and applies to the remainder of the year.

Mayor Bujalski inquired if there is an updated number on the first time offenders, Mr. Ciurro explained he did not review that history; however, it was 98% at that point based on 3 ½ months beginning in January, he has not pulled the information from that point to see the current trend, he will bring the figures for the 3rd quarter update.

The hearing was opened to public comment. Hearing no comments, the public hearing was closed.

Mayor Bujalski asked what the plan is as discussed previously about attempting to be friendlier, especially first time tickets which was the idea behind reducing the amount. She asked if a flyer is being distributed to let people understand they are not being charged the full amount for the first time offense. Mr. Rice stated it can be placed on the website and distributed to the downtown merchants and Mayor Bujalski clarified she meant for the flyer to go with the ticket and clarified it has not been created yet.

Mayor Bujalski noted she still strongly believes the first time offense should be a warning and not a cost; however, she was compromising as she said she would. She was concerned with the summer months chasing people away from the downtown.

Mr. Rice noted the new signs are going up to clarify the free parking from the paid parking; people were getting confused with the 10 – 6 and going over into the downtown paid parking.

Vice-Mayor Kynes verified this resolution is not retro-active with the decreased amount. City Attorney Trask explained the resolution becomes effective from the date signed going forward.

When Vice-Mayor Kynes asked about St. Petersburg, Mayor Bujalski noted they give a free warning as long as there has been at least a \$25.00 purchase in the downtown. Discussion ensued noting that staff would make that recommendation if the program continues.

Commissioner Gracy noted she had seen one of the signs that looked like it was ripped off. Mr. Rice advised there has been significant vandalism and even the big metal signs are being taken down.

VOTE: Motion carried unanimously.

Commissioner Freaney related a problem with Park Mobile and asking for the password again which takes away from the convenience of the app. She stated she knows that has happened to a couple of people. Mr. Ciurro commented when there is an update you have to re-sign in; the City is not notified of the updates, he would reach out to Park Mobile for a definitive answer.

Vice-Mayor Kynes commented quarters always work.

City Attorney Trask read Resolution 17-19 by title only.

MOTION: Motion was made by Commissioner Tornga and seconded by Vice-Mayor Kynes to adopt Resolution 17-19.

Mr. Rice advised he met with Mr. Ironsmith and Finance Director Ciurro to discuss the lost revenue in the remaining portion of the pilot program and came up with the figure of \$25,000 total to be considered to reduce the performance measure.

Mr. Ciurro explained it was simple math with this being in effect for 3 ½ months, the estimated revenue at current charge was \$38,000 and in being conservative in the calculations 2/3 revenue being removed from that number was \$25,000 proposed.

Over the 3½ months for the rest of the pilot program at the \$30.00 charge it was anticipated there being approximately \$38,000 in citation revenue.

Reducing the first time offenders to \$10.00 roughly 2/3 of the revenue is anticipated to be removed from the \$38,000 which basically reduces that revenue by \$25,000.

Commissioner Tornga clarified with Mr. Ciurro on the initial 3 months there was no reduction for that period of time. Commissioner Tornga commented it would seem that it would follow to do the same for that as well.

Mr. Ciurro stated it was not discussed previous to this meeting, so they did not move forward with any estimates from what it would have been in the first quarter.

Vice-Mayor Kynes verified with City Attorney Trask this is not going back retro-actively to the prior numbers, it begins at this point for a seasonality change.

City Attorney Trask advised Section 2 of the Resolution says:

Once the City completes the pilot program evaluation, it will be looking at net revenues as set forth in Paragraphs A, B, and C; that is for the total period of time.

Net revenues in Subparagraph A were reduced to \$175,000.

The next figure was reduced as well by \$25,000 so that made if from \$175,000 to \$417,000 requiring further review.

Then reduced also was the \$417,000 by \$25,000.

The only thing changed in the resolution is those three figures and the addition of Section 4 which repeals the prior resolution.

Mr. Ciurro advised the original "meets standard levels" was \$442,000 so subtracting \$25,000 from that is the \$417,000.

Commissioner Gracy verified with Mr. Ciurro it would be fair to say that A, B, and C under the first point are the red, yellow and green.

Mayor Bujalski asked what the "not meeting expectation" number was originally and Mr. Ciurro advised it was \$200,000.

Mayor Bujalski expressed concern regarding the number of changes made since the beginning of the pilot program and the number has never been changed. She understands at the last meeting there was concern expressed that this might get used against it or something; however, after a number of changes that would seemingly affect the income in one way or another and what was asked was for lists to be kept of those changes in order to use that in the evaluation. She is curious as to why now for this particular item the numbers are being changed.

Mr. Ironsmith stated this one was directly quantifiable, the others like going free during the day certainly had an impact, but there was no historical data to quantify it.

Mayor Bujalski reviewed with Mr. Ciurro the process he used to arrive at the numbers and asked if the thinking was there would still be 2/3 of the users as first time offenders.

Mr. Ciurro suggested SP+ could talk about the usual trends in the industry, many times when people get a parking ticket they understand there is a program, they might say they didn't know or were unfamiliar with the area; for him receiving a ticket means changing his behavior going forward, usually the first one is the learning experience, to him it seemed logical most times a citation is written it is the first time and usually they do not repeat the mistake.

Will Gloor with SP+ agreed that people tend to receive one ticket and then correct their behavior; he would say the trend is, it's not going to remain flat necessarily, but it won't be 98% being first timers. He thinks the numbers Mr. Ciurro has projected will be pretty accurate.

Mr. Ciurro stated also the model was not adjusted at all for the first quarter and originally when the model was put together it didn't include revenue for the first quarter. He still thinks overall it is a conservative reduction.

Mayor Bujalski asked from January to March how many were first time offenders and Mr. Ciurro advised 98% and she recalled there was a revenue of \$28,000.

When Mayor Bujalski asked what time period he used for the \$25,000, Mr. Ciurro stated there was definitely some slower payments and the program did not get started immediately at the beginning of January even though that was the intent; if you discount January he was basically looking at an average monthly citation memo they were getting in the general ledger. He tried to be conservative with roughly \$11,000 per month, this was 3 ½ months so \$11,000 times 3½ and discounted he believed by 98% and then reduced 2/3; the 2/3 is the factor going from \$30.00 to \$10.00. The revenue is projected to be lost from half of June, July, August and September, 3½ months.

Mayor Bujalski commented if the projection is still for there to be 98% first time offenders then the City is not doing the job of getting the word out about paid parking.

Mr. Ciurro agreed it might be too high a number.

Mr. Rice commented it shows the people who get their first ticket have learned their lesson since there are not as many repeat offenders.

Commissioner Freaney asked if that percentage is typical. Mr. Ironsmith commented it is a little higher switching from free to paid, the biggest change, as opposed to being established.

Mr. Gloor commented it is difficult to make a comparison with quite a few changes to the program over the first few months; there is still some confusion; once the program is established he could pull some data and provide it.

Mr. Ciurro commented if the first quarter was included that the City did not charge for, then the request would be for a \$40,000 or \$50,000 reduction in the plan and that was not done. He understood the point made by Mayor Bujalski.

Mayor Bujalski expressed concern for consistency and noted there was no change when there was no charge in the first quarter.

Mr. Ciurro recalled in the first discussion with the Commission about the reduction Mr. Rice brought up the point of whether or not to change the model at that point in time because of the change and that is the reason for this. Changing the model could have been looked at along the way, but it was quite a moving target.

Mr. Rice commented in order to get a real look at how this whole system performs, staff would ask for a redo on October, November and December because those revenues were nowhere near what they are going to be; it was so late starting the program, people were not paying and it was a difficult three months. It depends on the objective of the Commission in terms of seeing a true picture of what a parking system can do in a 12-month period.

Mayor Bujalski asked if there was not the feeling that free during the day was going to change the models at all and Mr. Rice commented he thought it would reduce the revenue and it did the opposite. Mayor Bujalski noted there have been some significant changes and the model was not changed and now with this change it is, she understood, but does not like the way it looks.

Mr. Rice commented when the change was made of the whole program, one of the three big goals of the whole new system was to maintain the current financial model. Staff looked to try to do a principled system where looking at occupancy was not at 85% to make it free because all of downtown looked like it was deserted; so that is why we kept the 85% goals and kept the core as paid because at that time the core was very busy, but the east and west were not. One of the other tenets moving forward was to maintain the same financial model trying to hit those targets. He did not know what was expected to be changed in the financial model.

Finance Director Ciurro commented after the first quarter, not charging for citations, the regular parking revenue came in lower than anticipated and also got off the ground a little late. In hindsight staff should have asked for a model change with that. The changes that have happened since then, he agreed with Mr. Ironsmith, it was not known what that was going to do in terms of people moving to the free sections during the day and how that would effect the paid parking in the core. There was no merit to bring to the Commission, a revenue or expense change, it would have been a guess. He was comfortable with what is being presented today that it is reasonable to ask for it.

Commissioner Tornga stated he had a major issue here making a change that was not affected in the first quarter numbers. He thought that should be changed, there was no charge at all and those numbers are in the forecasts and it is easy to remove them; it didn't happen. You don't have to worry about 89% or 3 ½ months or anything; those numbers just didn't exist. An example is with four quarters there are four forecasts for citations by quarter; he asked how much they were.

Mr. Rice stated he thought the original model was \$110,000 for the year, \$27,500 per quarter.

Commissioner Tornga stated that did not happen, so why keep that in the model, so it is being collected for this part of it; so in this same correction, that same part should be corrected as well.

Mayor Bujalski stated this was why she did not want to make the change; it is either to change everything or change nothing and keep the list of the changes in order to look at it holistically. Making changes in the middle becomes very arduous. She recalled staff saying at the last meeting not to hold this change against them and she said, no we won't because there was supposed to be a running list, not a value, but a running list of the changes made so when evaluating the Commission would have everything in front of them knowing the change in the first quarter, this change, the change in the three-hour time limit to unlimited, free during the day and all of that should be considered at the end.

Mr. Rice explained the issue is how to quantify those changes; here there is some data for at least an educated guess of what might happen in the next three months. Making the change to the free time and change to unlimited there is no idea until getting through the pilot period to know what the changes do. There is nothing to give the Commission to reduce the model, or enhance the model; it is very difficult to do.

Mayor Bujalski commented for that very reason, some can be quantified and some can't, you have to look at it holistically, the whole list of changes against the original projection. That is the cleanest picture versus trying to chip away at changes during the course of the year. Commissioner Tornga is not wrong in what he is saying, either change it all or change nothing, not here but not there. For her the cleanest way is to change nothing, but keep the list, it is understood there is a value. It was agreed in the beginning to keep a running list of all the changes because the Commission wanted an unfettered ability to make changes. She recalled Commissioner Tornga fought for the ability to change quickly when needed and that is why there was a resolution versus an ordinance in order not to be hindered; fluidity as Commissioner Tornga noted. The Commission asked for a list of changes that could affect the financial outcome and could do all these things. She understood it would be difficult to forecast, but to change for one and not the other she felt is not clean.

Mr. Ciarro asked when this is being evaluated in October for the whole plan, assuming it goes that long and looking at the results and revenues which is really what staff is focusing on holistically here, will the Commission take that into consideration in looking at the bottom number.

Mayor Bujalski responded, absolutely. She commented while she knows staff is looking at the money, but when talking about the evaluation of the system to begin with, everyone said it is more than just the money, there is more to consider. The money is a decision-making piece. That is why they asked for the running list of changes in order to understand the impact.

Mr. Ciurro commented he thought it would be simple to see what was budgeted versus what was collected from a citation standpoint. For the parking revenues it is not certain how the changes affected the regular parking revenues. The Commission will be able to see what was projected and what was taken in and it will be fairly straightforward on what affected that shortfall, if there is one. That can be shown on the fourth quarter report if the Commission is proposing not passing this resolution.

Commissioner Tornga expressed concern about the confusion of what is being voted on which needs to be made very clear. He made the following points:

As was just communicated the Commission said they would look at the program in its entirety at the end of the year with the changes made. The Commission wanted the ability to make the changes recommended by staff when an issue came up.

If asked did that affect the revenue, anyone would say certainly and someone has to guess what that effect might be looking at it with no history, now there is some history and that can be discussed.

There was no charge in the first quarter so there is \$27,500 there.

In going for this vote, he would not suggest at this point amending the motion to cover that part of it.

Vice-Mayor Kynes commented the Board of Finance has been following this very closely and suggested calling on the Board for more information. With this much discussion between staff and the Commission she would like to ask for more information and hear from the Board of Finance.

Mayor Bujalski suggested it might be helpful; she thinks the Board of Finance would be great in the end, they should be looking at it now, but in the end is where they can work with staff after all the changes have been reviewed and the analyzing of when the change occurred and how the income changed to determine the effect of those changes in the end.

Commissioner Tornga asked if there could be a request to have this motion tabled.

Mayor Bujalski stated the motion could be withdrawn or the Commission could vote it down.

Commissioner Freaney commented she did not know if it was worth the energy being put into this. She understood what staff was doing and is okay with leaving the resolution the way it is and with the Finance Board following this, which she is aware they are, as to what was originally said, here are the changes made, here is the cost, here is the projection for the following year if we do it. She thinks that is part of the evaluation process. Just the amount of time being put in to debating all the changes and how much we are going to estimate, she did not know if it was worth it. She was good with leaving the resolution as it is, here is what we said, here are the changes we made, here's the projections for the future, let's evaluate if it is working and of course there are a lot of other issues as to paid parking anyway. She was fine with making no changes, leaving it alone because she thinks there are a lot of opinions about what changes should or should not be made. She thinks it makes sense to follow the path of no change and then show the things done during the course of this program; a lot of adjustments and then evaluate it at the end. At this point that is where she is at.

Mayor Bujalski commented that is where she is at too.

Commissioner Freaney commented she did not know if it was worth even the Board of Finance spending this kind of time on changes because they could get bogged down and the end analysis is hopefully what they will bring to the Commission at the end; she is happy with what they want to do, she just does not want them to be forced this kind of interim type look.

Mr. Ironsmith commented also staff is learning and getting historical data. When this began the thought was special events with a road closure would lose a lot of revenue; but it is just the opposite, people are parking elsewhere because of the activity, the numbers are actually higher even with road closure. It is very difficult to get quantifiable data.

Mayor Bujalski commented that should be another thing on the list for evaluating, noting the thought was it would be a bad thing, but turned out to be a good thing. Mr. Ironsmith stated all that data can be provided for the end evaluation.

Mr. Ironsmith commented with that understanding that is not going to substantially change where things are today with the resolution with the performance number, but all that can be provided.

Mayor Bujalski suggested voting the motion up or down.

Vice-Mayor Kynes asked about the question of the early time when the citations were not given out and whether or not that would be given consideration and Mayor Bujalski responded, in the end.

Mayor Bujalski reiterated her position that you either go back and analyze every change and change the model or change nothing and have the list of considerations for reviewing the model; it is cleaner not to make the change, keep it consistent, but keep that list and if there is a value for an item put it with it.

VOTE: Motion fails 4 - 1 with Commissioner Gracy voting aye. Voting nay, Commissioners Kynes, Freaney, Tornga and Mayor Bujalski.

Mr. Ironsmith clarified the dollars lost for citations per this change will not be factored in, but at the end of the year there should be a running tab and see what adjustments could be made on the overall model at that time.

Mayor Bujalski reiterated what was said at the beginning was to have the list of changes, because there were changes in the first quarter also.

Mr. Ironsmith commented then the \$200,000 of go/no go will actually be considerably less. Mayor Bujalski explained the Commission is not asking staff to change the number, there will be a number with a subsequent list, corresponding list of the changes made and the Commission will evaluate the program in a holistic way.

City Attorney Trask advised right now the prior resolution is in effect and acknowledged that is the \$200,000 number.

Commissioner Tornga commented there would have to be another resolution at the end.

Mayor Bujalski stated there would not be a resolution at all, it is just to evaluate with the list of changes and if staff wants to put a number to it.

City Attorney Trask explained the resolution is effective and it basically says that in evaluating the results the Commission will look at these performance metrics to determine whether or not

it was successful and those are the metrics; the Commission can determine that along with any other factors to determine whether it is successful.

Mayor Bujalski commented the evaluation is going to be bigger than a number. She does not want staff to panic; the evaluation is just bigger than a number. Mr. Ironsmith agreed he just did not want to be held to a number when the model has been fluid and changing.

Commissioner Tornga noted City Attorney Trask just said the Commission would not be held to that.

4. Parking Agreement between City of Dunedin and Gateway Dunedin LLC to provide paid special event parking at the Gateway

Economic Development Specialist Craig advised:

The map shown on the screen provides information on how the property is divided.

At this point, being in the pilot program, that may or may not continue, only one event would be affected for the remainder of the pilot program with this parking situation coming into play, the Arts & Crafts event later this month.

At this time there is a staging area for FDOT on site which means the split would be Gateway Dunedin LLC 67% and the City 33% on each day it is used for special event parking.

The agreement through Mr. Kokolakis to the City includes SP+ as the managing partner for taking revenues and to make sure people park appropriately for special events.

Mr. Ironsmith advised City Attorney Trask brought to his attention the exhibit should be just the City property and the piece Mr. Kokolakis will be putting in for the special event parking; therefore, this would be further refined to show the properties involved.

City Attorney Trask advised the parcel on the map to the left of the screen being shown marked City is not part of the agreement and the parcel to the far right is also not part of the agreement; it is just the three pieces marked Phase 1 and Phase 2. The calculations below have nothing to do with the lease itself.

In response to a request for a summary of the financials for this first event in year 2017 Mr. Craig advised based on the pro forma received from SP+:

Gross \$1,500 income per day

SP+ expenses would leave a net income of \$903.00 of which the City's part would be approximately \$300.00.

City Attorney Trask explained this is not actually a lease, neither party is leasing property; it is just a mutual parking agreement for the collection of the revenue.

Vice-Mayor Kynes clarified with Mr. Craig there are other events during the pilot program period; however, those are not considered large enough to reach to the Gateway site; others that would reach include Wines the Blues, the Christmas Parade, Halloween, Mardi Gras and Arts & Crafts, major events.

Commissioner Freaney inquired in terms of the daily impact since parking will not be allowed on a daily basis.

Mr. Craig explained Mr. Kokolakis has his area secured; however, the City cannot stop people from coming on their part. He did not see people doing that.

Mr. Ironsmith explained Mr. Kokolakis has an agreement with Clear Sky for that piece where most of the impact is occurring, staff will be monitoring the situation to see if it needs to be readdressed.

In response to a question from Commissioner Freaney, Mr. Craig explained the cost of collection is coming out of the gross.

Mayor Bujalski inquired about the small improved parking on Milwaukee and Mr. Craig explained that is the property of Mr. Kokolakis and as City Attorney Trask pointed out those three pieces are actually the map for the agreement, so it is not part of the agreement.

Mayor Bujalski explained her concern the people in the neighborhood are disappointed they cannot use that improved parking; she understood from a liability standpoint the grass parking area would be roped off for safety purposes outside the special event use; however, that improved parking, she wondered how much liability is there and whether or not staff could talk with Mr. Kokolakis about accommodating the neighbors with the improved area.

Mr. Ironsmith advised Mr. Kokolakis has already offered that improved parking area and his understanding is they did not want to go in that direction.

Mr. Kokolakis stated there is liability regardless of whether or not the area is paved. He has paved parking lots all over and each of them has had issues in terms of liability in various degrees. It is private property that is insured and the homeowners association was approached to lease the area for a nominal fee for private use to access their townhomes and they said no.

Mayor Bujalski opened the agenda item to public input with no one coming forward.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Freaney to approve Gateway Special Event Cooperative Parking Agreement.

VOTE: Motion carried with Commissioners Kynes, Tornnga, Freaney, Gracy and Mayor Bujalski voting aye. Voting nay, none.

5. DCEB Case No. 15-460, Code Enforcement Lien at 1048 Mary Jane Lane

City Attorney Trask advised:

This item is a request for authorization to accept a \$3,500.00 settlement offer in exchange for a Partial Release of the Code Enforcement Lien.

This property was foreclosed by the bank; the City's lien was wiped out for this property; however, the bank wants a partial release for marketable title issues.

This is \$3,500.00 the City would otherwise be unable to collect. It does not wipe out the lien itself if there was an opportunity to collect the money, which he believed there would not be because the owner of the property is deceased.

MOTION: Motion was made by Commissioner Tornnga and seconded by Vice-Mayor Kynes to authorize the City Attorney to accept a \$3,500.00 settlement offer in exchange for a Partial Release of the Code Enforcement Lien.

VOTE: Motion carried unanimously.

6. DCEB Case No. 15-142, Code Enforcement Lien at 1606 San Charles Drive and City of Dunedin vs. Guga Boy Investments, LLC Circuit Civil No. 16-4979-CI

City Attorney Trask advised:

He has been negotiating with the attorney representing the property owner for many months. They have finally made an offer he can recommend to the Commission.

The offer is in the amount of \$35,000 for the release of the lien and dismissal of the pending foreclosure lawsuit he is prosecuting on behalf of the City for Code Enforcement Liens that included failing to obtain a Building Permit, failure to maintain the structure and accumulation of garbage on the property which was a significant fine totaling over \$100,000.

He has presented this to the Code Enforcement Department and they were happy with the result and suggest, as he does, to accept the \$35,000 for full release.

MOTION: Motion was made by Commissioner Tornga and seconded by Vice-Mayor Kynes to authorize the City Attorney to accept a \$35,000.00 settlement offer in connection with the Code Enforcement Lien and a foreclosure lawsuit.

VOTE: Motion carried unanimously.

INFORMATIONAL ITEMS

1. Thursday, June 15, 2017 Agenda Review, ACTION ITEMS

A-1 Public Hearing: Second Reading of Pura Vida Townhomes - Application S/D - LDO 17-50.01 - Request for Design Review per Section 104-24.4 of the LDC, and Parkland Dedication per Section 104-26 for the purpose of replacing eight (8) existing apartments with seven (7) townhomes on the property located at 1413 Bayshore Boulevard. Parcel 27-28-15-54612-000-027. Owner: New Visions Florida LLC/Applicant/Representative: Rod Collman.

City Attorney Trask advised City staff would not be giving a full presentation and if the Commission had questions relative to this Mr. Rice could answer them. He thought there had been a couple of changes since the last meeting and Mr. Rice could go over those changes. This is just a question period.

Planning and Development Director Rice advised:

Three items were addressed at the last meeting to clarify.

Public Works and Utilities Director/City Engineer Quintas and Public Works Section Engineer Tavernari were present to discuss Stormwater.

He has four sided renderings to present, two with the original packet and two provided in a supplement.

A Traffic Report is part of the staffing and Traffic Engineer Rice was present to answer questions.

Stormwater

Public Works and Utilities Director/City Engineer Quintas advised:

Regarding concerns brought forward by Mr. Steinman with respect to the rainfall, essentially when the applicant goes through Infrastructure Review they will be required to demonstrate they are meeting DEP Code criteria and provide a Southwest Florida Water Management (SWFWMD) permit.

The controlling factor on this project is the FDOT drainage connection criteria. The FDOT requires a battery of storm events be analyzed.

Mr. Steinman had mentioned he made comments about deficiencies in their plan during the Design Review Committee meeting on October 26, 2016 specific to the drainage issue; at the time the applicant did not have a Civil Engineer engaged, so his comment was once they had done that the City would need to see everything within a 50-foot perimeter of the property to make sure adjacent properties would not be affected in terms of drainage issues. He also mentioned they would need SWFWMD and FDOT permits and demonstrate whether or not they were exempt from FDOT criteria; he did not believe they would be.

He noticed they had impervious surface ratio breakdown on the plan at the DRC and he again advised once they had their Civil Engineer the City would need more detail to compare existing conditions versus proposed; as was discussed they are going from 8 units to 7 units and there is a substantial amount of impervious surface there now and they have discussed use of pervious materials for pavement, but the City will need to see that breakdown for verification and assure they are not causing adverse impact.

He also indicated during the DRC their plan did not show a pond, so he presumed they would use some type of underground treatment system and he encouraged a particular test for the site.

The applicant has a Civil Engineer now and when they come in for Infrastructure Review the applicant will have to demonstrate all these items.

While he appreciates what Mr. Steinman was asking for the applicant is not obligated to do anything beyond what is in the City Code, FDOT requirements and SWFWMD requirements. To ease Mr. Steinman's concerns he can say the City is negotiating a contract for a Master Plan Update for Stormwater to include rainfall event criteria.

In response to a question from Commissioner Tornga, Mr. Quintas explained the City is not allowed to withhold Infrastructure Approval until other agencies have approved the project; however, the City's approval is contingent on the approval of those other agencies. The City's approval says they are providing a conditional approval subject to approvals and permits from other agencies and construction cannot begin until that is met.

Mayor Bujalski asked Mr. Rice to describe the City's review process:

Design Review providing for conceptual analysis for the City Commission and the public and the public hearings, there is Preliminary and Final Design Review.

Infrastructure Review and if the Stormwater piece failed then the entire application would have to start over and come back to the Commission.

Mr. Rice noted the Commission is giving conditional approval based on the applicant meeting all Infrastructure Review requirements.

Traffic

Traffic Engineer Rice advised the applicant did a traffic study for the project which showed the existing conditions and how many vehicles are put on Alternate 19 now, the future condition and how many vehicles are put on the road. The applicant has fulfilled the requirement for a traffic study.

Commissioner Gracy asked based on what is required, the Traffic Study in Chapter 104, was the staff recommendation for the City to change that when it is going down in number. Mr. Rice explained he thought the change should be made because traffic concurrency, transportation concurrency is gone from the State level and now there is a new County Mobility Impact Fee Ordinance which looks at the level and for 50 or lower trips more than the existing the applicant just pays a fee and probably the City should adjust to those same criteria; under 50 no analysis or report would be required.

Architectural Renderings

Mr. Rice provided the renderings for the project with views from all four sides.

Other Questions

Commissioner Freaney clarified with Mr. Rice if the buyer opts for the mother-in-law suite then 2 parking spaces will be taken and that is on the ground floor and it is not in a flood zone, but even if it is they could still build on the ground floor with dry flood proofing techniques.

Vice-Mayor Kynes verified with Mr. Rice mother-in-law suites are allowed in all single family homes up to 800 square feet attached or unattached and the owner of the property has to live in one or the other.

A-2 Public Hearing: Second Reading of Ordinance 17-05, Medical Marijuana Dispensaries Regulations within the City; providing definitions; and providing that medical marijuana dispensaries are prohibited home occupations.

City Attorney Trask advised:

As of yesterday the Florida Legislature has passed a bill that could affect the ordinance prepared. It has not been presented to the Governor and it is not known when or if it will be signed into law.

The issues that have come up relative to this latest bill is the fact the law as he reads allows for either banning it completely from the City of Dunedin or if allowed, treat it the same as pharmacies; the facility cannot be restricted any more than pharmacies so the distance requirements he believes will need to go away; the prohibition of more than one will need to go away and there are other issues addressed in the bill that would affect the draft prepared.

Since this just happened yesterday and it is a fairly lengthy bill he suggested tabling this item, first to see whether or not it will be signed by the Governor and if so then some significant changes need to be made to the draft; if it does not pass then the ordinance can be brought to second reading.

When Mr. Rice asked if the moratorium time still applies, City Attorney Trask advised that it does until such time as it goes away; there should be a definite answer prior to it going away.

Mayor Bujalski asked if the Governor does sign the bill as it is will the Commission have the opportunity to discuss the changes prior to the changes being made in the ordinance, or the Commission should give direction to get that opportunity at a work session, Tuesday meeting.

City Attorney Trask explained he and Mr. Rice will prepare a staff recommendation and present it to the Commission the same as any other ordinance and have a discussion on that recommendation. He stated what he is hearing the Commission does not want to set it for a public hearing just yet and would like to have the discussion in case there are additional changes based upon staff recommendation. When the decision is known he will schedule it through the City Manager's office for discussion purposes.

Commissioner Freaney asked how that works with July 25; the end of the moratorium and City Attorney Trask explained worst case scenario is extending the moratorium. The moratorium basically said the City needed time to determine what is happening with the legislation and the Department of Health during that period of time.

City Attorney Trask noted this bill provides for some strict timelines including July 3rd relative to the facilities, 10 additional licenses by October 3rd, and a cap on April 1, 2020 on the number of facilities.

The meeting was opened for public input, but no one was in attendance.

A-3 Public Hearing: Second Reading of Ordinance 17-06, removing the single site Historic Overlay District on the eastern portion of the real property at 453 Edgewater Drive. Under this item the First Amendment to the Fenway Hotel Development Agreement must also be approved.

Planning and Development Director Rice advised there have been no changes from the first reading.

There were no questions.

A-4 Public Hearing: Second Reading of Ordinance 17-09, to amend Section 2-93 of the City Code relating to the gift policy for elected and charter officials.

Acting City Manager Ironsmith advised proposed Ordinance 17-09, as prepared by the City Attorney, will realign the City of Dunedin gift policy for City Officials with that of the State of Florida.

In response to a question from Vice-Mayor Kynes, City Attorney Trask advised this ordinance changes the City Code to mirror State Statute.

A-5 Public Hearing: Second Reading of Ordinance 17-18, Calling for a General Municipal Election and establishing guidelines.

1. Calls for a General Municipal Election to be held on November 7, 2017.
2. Provides for consideration of proposed Charter Amendments to the electors of the City of Dunedin.
3. Provides for guidelines in accordance with Florida Statutes, the City Charter, Chapter 26 titled "Elections" of the City of Dunedin Code of Ordinances and as outlined in the *Agreement for Conducting In-Conjunction Municipal Election*.
4. Provides for authorization for the Interim City Manager to sign the agreement; and

5. Provides for publication and authorizing election expenditures.

There were no questions.

A-6 Sculpture Donation-“Imagine in Stone”

Vice-Mayor Kynes commented several people are coming to speak for this item and they have asked because a late meeting would be difficult for some members if there is a way they can be given a time on the agenda, possibly moving it up on the agenda. Mayor Bujalski stated it could be done first and then the action item, but they should be present at 6:00 p.m., it will be after Presentations and Citizen Input.

Acting City Manager Ironsmith advised:

This is in regard to the donation to the City from the Suncoast Stone Sculptors Guild.

The recommended location for the statue is Wee Garth Park.

They have support from the Arts & Culture Advisory Committee.

The City would be building the base and taking over the insurance aspect on the statue.

Commissioner Tornga asked the cost of the insurance and if the location has been well vetted.

Mr. Ironsmith advised the location has been vetted and the Arts & Culture Advisory Committee was key. There was concern regarding the original location of Oak Trail Park; the Guild wants a highly visible location and they thought it was not the best and Wee Garth would be a better fit as a standalone sculpture. He would research the insurance question; however, he thought it will be a subset within the self-insurance and will come out of the General Fund.

Commissioner Gracy commented it is a marble statue with significant weight and asked about storms and if there can be any assurances it will not be a hazard. Mr. Ironsmith explained the City would be building it and they are comfortable with the location.

Vice-Mayor Kynes clarified with Mr. Ironsmith there has been engineering.

Commissioner Freaney asked if there is a rendering as to how it will be in the park including utilities and landscaping as well as the height of the sculpture with the base. Mr. Ironsmith would have that for the meeting on Thursday.

Commissioner Freaney asked depending on complications of the site if there are any additional costs, she recalled the discussion was \$6,500 for the base and the lighting.

Mr. Ironsmith advised there is a rendering of the sculpture, but not in the location with the landscaping at this time.

Commissioner Freaney noted the valuation of \$30,000 and in relation to insurance something happens to the sculpture and \$30,000 comes out of the self-insurance fund to replace it.

Mr. Ironsmith noted the Commission could determine whether or not to replace the sculpture.

Commissioner Freaney commented she wished this was coming after the Master Plan because it would be easy to know the City's criteria and obligations for replacement, the ability to move it and so forth without hurting anyone's feelings or being unfair to the artist. Since there will not be an agreement which will probably begin with the Public Art Master Plan it is important that it is clear.

Mr. Ironsmith clarified with City Attorney Trask it is not an agreement it is simply a donation there is no written agreement; it is a gift to the City.

Mr. Ironsmith stated nothing would restrict the City from the flexibility of moving the sculpture.

Vice-Mayor Kynes commented there are things that might be in the Master Plan, but this is a gift to the city and due respect to the Master Plan the person hired to work on the Master Plan sat on this committee and was comfortable with the site. She noted there was discussion this would be the last gift in public places and going forward Ms. Brinklow believes she will have the entire master plan by June 2018, so there were a lot of negotiated points and that was one.

Commissioner Freaney clarified the Commission would have full decision making power as to replacing or replacing or moving the sculpture; Mr. Ironsmith concurred.

Commissioner Freaney asked regarding the value if there is a Fine Arts Appraisal that can be relied upon for insurance and so forth. Vice-Mayor Kynes stated that is the artist estimate and probably based on if she were selling to a private art investor or gallery this is the price she would put on it.

Mr. Ironsmith reviewed the questions to be answered for Thursday.

Development Project Coordinator Lael Giebel commented Ms. Brinklow was in that meeting and she was fine with that location which was an earlier issue for the Arts & Culture Committee. That has all been worked out and Ms. Brinklow is already talking about the insurance plan and several other issues which will be in the master plan, but she felt comfortable with what is being done.

A-7 Review the Proposed Agendas for the July 11, 2017 Work Session and the July 13, 2017 Regular Meeting

City Clerk Kirkpatrick advised if any Charter Review Committee Ordinances are approved today, additional Ordinances will be added to the agendas.

Commissioner Gracy advised she would be out of town for both the Work Session and the Regular Meeting July 11 and 13.

2. Workshop Items:

a. Toronto Blue Jays License discussion – To be Tabled

Mayor Bujalski advised there are still some issues being negotiated for the license agreement. She verified the Special Commission Meeting for Tuesday, July 20, 2017 is cancelled.

When Commissioner Gracy expressed concern for not having this information for the budget meeting, Finance Director Ciurro stated they would just have to use the information they have at the end of this month to publish a proposed budget document and when there is more information after that date make sure that gets into the final budget to be approved.

MOTION: Motion was made by Commissioner Tornga and seconded by Vice-Mayor Kynes to table this item.

VOTE: Motion carried unanimously.

b. Charter Review Committee-Ordinances

City Clerk Kirkpatrick advised at a Work Session on May 2, 2017, the Commission had consensus to move forward and review:

CRC Ordinances to be considered for the November 7, 2017 Election:

CRC-09	Amending Sec. 3.05 – Mayor and Vice-Mayor
CRC-01	Amending Sec. 3.06 – Vacancies (d)
CRC-02	Amending Sec. 3.08 – Procedure (a)
CRC-05	Amending Sec. 5.01 – Change title from “Elections” to “Electors”
CRC-08	Amending Sec. 6.04 – Standards of Ethics

City Clerk Kirkpatrick advised these will come back to the Commission with Ordinance numbers.

CRC recommendations and suggestions that merit more discussion:

CRC-03 Amending Sec. 4.03 City Attorney

City Attorney Trask advised:

This was a suggested change; it was done five years ago.

The suggestion is to show the City Attorney to be appointed and removed by a 4/5 vote.

When discussed previously the Commission request research of other Pinellas County cities which indicated very few with a 4/5 vote; therefore, it is unusual in Pinellas County to have super majority vote.

He thinks the reasoning behind the CRC making this recommendation this time as it was last time they were concerned about having someone with historical knowledge and some background with the City to keep that ongoing if there was an election where 3 of the 5 members had been replaced. There was not a lot of passion about it at the CRC, just some discussion on a couple of occasions, but there was the recommendation.

City Clerk Kirkpatrick added the CRC thought as a Charter Officer the City Attorney should be treated the same as the City Clerk and City Manager.

Mayor Bujalski recalled the previous discussion noting because the City Attorney is not technically an employee there are purchasing policies for every 10 years to go out with a Request for Proposals. This recommendation would directly impact that purchasing policy.

Vice-Mayor Kynes clarified the CRC was looking for a stable approach and City Attorney Trask researched and found hardly anyone in Pinellas County has that 4/5 super majority.

City Attorney Trask commented:

The example is that with a 3/5 vote it could change or upset the makeup of the commission as well as immediately being able to remove two Charter Officials, the City Auditor and the City Attorney in one fell swoop. He thinks the idea was to put a check in place for there to be a 4/5 super majority vote required to let the City Attorney go.

Obviously, there is the concern for the RFP for the City Attorney position; however, that could be built into the contract to provide the 4/5 vote to remove or replace.

He personally does not have a strong position one way or the other, because if three commissioners do not want the City Attorney in the position then it is probably time for the City Attorney to leave.

Commissioner Freaney commented based on the information from the research provided she supports staying with it, staying where it is. She does feel the Commission has a lot of control with the contract. She asked about the research on the City Auditor position and City Attorney Trask advised they found no city that had a City Auditor as a Charter Official that required a 4/5 vote to remove or replace. Commissioner Freaney stated she was okay with leaving both positions as they are because of the control with the contracts.

Commissioner Tornga commented he understood the reason for the recommendation in terms of making sure there is continuity on the legal side; however, as pointed out the Commission has the flexibility. He agreed with leaving it as it is.

CONSENSUS: The Commission agreed not to make a change to Sec. 4.03 City Attorney.

CRC-04 Amending Sec. 4.04 City Auditor

CONSENSUS: The Commission agreed not to make a change to Sec. 4.04 City Auditor.

CRC-06 Amending Sec. 5.09 Initiative and Referendum Ordinance Proceedings

City Attorney Trask advised:

There was discussion by the CRC relative to petitions being submitted throughout the city, an initiative or referendum petition and there was a question as to whether or not the people who are actually having the petition signed are they going to be personally responsible for circulating the petition or could they basically hire on or bring on other people to circulate the petition and ultimately have all of the signatures determined whether they are appropriate or not.

This particular change is just to add one word to make sure those people who are submitting the petitions be personally responsible for circulating it, so there are not 100 or 200 people out there, there are 10 out there and they are going to be personally responsible to gather the signatures.

The reasoning indicated in the discussion that took place was that you could have people distributing petitions with a different approach with every person who comes up. Hopefully with this language of being personally responsible the presentation would be the same by all 10 people.

If they are personally responsible then maybe there is a greater likelihood the story will be the same or the presentation would be the same by these 10 people presenting the petitions to the public for review and consideration.

City Clerk Kirkpatrick added the other change suggested was going from 5 to 10 people.

Commissioner Freaney asked what would be the ability of the Commission to address say three people circulating the petitions and all three had the wrong stories. City Attorney Trask advised the Commission would not have the ability to address it because they are signing a form and the form says in the very top of the petition what exactly it is they are signing even though someone is making a representation other than that, the City only verifies the signatures and that it was properly worded.

Commissioner Freaney explained her concern for looking like it was limiting the public ability. She understands the example and the intent, but she can think of times when two people would be doing a petition and they would not be telling the accurate truth would be and there is no redress on that anyway.

City Clerk Kirkpatrick explained currently at least 5 people have to claim themselves as the committee before they can do anything.

Commissioner Freaney recalled from the previous discussion that no one puts in the "personally" that the ten people personally are the only ones who can circulate the petition. She vetted this out with other city people and they kind of had the same concern and she is not sure it guarantees where you want to go, improves the odds, but at the same time takes some ability from a good honest legitimate group.

Commissioner Tornga stated he put some thought into this and talked to a few people and one of his concerns was the number of signatures required and it did make sense to him that the person putting the petition out at least was the person getting the signature as opposed to other people getting signatures and people just not even caring what they are signing, just because the person asked. He clarified he was in favor of the change as presented the number and being personally responsible.

Discussion indicated the number of signatures for 2018 would be almost 4,000.

Vice-Mayor Kynes she would like to think that there is a story and that is the story if it is actually about development or displacing small business if it can be proved and so forth in terms of what people think is pertinent to the voters. There is also the issue of people feeling it is an infringement of their right to perceive their view.

Commissioner Gracy stated she did not feel passionately about this issue other than doubling the number. She understands the rationale and agrees with it, but she does not feel strongly about increasing it. She would leave it alone, not discounting the hard work of the CRC.

Mayor Bujalski also understands the reason for the discussion by the CRC. Personally she does not want to do anything that comes close to the perception of trying to control a person's ability to change government in the way they are allowed to do. While everyone has been subjected especially these last couple of years to a lot of misnomers about many different things she prefers to focus her efforts on the Commission as a body, the staff and the City as an organization to do a better job to get the right information out and to listen to the community enough where they do not feel the need for a referendum against something, but that cannot be controlled. It makes no difference to her about the 5 or 10, but the personally responsible part is what she has an issue with. She noted there is a guideline at the top of the document being signed of what it needs to say and the City can hold them accountable to that.

City Attorney Trask explained the document; the petition itself needs to reference specifically what the petitioner is signing, so even though they are telling a story, the document itself will actually show what they are agreeing to.

Mayor Bujalski commented if someone does not care about reading what they are signing, there is nothing she can do about that. There might be an argument to have 10 qualified

voters versus 5; however, she asked for an explanation about that does not necessarily mean there are only 5 people collecting signatures.

City Attorney Trask commented that was the “personally” responsible for circulating, this proposal is not having any more than 10. Taking the “personally responsible” out then the number means if it is left as it currently is they only need 5 to start the process and if it is changed to 10 it is 10 like-minded people to come in and sign to begin the process, but they could have any number of petition gatherers.

Mayor Bujalski determined three Commissioners were in favor of removing the “personally responsible” from the recommendation.

Mayor Bujalski requested a description of what the currently 5 people do and City Attorney Trask explained:

They create the committee whether 5 of 10.

They will be responsible for collecting the signatures and filing the proper form.

The Charter provision also states they have to give an address as to where all notices of the committee are to be sent and that they are going to file an affidavit setting forth they were the ones who will initiate the process.

At the very bottom of the petition that has 25 lines for signatures they would have to sign that they are the person who actually saw these people sign in front for them, not necessarily one of the 5. There is case law that says it does not have to be one of the 5 and that is why it is being addressed by including the word personally and that would solve that case law issue about challenging whether or not in that city the Charter required it to be the petitioners committee or anybody collecting signatures.

City Clerk Kirkpatrick stated she believed each paper of a petition has an affidavit to be signed by the person who obtained the signatures.

CONSENSUS: The Commission agreed not to make a change to Sec. 5.09 Initiative and Referendum Ordinance Proceedings.

CRC-07 Amending Sec. 5.10 Action on Petition

City Attorney Trask advised this recommendation would go away with the consensus not to change the previous recommendation.

Suggestions

Suggestion #1 Change the Qualifying Period Dates for City Elections

City Attorney Trask advised City Clerk Kirkpatrick prepared a chart to explain what it would mean if the change was made based on the recommendation.

City Clerk Kirkpatrick presented the chart showing:

The current qualifying period, is from the 155th day prior to 141st day.

The qualifying period for the City's first November election was from the 113th day to the 99th day, which starts around the middle of July.

The CRC recommendation was to be the same as when the City elections were held in March, which were the 99th day prior to the 85th day prior to the election.

Mayor Bujalski commented regarding the County having their primary in August and at the previous discussion there was concern expressed about crossing over with that especially with signage although that does not happen every time.

Commissioner Freaney asked why it was originally lengthened and Ms. Kirkpatrick advised it was changed before she came with the City for the first November election by the Commission and then there was thought given to having the same qualifying period as Pinellas County for the same elections.

Mayor Bujalski clarified that the time was created for the first November election and then Ms. Kirkpatrick thought it would be more efficient to go with keeping the same dates as the County and then probably realized it was just moved up too much. Ms. Kirkpatrick commented the longer period make it more expensive for the candidates.

Mayor Bujalski suggested just going back to the original time period depicted in the green on the chart which is a little later, but not as late as crossing over with the primary. Its 3 months versus 4 months of a campaign.

Vice-Mayor Kynes questioned if that is really going to affect the signage.

Commissioner Freaney recalled things really heated up by early March and maybe even before that at the last election and that was with the June. She believes the qualifying period might not stop that kind of aggressiveness, but it might help.

Ms. Kirkpatrick noted it says "No person shall qualify as a candidate prior to the 155th day before the election.", so if they can't qualify they should not be putting up signs (City Code, Sec 26-74).

Commissioner Gracy clarified with Ms. Kirkpatrick that a candidate can open a bank account prior to the qualifying period and noted then signs can be funded before qualifying.

Commissioner Freaney thinks what happened last year will still happen, as soon as it was January; they were out of the box. She suggested you don't want to overreact and that could have been a fluke.

Commissioner Tornga recalled at the last discussion in talking about the sign code requirement and decided to wait on that and move that up a little and include it in the sign code to control that part of the big complaints that were heard.

Mayor Bujalski noted the suggestion is to move the qualifying period later and make the sign code correspond with not being allowed to put signs up until the qualifying; she suggested the two issues might need to be separated, choose a date for the signs and then a date for qualifying.

Commissioner Freaney agreed with moving the qualifying period back to what it was formerly and it is possibly a good middle ground and will help.

Mayor Bujalski noted then the signs can be treated separately.

City Attorney Trask acknowledged that the signs are going to have to go back to the sign code anyway. He advised he is having a conference call tomorrow with the attorneys who are working on the sign code work to get it moving along.

Vice-Mayor Kynes commented she thought the sign proliferation was the causation for trying to do qualifying period. City Attorney Trask acknowledged that is what the discussion

was at the CRC, it was all connected, if we changed the qualifying period to move it up that it would stop some of this proliferation of election signs, but it can also be addressed in the sign code and obviously the sign code will be done long before July 2018.

Mayor Bujalski noted with the March election there was about 2 ½ months to run a campaign after qualifying and then it went all the way to 5 ½ months now. Elections are starting much longer; the campaigning is going much longer.

Vice-Mayor Kynes brought forward the idea of the November election and hearing from some residents the question of going back to a March election. Mayor Bujalski noted the change was approved by a substantial majority referendum vote and there is significantly more voter participation. Discussion ensued regarding that idea and the possibility of having the conversation again taking into consideration the changes since that time in terms of costs and so forth.

CONSENSUS: The Commissioner agreed to direct the City Attorney to prepare an ordinance to change the qualifying period for City Elections:

From: 150 days to noon on 141st day prior to the election.

To: 113 days to noon on the 99th day prior to the election.

With regard to the campaign signs issue, City Attorney Trask advised they are looking at a 6 to 8 week process for the sign code after the first meeting with the Commission.

Suggestion #2 Increase the salary of the elected officials appropriately within current range of similar surrounding communities

City Attorney Trask noted the comparison to other cities came from Jackie Nigro.

Mayor Bujalski noted at the request of Commissioner Tornga City Clerk Kirkpatrick provided information on when the Commission received an increase and when was the last time and according to that there were increases in 1980, 1984, 1986 and then the last time was 1998 which is 19 years ago. The comparison indicated average salaries based on local cities today are \$11,500 for Commissioners and \$15,000 for Mayors. An alternative analysis going back to 1998 and used the CPI it would all come out with those two numbers.

Commissioner Gracy commented it is good to have the comparison to other cities; however, in looking at some of those cities they are half of what Dunedin is. She does not know if those should be used as that much of a comparison tool.

Mayor Bujalski commented Safety Harbor has had an ongoing issue for many years about their salary.

Mayor Bujalski commented while no one ever wants to look like they are giving themselves a raise; she does think the suggestion whatever the amounts putting the salaries commensurate with some type of automatic review in the future and taking the political aspect out of it and trying to correct 19 years, the work load and population increase. It is still considered a volunteer based type position and not meant to be a full time job, except that it is. She thinks it something the Commission should be doing and in the future it should be on some kind of automatic cycle.

Vice-Mayor Kynes clarified that this does not go to referendum; it is just a suggestion from the Charter Review Committee.

City Attorney Trask commented usually the salary is set forth in an ordinance adopted outside the charter so there does not have to be a referendum every time for a salary increase.

Ms. Kirkpatrick commented it is usually not effective until after the next election, not immediately.

City Attorney Trask explained the ordinance can be drafted to reflect the increases would be effective on the date of the next election.

Commissioner Gracy commented she is interested in increasing the salary, but not until someone else is in her seat. She would like to have that recommendation in place and asked if it could be seat specific.

City Attorney Trask stated language could be drafted so it could go into place for any new commissioners filling any particular seat. The problem is having a commissioner who is new and the others are in their second term or whatever and that would mean they would do without for the next four years while the others are getting raise.

Mayor Bujalski while she understood the thinking she did not think there would be one citizen who knowing the Commission has not had an increase in almost two decades that would have an issue with it. She feels it should be budget reflective.

When Commissioner Freaney wondered how the increases were handled in the past, Mayor Bujalski referred to the ordinances indicating in 1980 it was retroactive to November and it was signed in December; 1984 it was dated November and became effective December 5; 1986 was signed in April and became effective immediately, 1998 was signed in January with the amended ordinance effective March 4 which was an election. She does not see a reason to wait for elections and the Charter Review Committee is recommending it.

Commissioner Tomga commented if the Commission is going to do this and some of the reasons have been touched on as to why they would, he thinks the decisions should be made to do it and just do it. He liked there being an automatic way of doing it and he thought maybe it is not the salary given to other employees, but maybe it is a CPI and a Commission can always make a motion not to accept that increase in a given year if there is an issue to make a point, though it is not a lot of money. That way it won't go for 18 years. That would take it out of the political realm.

Mayor Bujalski agreed and if it is done in the budget process; she recalled in the downturn of the economy the City Manager refused to take his raise and there was no raise for the employees and she would presume the Commissioners would do the same.

Commissioner Freaney commented she was conflicted and that it is more work than she anticipated and that is after working next to elected officials her whole career. She understands and it has been a long time since the raise and it is uncomfortable. Speaking from a staff perspective it never was intended to be a full time job, indexing and raises like an employee she is not sure. The principle of that is because in the City Manager form of government there is a CEO and if there are five people who think it is their full time job then they probably are getting way too in the weeds with operations. On the other hand the Commissioners are asked to make policy decisions that take tons of homework and there are huge issues. She does think it is probably time for some kind of raise, she has mixed feelings about indexing, although it takes the politics out of it and she has heard that in other places and it has gone down as something maybe that they should not do. She gives kudos to the

CRC for bringing it up because it is uncomfortable for the Commission to bring it up. She could support something knowing they all work a lot more than anyone realizes and that doesn't mean micromanaging, just doing the homework to make good decisions.

Mayor Bujalski noted there are two issues, the raise and how to deal with it in the future. She suggested asking Finance Director Ciurro and the Interim City Manager to put the raise in the upcoming proposed budget to make sure it can work and then determine the second part at a later date. She clarified the raise would be for the upcoming fiscal year on October 1st and it can be reviewed during the budget process. Possibly the Commission can be provided with what is done for the part time employees.

Vice-Mayor Kynes commented if the decision is to go that way there should be unanimous consensus, all five or none. Mayor Bujalski agreed in that it cannot be political, it has to be because it is the right thing to do and keep the two issues.

Mr. Ironsmith clarified with Mayor Bujalski the direction to go ahead and put the raise in the proposed budget for next fiscal year for all five commissioners, have Human Resources Director Smalling provide information on what happens with part time salaries in terms of a percentage and then direction regarding the ordinance will be given during the budget process.

Commissioner Tornega pointed out again there are other expenses the Commission goes through and there is another way of looking at this, for example when he drives his vehicle to Orlando, then he charges mileage, when he drives around the city he does not, if he stops and has a meal with someone he pays for that. Maybe there could be an expense type thing as opposed to the concept of salary. Commissioners spend some money when they are in office.

Mayor Bujalski asked what the Charter says about what the salary is there for and City Attorney Trask read Section 3.04:

The salary the City Commission shall be established in recognition of the principle of the service of the Mayor and Commissioners is a matter of public service to the community and is not actual compensation for services rendered. The annual salary of the City Commission shall be determined by ordinance. The Mayor and Commissioners shall also receive their actual and necessary expenses incurred with performance of the duties of office as provided by resolution. All expenses shall be itemized or the per diem and traveling expenses applicable to State employees shall be used.

Mayor Bujalski summarized the Charter Review Committee brought this forward and she in directing the meeting is asking if there is consensus to add the recommended increase into the proposed budget to be considered and reviewed against all other expense needs as with any other expense item in July.

Vice-Mayor Kynes expressed significant concern and being uncomfortable with this issue and she is the one who has been here since 1998. She has never given herself a raise.

Commissioner Gracy commented she liked very much what Mayor Bujalski was suggesting; however, her one concern is within the budget process it loses some transparency, so she would be willing to talk about it and have staff put it in the budget, but she would like to discuss it as a separate item.

Mayor Bujalski stated it would be the same as for example Aid to Organizations, it is talked through.

City Attorney Trask advised it has to be a public hearing.

Mayor Bujalski noted it would have to be an ordinance with two public hearings would have to ensue prior to being passed.

Commissioner Gracy commented that while Vice-Mayor Kynes makes some good points the Commissioners are not on the dais to be comfortable and she is thinking in terms of her not being in this chair, it is for succession and building the future. It could attract a wider base to the office.

Commissioner Freaney commented she would be more comfortable if it were effective after the next election. She is trying to think of not the political and as Commissioner Gracy said the policy decision that creates good government that makes people who cannot afford it can serve. She also considered Commissioner Gracy's suggestion that in the budget process it is separated out to be discussed. For her it does not mean she is saying she thinks it should go in this budget because she might think it needs to go in the next election period so that it does not seem self-serving, under those guises she thinks she could potentially go for it.

Vice-Mayor Kynes commented she also does not want to be self-serving and that there is discussion about succession plans for employees and we do want to encourage and not discourage with many generations to follow. She does not want them to think it's a club, but the other part of her says it is pure public service and how can you not say well it's public service, but it's not public service.

Commissioner Tomga commented he thought the Commissioners took this on without even knowing or asking what they would be receiving. Now a group has made a proposal and he thinks the Commission should decide whether it makes sense, the arguments have been heard and he will go with the group.

Mayor Bujalski commented addressing it through the budget process gives the most quantifiable information, not only for the policy decision, but is it harming something else and then if the Commission chooses at that point to move forward there are still two public hearings.

Mr. Ironsmith clarified the direction would be to put the increase in the budget to be discussed as a separate line item adjusting the Commission salaries and if approved then there will be an ordinance to follow through and there will be a memo from Human Resources Director Smalling provide information on what happens with part time salaries in terms of a percentage.

Vice-Mayor Kynes reiterated her significant concern and she is torn. She wants to be sure there is real transparency on this and people can weight in.

Commissioner Freaney pointed out the decision is only to vet it out because the CRC has suggested it.

CONSENSUS: The Commission agreed to add the recommended Commission salary increase into the proposed budget to be considered and reviewed against all other expense needs as with any other expense item in July.

3. Commission Discussion

Vice-Mayor Kynes recalled Mayor Bujalski called in Raphael Clemente who did a big spread, Quality Cities, creative fuel, he mentioned ... and she said the City of Dunedin had asked him to come to town for two days of intensive discussion and then they asked her about the Give Me Shelter. She provided the Give Me Shelter Request for Qualifications (RFQ) that is out to all the artists regionally. It is out on many various entities along with all the regional arts entities. She thinks it was a great idea to call Raphael Clemente in and they have talked to many regional cities.

Vice-Mayor Kynes commented on the Give Me Shelter, it did not take a village, it took a metropolis. Everyone who weighed in, the committees and City staff worked very hard and she thanked them all.

Commissioner Tornga stated he would like for the Commission to establish a Military Veterans Advisory Committee for the City of Dunedin, he thinks the important thing would be it would be an establishment for the City whereas there would be Veterans on the committee to take care of it themselves to make sure there was visibility within the community and; they are very strong with the Purple Heart Park and welcoming Veterans. Members could come from the V.F.W., American Legion and other organizations.

Mayor Bujalski asked staff to work with Commissioner Tornga on what his vision is for the committee and add it to an agenda if that is the consensus of the Commission.

CONSENSUS: The Commission agreed to direct staff to work with Commissioner Tornga on what his vision is for establishing a Military Veterans Advisory Committee and add it to a future agenda.

4. **City Clerk's Update** – Nothing.
5. **Interim City Manager's Written Status Report** relative to significant matters affecting the City.

Mr. Ironsmith advised the Community Redevelopment District property tax values to include new projects like Victoria Place went up 26% blowing away any other place in Pinellas County. It will be reflected in the CRA budget.

Commissioner Gracy commented that is a good value to know and to take to Tallahassee.

Mr. Ironsmith advised Dunedin was featured in the Florida Redevelopment Association Newsletter, before and after pictures, with his picture of the tumbleweed and the new one.

6. **City Attorney's Update** – Nothing.
7. **Commission Comments**

Commissioner Tornga commented there is lots of activity in Forward Pinellas because of the changes in Tallahassee regarding the Metropolitan Planning Organization (MPO) concept which is transportation and transit, which is in part the Pinellas Suncoast Transit Authority (PSTA) and the whole merge of the different counties. There is also the TMA, which is three members of each of the counties, a big board that is attempting to coordinate within the three counties. They are continuing with the research for Alternate U.S. 19 to go all the way from the southern point to the most northern point. Many of these items take a lot of time and they are working diligently.

Vice-Mayor Kynes added the Dunedin Fine Arts Center in her thanks as part of the "Give Me Shelter" project.

The names to thank: the entire "Give Me Shelter" Committee, the funding partners: Mease Dunedin Hospital/BayCare Health Systems, the Pinellas Suncoast Transit Authority, the City of Dunedin/CRA and the North Pinellas Cultural Alliance.

Others who aided this endeavor of writing the RFQ/Call to Artists and publicizing the RFQ/Call to Artists are Elizabeth Brincklow, Jackie Nigro, Catherine Bergman, Nathan Beard, Mark Flickinger, Barbara St. Clair of Creative Pinellas, George Ann Bissett, Trevor Davis, Andrea Nazzaro, Greg Rice, Lael Giebel and Keith Fogarty.

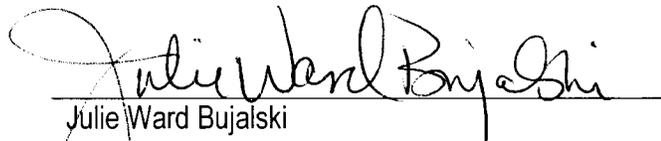
The "Give Me Shelter" Committee is made up of Vice Chairman Rod Collman, Mease Dunedin Hospital/BayCare Health Systems: Kelly Cullen, Lou Gualdieri, Pinellas Suncoast Transit Authority: Chris Cochran, the City of Dunedin: Trevor Davis, CRA Liaison: Wendy Barmore, Arts and Culture Advisory Committee Liaison: Ed McNally, North Pinellas Cultural Alliance: Ken Hannon, Community Liaison: Cameron Campbell.

It has taken a "village" of people that have shared their time, talents and expertise. We will have more people to thank that have agreed to sit on the Selection Panel on July 17.

ADJOURN MEETING

The Work Session adjourned at 1:05 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