



**City of Gulfport Florida**  
**Regular City Council Meeting Notice**  
**Tuesday, April 19, 2016**

**City Hall – 2401 53<sup>rd</sup> Street South, Gulfport, FL 33707**

**7:00 p.m.**

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AGENDA

Call to Order

Invocation given by Councilmember Daniel Liedtke

Pledge of Allegiance

Roll Call:

Presentations:

Gulfport Town Shores Women's Club – Donation

Spirit of Gulfport Award – Tampa Bay Beach Bums

State Representative Kathleen Peters – 2016 Legislative Session Update

Mary Yeargan, PG, FDEP – District Director, Southwest District – Environmental Update

1. Public Comment.

2. City Manager Report.

3. City Attorney Report.

4. City Clerk Report.

5. Consent:

a. 2016-28: A resolution of the City of Gulfport, Florida, appointing a member to serve on the Firefighters' Pension Board; providing for term of appointment; and providing for an effective date.

b. 2016-29: A resolution of the City of Gulfport, Florida, ratifying the appointment of the Fifth Member to the Police Pension Board; providing for term of appointment; and providing for an effective date.

c. 2016-30: A resolution of the City of Gulfport, Florida, authorizing the city manager to renew the contract for Special Master services with James D. Thaler, Jr., Attorney at Law; and providing for an effective date.

6. Ordinance: None

7. Resolutions: None

8. Discussion: Minimum Wage

9. Discussion: 2016/17 - Capital Improvement Program and Budget.

10. Discussion: Council Rules of Procedures.

11. Council Comments/Informational Reports.

12. Adjournment.

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 893-1000 or fax a written request to (727) 893-1005. This meeting is open to the public. Posted: April 15, 2016.



**CITY OF GULFPORT  
CITY COUNCIL  
AGENDA MEMORANDUM**

**FROM:** Lesley DeMuth, City Clerk

**AGENDA ITEM:** 5-e

**DATE:** April 17, 2012

**RESOLUTION:** 2012-19

**SUBJECT:** Fire Pension Board Appointment

**BACKGROUND:**

The Firefighters' Pension Board consists of five trustees; two trustees who are residents of the city and appointed by the City Council, two trustees who are members of the system and elected by a majority of its members, and a fifth trustee who is chosen by the majority of the board trustees and ratified by City Council. Fire Pension Board Trustees serve four year terms.

**ANALYSIS:**

One of the City Council's appointed resident members to the Pension Board term has expired and they have expressed an interest in continuing to serve the City and Fire Department in this capacity.

**FINANCIAL IMPACT:**

None.

**MOTION:**

Move to approve Resolution No. 2012-19.

RESOLUTION NO. 2016-28

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE FIREFIGHTERS' PENSION BOARD; PROVIDING FOR TERM OF APPOINTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Gulfport Firefighters' Pension Board consist of five members; and

WHEREAS, one of the City Council's appointed "Resident" Board Member's term has expired; and

WHEREAS, the "Resident" Board Member, Michael O'Toole, has expressed his interested in continuing to serve on the Board.

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

**Section 1.** The City Council hereby reappoints Michael O'Toole as a "Resident" Board Member on the Gulfport Firefighters' Pension Board for a term expiring February, 2020.

**Section 2.** This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 19<sup>th</sup> day of April, 2016 by the Council of the City of Gulfport, Florida.

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Samuel Henderson, Mayor

ATTEST:

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Lesley DeMuth, City Clerk



## **CITY OF GULFPORT CITY COUNCIL AGENDA MEMORANDUM**

**FROM:** Lesley DeMuth, City Clerk  
**DATE:** April 19, 2016  
**SUBJECT:** Police Pension Board Appointment

**AGENDA ITEM:** 5-b  
**RESOLUTION:** 2016-29

### **BACKGROUND:**

The Police Pension Board consists of five trustees; two trustees who are residents of the City and appointed by the City Council, two trustees who are members of the system and elected by a majority of its members, and a fifth trustee who is chosen by the majority of the board trustees and ratified by City Council. Police Pension Board Trustees serve four-year terms.

### **ANALYSIS:**

The term of the fifth trustee on the Board expired and the Board is desirous of City Council ratifying their reappointment of Alex Falconeri as the fifth trustee.

### **FINANCIAL IMPACT:**

None.

### **MOTION:**

Move to approve Resolution No. 2016-29.

RESOLUTION NO. 2016-29

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, RATIFYING THE APPOINTMENT OF THE FIFTH MEMBER TO THE POLICE PENSION BOARD; PROVIDING FOR TERM OF APPOINTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Gulfport Police Pension Board consist of five members; and

WHEREAS, the Fifth Member of the Police Pension Board is appointed by the Board and ratified by the City Council.

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

**Section 1.** The City Council hereby ratifies the appointment of Alex Falconeri as the Fifth Member of the Police Pension Board for a four-year term: November 2015 – November 2019.

**Section 2.** This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 19th day of April, 2016 by the Council of the City of Gulfport, Florida.

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Samuel Henderson, Mayor

ATTEST:

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Lesley DeMuth, City Clerk



**CITY OF GULFPORT  
CITY COUNCIL  
AGENDA MEMORANDUM**

**FROM:** James E. O'Reilly, City Manager

**DATE:** April 19, 2016

**AGENDA ITEM:** 5-c

**RESOLUTION NO:** 2016-30

**SUBJECT:** Re-appointment of Attorney James D. Thaler, Jr. as the City's Special Master.

**RECOMMENDATION:** City Council to provide authorization for the City Manager to renew the agreement with James D. Thaler, Jr., Attorney at Law to continue to provide Special Master Services to the City of Gulfport.

**BACKGROUND:**

The Special Master is a licensed attorney selected by the City Manager, and approved by the City Council to serve as a supplemental code enforcement process for the city. The special master is vested with all the powers granted under Chapter 162 of the Florida Statutes.

City Council approved Ordinance 2011-21 on second (2<sup>nd</sup>) reading on November 1, 2011; amending Chapter 12, Health and Sanitation; of the City of Gulfport's Code of Ordinances, establishing Article III, Special Master Supplemental Code Enforcement.

Pursuant to Section 163.08, Florida Statutes, the City at that time published a request for proposals for the purpose of selecting and retaining one (1) attorney to provide Special Master Services to the City of Gulfport. On April 3, 2012 City Council initially approved the selection of Attorney Thaler to provide Special Master Services to the City of Gulfport. The City of Gulfport City Council has subsequently renewed and extended Attorney Thaler's contract respectively in 2013, 2014 and again on March 17, 2015.

**ANALYSIS:**

Staff is very pleased with Attorney Thaler's handling of the position; he is well prepared and provides an excellent professional demeanor and environment for the hearings.

Attorney Thaler continues to meet all of the requirements set for in the solicitation of services.

Attorney Thaler is a Gulfport resident and has served on the faculty of Stetson College of Law.

City Attorney Salzman and Attorney Thaler have previously reviewed the existing agreement and found it legally sufficient to execute.

**FINANCIAL IMPACT:**

Staff projects the cost associated with Special Master Program's attorney fees for the next fiscal year to be an estimated \$3,000.00. Attorney Thaler's agreement provides for a rate of \$150.00 per hour on an as needed basis. The Special Master convenes hearings on an as needed basis, with hearings scheduled for the fourth Thursday of the month, as necessary, if violations are to be heard. Overall code enforcement costs related to the program may be recouped as provide for within Ordinance 2011-21.

**MOTION:**

Move to approve/deny Resolution No. 2016-30 authorizing the City Manager to once again enter into an agreement with the James D. Thaler, Jr., Attorney at Law to provide Special Master Services to the City of Gulfport at a rate of \$150.00 per hour.



RESOLUTION NO. 2016-30

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, AUTHORIZING THE CITY MANAGER TO RENEW THE CONTRACT FOR SPECIAL MASTER SERVICES WITH JAMES D. THALER, JR., ATTORNEY AT LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2011-21 provides that the city manager shall appoint a Special Master on the basis of experience or interest in code enforcement with the ratification of city council, and

WHEREAS, The city manager has recommended the renewal of the Contract for Professional Services with James D. Thaler, Jr., Esq., for an additional year under the same terms and conditions.

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

**Section 1.** The city council hereby authorizes the city manager to renew the Contract for Professional Services with James D. Thaler, Jr., Esq., to provide Special Master Services to the City of Gulfport for one-year under the same terms and conditions.

**Section 2.** This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 19th day of April, 2016 by the Council of the City of Gulfport, Florida.

\_\_\_\_\_  
Samuel Henderson, Mayor

ATTEST:

\_\_\_\_\_  
Lesley DeMuth, City Clerk



BRIAN J. DURHAM  
PAUL L. HAMMOND  
JEFFREY D. JENSEN  
ASHLEY D. JORDAN  
ANDREW J. SALZMAN  
T.R. UNICE, JR., B.C.S.\*+

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\*Board Certified Civil Trial Lawyer  
+American Board of Trial Advocates

**MEMORANDUM**

TO: Samuel Henderson, Mayor  
Michael Fridovich, Vice Mayor  
Daniel Liedtke, Councilmember  
Christine Brown, Councilmember  
Yolanda Roman, Councilmember

FROM: Andrew J. Salzman, City Attorney

CC: James O'Reilly, City Manager  
Lesley DeMuth, City Clerk

DATE: April 15, 2016

RE: Minimum Wage

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The City Council has been asked to consider raising the minimum wage for employees in the City of Gulfport. Florida Statute §218.077, Wage and employment benefits requirements by political subdivisions; restrictions, provides that a political subdivision (municipality) may not establish, mandate, or otherwise require an employer to pay a minimum wage, other than a state or federal minimum wage, to apply a state or federal minimum wage to wages exempt from a state or federal minimum wage, or to provide employment benefits not otherwise required by state or federal law.

This prohibition does not limit the City from establishing a minimum wage greater than that of the federal minimum wage or to provide employment benefits not otherwise required under state or federal law for employees of the City, or employees of an employer contracting to provide goods or services with the City.

The current federal minimum wage for non-exempt employees is \$7.25 per hour. The State of Florida's minimum wage is \$8.05 per hour.

# DRAFT - PROPOSED FISCAL YEAR(S) 2017 -2021 - FIVE (5) - YEAR CAPITAL IMPROVEMENT BUDGET - APRIL 5, 2016

## PENNY FOR PINELLAS - LOCAL OPTION SALES TAX (LOST)

### "Penny For Pinellas" Capital Appropriation:

PROJECT	2016	2017	2018	2019	2020	2021
Marina Transfer To General Fund	200,000	200,000	200,000	200,000	80,000	0
Williams Pier Replacement Fund	10,000	10,000	10,000	10,000	10,000	10,000
(*3) Street Resurfacing (Paving) & Brick	335,000					
(*4) Street Resurfacing (Paving) & Brick		400,000				
(*5) Street Resurfacing (Paving) & Brick			350,000			
(*6) & (*7) Street Resurface (Paving) & Brick				350,000	350,000	335,000
Sidewalk Improvements	20,000	25,000	40,000	40,000	40,000	20,000
Alley Improvements	47,000	47,000	47,000	50,000	50,000	47,000
Public Safety -Police Vehicles	137,260	0	200,000	150,000	150,000	165,000
Public Safety - Police Laptop Replacement	0	25,000	0	0	0	30,000
Public Safety - Police Laptops	2,550	0	2,750	2,750	2,750	0
Public Safety -Police Radio Replacement	0	145,000	0	0	0	150,000
Public Safety -Police Radios	7,750	0	8,000	8,000	8,000	8,000
Public Safety -Fire - Equipment	17,940	15,000	15,000	15,000	15,000	15,000
Public Safety -Fire - Operations Vehicle	30,000	25,000	0	0	0	0
Public Safety -Fire/EMS Vehicle	0	150,000	0	0	0	0
Public Safety -Fire Pumper Truck	0	0	0	0	0	500,000
City Facility Maintenance (Buildings)	50,000	50,000	75,000	50,000	50,000	50,000
Clam Bayou Pier Replacement	141,000	0	0	0	0	
Recreation Ctr. Fitness Course Rep.	15,000	0	0	0	0	15,000
Recreation Ctr. Pavillion	0	0	30,000	0	0	0
Beach Improvements & Amenities	100,000	100,000	100,000	100,000	100,000	100,000
Phase I - Shore Blvd. Improvements	200,000	0	0	0	0	0
Beach Re-Nourishment > 35% ACOE Match	0	200,000	500,000	500,000	500,000	0
Osgood Point Trail Connector	400,000	0	0	0	0	0
Marina to Williams Pier & Waterfront Dist.	0	0	0	0	0	0
Shore Blvd./58th S/S. to Crescent Dr. S.	0	0	0	0	0	0
* Beach Volleyball Improvements	0	0	0	0	0	0
* Fire Station - Solar Panel Program	0	0	0	0	0	0

# DRAFT - PROPOSED FISCAL YEAR(S) 2017 -2021 - FIVE (5) - YEAR CAPITAL IMPROVEMENT BUDGET - APRIL 5, 2016

## WATERFRONT REDEVELOPMENT DISTRICT

= TAX INCREMENT FINANCING (TIF)

### WRD - TIF Fund Capital Appropriation:

Phase I - Shore Blvd. Improvements 2016	600,000	0	0	0	0	0
Phase II - Shore Blvd. Improvements 2017	0	600,000	0	0	0	0
4th of July Fireworks Display	23,500	23,500	23,500	23,500	23,500	25,000
Skate Park Replacement/Relocation	0	125,000	0	0	0	0
Shore Blvd. Roadway Rehabilitation	0	214,500	0	0	0	0
* <i>Shore Blvd. Drainage Survey (Essex Plan)</i>	0	0	0	0	0	0

## GENERAL FUND

### General Fund Capital Appropriation:

# = Could Be Marina Project

*/# <i>CITY OF GULFPORT MOORING FIELD</i>	350,000	0	50,000	50,000	50,000	50,000
*/# <i>MOORING FIELD - PUMP OUT BOAT</i>	125,000	0	10,000	10,000	10,000	10,000
City IT - Computer Network Infrastructure	0	25,000		25,000		25,000
City IT - Computer Lifecycle/Emergency Server Replacement		10,000	10,000	12,500	12,500	15,000
Library - Computer Lifecycle/Emergency Server Replacement		5,000	5,000	7,500	7,500	10,000
Library - Children's Computers	10,000	0	10,000	0	12,500	0
Library - Books & Materials	50,000	60,000	65,000	65,000	65,000	70,000
Library - Furniture Replacement	20,000	0	0	20,000	0	20,000
Misc.Sign/Bench/Trash Can/Banner	0	25,000	25,000	25,000	25,000	25,000
Trail & Parking Directional Signs	50,000	50,000	50,000	50,000	50,000	0
Building Maint.: Vehicle #65 Replacement	25,000	0	0	0	0	0
Garage: Vehicle #70 Replacement	0	0	22,000	0	0	0
Streets: Vehicle #71 Replacement	22,000	0	0	0	0	0
Parks: Tractor Replacement	38,000	0	0	0	0	0
Parks: Utility Vehicle Replacement	20,000	0	0	0	0	0
Parks: Vehicle # 1 Replacement	0	0	22,000	0	0	0
GEMS - Replacement Vehicle(s)	0	100,000	0	0	0	100,000
* <i>Traffic Control - Intersection Cameras</i>	0	0	0	0	0	0
* <i>City Hall Electrical System</i>	0	0	0	0	0	0

# DRAFT - PROPOSED FISCAL YEAR(S) 2017 -2021 - FIVE (5) - YEAR CAPITAL IMPROVEMENT BUDGET - APRIL 5, 2016

## MARINA FUND

### Marina Capital Appropriation:

<b>*/X Marina Transfer To General Fund</b>	<b>200,000</b>	<b>200,000</b>	<b>200,000</b>	<b>200,000</b>	<b>80,000</b>	<b>0</b>
Casino - Floating Dock	2015					
Ship Store/Amenities Design	2015					
Install 10 (20K)Boat Lifts	2015					
Upgrade/Replace/Relocate Fuel Lines	2015					
Marina Imp.- Live-Aboard Imps.	0	0	55,000	0	0	0
GYC/Yacht Basin Maint. Dredge	0	0	100,000	0	0	0
Live-Aboards/Transient Park	0	45,000	0	0	0	0
Marina Parking Pay Stations	0	15,000	0	0	0	0
Marina Parking Paving	0	0	145,000	0	0	0
Marina Dry Storage/BYCC Lot Paving	0	0	125,000	0	0	0
Marina Internal Pumpouts	0	0	125,000	0	0	0
Marina Undergrounding	0	30,000	0	0	0	0
Ship Store/Amenities	700,000	0	0	0	0	0
Store Point of Sale System	0	25,000	0	0	0	0

## UTILITY FUND

### Total Utility Capital Appropriation:

Utility Rate Study (* If Necessary)	0	25,000	0	0	0	25,000
31st Ave. South - Waterline & Restoration	411,500	0	0	0	0	0
Sanitary Sewer Utility R&R (SRLF)(*Per FY 17 B	835,000	700,000	700,000	700,000	700,000	700,000
SRLF - Loan Payment	0	100,000	100,000	100,000	100,000	100,000
Flood-Proof Sanitary Sewer Lift Station @ 58th S/S & Shore Blvd.	0	0	0	0	500,000	0
49th St. Outfall Water Q	500,000	1,780,582	0	0	0	0
STATE APPROPRIATION	640,291					
SWFWMD GRANT	320,146					
CITY - YEAR 1 (15/16)	320,145					
CITY - YEAR 2 (16/17)	1,780,582	320,145	320,145	0	0	0
Small Scale Stormwater Projects	75,000	75,000	75,000	75,000	75,000	100,000
Water Line Replacement	0	0	0	350,000	350,000	500,000

**DRAFT - PROPOSED FISCAL YEAR(S) 2017 -2021 - FIVE (5) - YEAR CAPITAL IMPROVEMENT BUDGET - APRIL 5, 2016**

**SANITATION FUND**

**Total Sanitation Capital Appropriation:**

Rear Loader #44		220,000	0	0	0	220,000
Front End Loader #35		0	175,000	0	0	0
Claw Truck #29		0	0	175,000	0	0
Rear Loader #43		0	0	240,000	0	0
Side Loader #31		0	0	0	265,000	0
Side Loader #46		0	0	0	265,000	0
Sanitation Truck - Auto/Side Loader		0	250,000	0	0	250,000
Revolving Loan Payment #1 - Sideloader		45,634	45,634	45,634	45,634	0
Revolving Loan Payment #2 - Dump Truck		26,197	26,197	26,197	26,197	0
Revolving Loan Payment #3 - Rear Loader		45,634	45,634	45,634	45,634	45,634

# DRAFT - PROPOSED FISCAL YEAR(S) 2017 -2021 - FIVE (5) - YEAR CAPITAL IMPROVEMENT BUDGET - APRIL 5, 2016

## PREVIOUSLY PROPOSED UNFUNDED PROJECTS AND PURCHASES

1). FULL BALANCE OF MARINA TRANSFER TO GENERAL FUND	880,000	680,000	<b>PENDING - SHIP STORE/LIVE ABOARD AMEN. ARCHITECTURAL REVIEW</b>
2). SENIOR CENTER (MPC) RENOVATION		4,000,000	
3). MOBIL STAGE		125,000	
4). CASINO OUTSIDE DECK REPLACEMENT		200,000	
5). BEACH ENTERTAINMENT & AMUSEMENT EQUIPMENT		350,000	
6). OSGOOD PT./CLAM BAYOU BOARDWALK PROJECT		500,000	
7). OSGOOD PT./CLAM BAYOU SCENIC OVERLOOK TOWER		500,000	
8). CLYMER ARCHWAY @ Gulfport Blvd./55th Street/Beach Blvd.		TBD	
9). CITY HALL: RE-PLAN		TBD	
10). GULFPORT BLVD. BEAUTIFICATION @ 49th Street South to 58th Street South		TBD	
11). CLYMER PARK ART WALKWAY (EASTSIDE)		TBD	
12). CITY HALL ELECTRICAL SYSTEM UPGRADE		TBD	

## 2015 - MAJOR APPROVED PROJECTS W/BP SETTLEMENT FUNDS

### FUNDING

1). Sanitary Sewer Improvements	400,000	Create Reserve Fund for first (1st) SRLF payment.
2). Roadway and Paving Improvements	400,000	Appropriated and Encumbered 02/16 & 03/01 (2016).
3). Tomlinson Park Playground	250,000	Pending 03/23 Ward (4) Community Input Meeting.
4). Beach Parking Lot (alternatives)	100,000	April 19 - Shore Blvd. Phase I - Project Review.
5). Marina Parking Lot Paving	81,233	Pending - Building / Outfall Pond Completion.
6). (9) Wood Ibis Park Streetlight Replacement	15,000	Pending - Duke Energy Contract.

## CITY COUNCIL PROPOSED PROJECTS

### COST

1). City of Gulfport - Mooring Field	350,000		
2). Mooring Field - Pump Out Boat	125,000		
3). Shore Blvd. - Drainage Survey (Essex Plan)	100,000		
4). Beach Volleyball Improvements	100,000		
5). Fire Station - Solar Panel Program	57,000		
6). Traffic Control - Intersection Cameras	307,000		
		371,250	247,500
			123,750

Variable estimate ranges + Design costs

City Council



# CITY OF GULFPORT CITY COUNCIL AGENDA MEMORANDUM

**FROM:** James E. O'Reilly, City Manager

**DATE:** April 19, 2016

**AGENDA ITEM:** 9

**SUBJECT:** Discussion #1 –  
Proposed Fiscal Year 2016/2017 Operating Budget  
Preliminary Fiscal Year 2016/2017 Capital Improvement Program

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## **PRECURSOR:**

As preliminary Fiscal Year 2016/2017 Budget discussions begin - City Council and City staff members would be remiss in not acknowledging the influence and impact that the aggressive scope of projects that are now coming to fruition. Projects that are presently being implemented and facilitated as a result of City Council's direction, approval and long term planning in addition to revenue/funding source development.

- 1). **Marina Improvements - Marina Building and Retail Store Improvements**
  - Marina Paving
  - Undergrounding of Marina Utilities
  - Live-Aboard/Transient Boater Park Development
  - Facility Landscaping
  - Eastside Linear Park Development
  - Marina-Live-Aboard Improvements.
- 2). **Clam Bayou Pier Replacement**
- 3). **49<sup>th</sup> Street Water Quality Outfall Project**
  - Stormwater Improvements
  - Baffle Box Installation
  - Pond(s) Construction
- 4). **Revised Osgood Point Trail Connector**
  - Development of Clam Bayou Trail Spur to Skyway Trail
  - Placement of Share the Road Signage, Markers and Delineation
- 5). **Paving/Street Resurfacing/Alley Improvement Program**
  - 11<sup>th</sup> Avenue South
  - 15<sup>th</sup> Avenue South
  - 28<sup>th</sup> Avenue South
- 6). **Sanitary Sewer System (Utility) Infrastructure**
  - Repairs to Priority I system defects identified for completion within –  
Phase I of the comprehensive Sanitary Sewer Evaluation Survey.



- 7). **Shore Boulevard Improvements = Phase I and Phase II**
  - Beach & Shore Boulevard Decorative Streetlight Replacement
  - Beach Parking Lot Improvements
  - Beach Restroom Renovation
  - Shore Boulevard Crosswalks
  - Decorative Wall & Landscaping
  - Casino/Eastside Boardwalk
  - Shore Boulevard Eastside Parking Reconfiguration
  - Multi-use Walkway/Trail
  - Expanded Landscaping (where feasible)
  
- 8). **Beach Re-Nourishment (ACOE) – Successful Study Initial Request (SIR) received.**
  - In process of approved Federal Interest Determination (FID).

**BACKGROUND:**

The purpose of the general overview discussion is to seek City Council input and measure the application and deployment of future appropriate resources, identify challenges, weigh potential options and help City Council members make forthcoming policy decisions as they relate to the City Council’s future funding appropriations and the related deliberations. The overview at this time does not include recommendations or any proposed specific actions, other than those provided and approved by City Council when adopting the present fiscal year’s budget (Fiscal Year 2015 - 2016), those identified as Capital Improvement Projects or actions supporting recurring Capital costs (i.e. Public Safety equipment); purely this dialogue is to broadly discuss any specific change or changes in philosophy that City Council would seek to further explore over the forthcoming five (5) years.

As consistently discussed; the City Manager has identified the following common core objectives, priorities and issues in the continued development of future proposed budgets for the next five (5) years:

- Maintain present Millage rate at 4.039.
- Maintain City’s Reserve Funds at 25% of Fund Balance. Replenish where possible.
- Annually present a conservative Capital Improvement Program.
- Maintain City’s Public Safety service delivery model – fund, adequately equip and train.
- Continue City’s Utility and Sanitation services delivery model(s).
- Negotiate renewal of Water and Sewer Agreements with the City of St. Petersburg.
- Develop and implement a stabilized long-term Utility and Sanitation rate structure.
- Upgrade Sanitary Sewer (Utility) Infrastructure.
- Long-term Roadway Paving and improvements.
- Continue with ongoing Marina improvements/expansion and Transient/Liveaboard amenities.
  - Repay General Fund.
- On-going Community promotion(s) and support of Special Events.
- Continue/Complete Community Trail Plan project.
- Implement 49th Street Stormwater Outfall - Water Quality Project.
- Seek funding for Gulfport Municipal Beach Re-nourishment.
- Appropriate funds for and seek additional outside funding for Waterfront District Improvement project(s) for Beach and Shore Boulevard improvements – Phase II.
- Improve/replace/create Community amenities and aesthetics where financially feasible.
- Fund long-term planning for future Williams Pier and City Hall facilities replacement.
- Plan funding of Senior Center Remodel and Expansion.
- Annually provide appropriate compensation and salary adjustment(s) to all employees.
  - Manage Police and Fire’s respective Collective Bargaining Agreements (CBA).

The majority of City functions and correlating staff activities fall within these three (3) categories:

<p><u>Cultural/Social</u> Events: Permitting &amp; Support</p> <p>Ordinances Resolutions Regulatory Issues Legal Issues Policy Decisions</p> <p>Outside Organization Support</p>	<p><u>Operational</u> Police &amp; Fire Water &amp; Sewer Sanitation Parks &amp; Recreation Library Marina Building Community Development Financial Services Cultural Facilities *Event Support</p>	<p><u>Capital</u> Infrastructure Construction Renovation Design/Engineering in support of Capital projects. Replacement of Costly Vehicles or Equipment * Sewer System Rehabilitation * Paving * Marina Improvements * WRD &amp; Beach</p>
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#### **COROLLARY:**

The Mayor and City Council have created and continues to create a very positive environment for the City to accomplish numerous positive endeavors. As the City Council provides the City Manager direction and guidance in future discussions or focus; the following must be considered; as it is important to frame the conversations within a broad set of parameters that will need to be considered as the City embarks on future implementations and or appropriations.

- Consideration of financial impact of implementation - both long and short-term.
- Identification of additional staffing needs and related costs that may be created.
- Willingness and ability to provide and commit acceptable levels of funding to achieve specific ideas.
- Are we willing to refocus or redeploy assets and people to achieve the specific ideas?
- Integration into and effect on present or current operational models.
- As a group what cultural and/or institutional changes (i.e. changes in service delivery models) is City Council willing to accept to achieve specific ideas?
- Expectation or measurement of success for proposal?
- How much flexibility in the ideas or plans does City Council want to allow itself and staff in implementing the suggested ideas?

Acknowledging that each directive, proposal or future consideration should consider the following:

- Can City Council and staff focus on the specific idea or project?
- Financial support necessary?
- Broad level of commitment?
- Long-term City Council support?

In the future, the City Manager and his staff's ability to fund implement and attain specific direction and proposed ideas or goals and the acknowledgement of the related costs and appropriate funding to facilitate such efforts continue to be crucial to the discussion of City Council's direction and support.

## ANALYSIS

### Capital Improvement Program

The City Charter requires the City Manager to annually prepare, submit and recommend a Capital Improvement Program (project/item list) to the City Council for consideration and approval within this year's proposed City budget.

The purpose of the Capital Improvement Program is to identify and document additions, expansions, or reductions in capital equipment, facilities or programs. A program, project or equipment item must have a cost of at least \$25,000 to be included as a Five-Year Plan item. Vehicular equipment, such as passenger, pick-up trucks, and parks tractors or equipment with a cost of less than \$25,000 may also be included in the Program because such purchases can have a significant impact on City finances. Similarly, departmental information technology equipment, including computers, is included as part of the Plan, rather than as departmental line items in the annual operating budget, to ensure that adequate funding is provided and replacements are planned on a comprehensive basis.

The City Manager may also include an amount less than \$25,000 for a new program or operating cost if its on-going or long-term financial impact is believed to be significant. Projects, equipment and programs not meeting these criteria are shown as an operating or non-CIP capital item.

The Fiscal Year 2017 Capital Improvement Program Budget is conservative, with many of the proposed projects dependent on grant funding or outside funding sources; such as Beach Re-nourishment and Phase II of the Shore Blvd Improvement Program which is to include expanded parking/boardwalk and trail segment.

The Fiscal Year 2017 Capital Improvement Program Budget continues to take an aggressive approach to the City's Sanitary Sewer System's issues by providing for the City's participation in the State Revolving Loan Fund program in the amount of approximately \$3,500,000 dollars. This program provides for visually inspecting sewer mains with cameras, perform point repairs, repair manholes and either slip-line or replace deteriorated pipe, where necessary.

Staff is also aggressive in proposing an increase in funding for roadway pavement to the amount of \$400,000, last year's CIP Budget amount was \$335,000; with an additional \$400,000 provided through the City's BP settlement.

The City's program is somewhat unique in that it also addresses the long-term need for, and impact of, additional "on-going programs", rather than limiting the program to single purchase capital equipment and facilities, as is the usual practice for most cities. The effect of "programs" is included in the City's Plan because such programs typically have at least as great an effect on long-term finances as do capital projects. This process also ensures that adequate funding is provided and replacements are planned on a comprehensive basis. It is useful, therefore, to include them in any long-term discussion of the City's financial health and future goals and objectives.

#### Annually Recurring Capital Expenses:

The single most significant factor in implementing much of the discussion taking place at this time will be the impact of the future application or appropriation of funds associated with the annually recurring costs of the City's Capital Improvement Program. The effect the "recurring program" is included in the City's financial planning; because such programs typically have at least as great an effect on long-term finances as do single year capital projects. Therefore, due to limited resources we must include them in any long-term discussion of the City's financial health and future goals and objectives.

Once again, funding for a significant segment of the Fiscal Year 2016/2017 - Capital Improvement Program include infrastructure improvements and public safety equipment, facility development and improvements. Emergency vehicle and public safety equipment purchases can be funded directly through the use of the City's portion of the Local Option Infrastructure Surtax (One-Cent Sales Tax) levied by Pinellas County. The tax proceeds may be used for public infrastructure projects and the purchase of certain public safety equipment and vehicles. State Sales Tax including the Penny for Pinellas, or Local Option Infrastructure Surtax was increased from 6% to 7% in Pinellas County effective in February 1990. Initially approved for a ten-year period, the tax has been extended by the voters for two additional ten-year periods ending in 2020. It is anticipated that the City will receive an estimated \$1,300,000 in Local Option Infrastructure Surtax revenues in Fiscal Year 2017.

The balance of the Capital Improvement Program funding is budgeted and appropriated from the General Fund, WRD Tax Increment Financing funds, Grants and where possible user fees. Annually recurring Capital expenses are scheduled to be in the range of \$700,000 at this time.

A minimum level of annually recurring Capital Expense items that have been identified:

- Utility Infrastructure
- Street Resurfacing/Brick Restoration
- Police Vehicle(s)/In-Car Laptop Computers/Radios/Equipment replacement
- Fire Vehicle(s)/Equipment replacement
- General Building Facility Improvements
- Sidewalk Repair and Replacement
- Seawall Repairs
- Small-scale Stormwater Improvements
- Signs, Benches, and Banners
- Library Books and Informational Technology Equipment
- City Vehicle(s)/Equipment replacement

#### **CITY COUNCIL – PRELIMINARY INPUT**

**Successively, from the time of the adoption of the Fiscal Year 2015 – 2016 Budget in September 2015; the Mayor and respective City Council members may have identified budget topics, that they individually would like to see brought forth for further discussion, to possibly include in the Fiscal Year 2016/2017 through Fiscal Year 2020/2021 Budgets. Initially, over the course of present year the following preliminary items have been suggested as topics for discussion for possible budget inclusion.**

- City of Gulfport - Mooring Field**
- Mooring Field - Pump Out Boat**
- Shore Blvd. - Drainage Survey (Essex Plan)**
- Beach Volleyball Improvements**
- Fire Station - Solar Panel Program**
- Traffic Control - Intersection Cameras**

#### **DIRECTION REQUESTED:**

That City Council provides the City Manager a consensus in regards to the development of the "Proposed" Fiscal Year 2016/2017 Budget and if desired; provides additional input of supplementary projects or priorities with the related impact to funding sources for inclusion in future FY 2016/2017 Budget Discussions or presentations for consideration prior to formal budget adoption.



# CITY OF GULFPORT CITY COUNCIL AGENDA MEMORANDUM

**FROM:** Lesley DeMuth, City Clerk

**AGENDA ITEM:** 10

**DATE:** April 19, 2016

**SUBJECT:** Discussion: Rules and Policies

## **BACKGROUND:**

Section 307 (b) of the Charter of the City of Gulfport, provides that the City Council shall determine its own rules and order of business.

The City Council has adopted by Resolution an order of business which provides reasonable rules and policies for the City Council and for comment at City Council meetings in order to efficiently and effectively complete city business during their meetings.

## **ANALYSIS:**

Resolution No. 2015-23 provides the current reasonable Rules and Policies for the City Council and for comment at City Council meetings.

If Council proposes changes to the Rules and Policies, Staff would like to schedule Council's consideration of those changes during the May 3, 2016, Council Meeting.

## **FINANCIAL IMPACT:**

None.

## **MOTION:**

None.

**RESOLUTION NO. 2015-23**

**A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, ESTABLISHING REASONABLE RULES AND POLICIES FOR THE CITY COUNCIL AND FOR COMMENT AT CITY COUNCIL MEETINGS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 307 (b) of the Charter of the City of Gulfport, provides that the City Council shall determine its own rules and order of business; and

**WHEREAS**, the City Council has considered and wishes to adopt an order of business which provides reasonable rules and policies for the City Council and for comment at City Council meetings in order to efficiently and effectively complete city business during the meetings.

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

**Section 1.** The following reasonable rules and policies are hereby established for the City Council and for comment at City Council meetings:

A. Balance of Rights and Decorum. Gulfport is afforded the means to insure that the individual's right to participate in a public meeting is balanced with maintaining decorum during that meeting. The right of the individual to express his or her thoughts will generally prevail over restriction on public participation.

B. Citizens to Be Heard Before the City Council.

1. Public Comment. The remarks of each speaker are limited to three (3) minutes. Citizens may discuss any matter, unless the discussion is not appropriate because of a pending bid protest, the matter involves a quasi-judicial hearing or due process considerations, there are other similar limitations relating to the discussion, or the matter is a scheduled agenda item.

The City Council will not attempt to resolve problems nor respond during a City Council Meeting until the matter has been referred to the Administration for review and recommendation.

2. Agenda Items. Citizens' comments will be permitted on agenda items at the time the item is under consideration by the City Council. The remarks of each speaker are limited to three (3) minutes.

C. Workshops. Workshop meetings of the City Council are held for the purpose of Council being informed on and discussing matters which may come before them for consideration at a regular or special Council meeting. Citizens' comment will be permitted on any/all agenda items at the beginning of the meetings. The remarks of each speaker are limited to three (3) minutes. City Council may request presentations when appropriate.

D. Addressing the City Council.

1. Once recognized by the Mayor/Chair, each person addressing the City Council shall approach the speaker's microphone/podium and shall give the following information in an audible tone of voice for the minutes;
  - a. Name and whether they reside within the city, a different city (which city) or within an unincorporated area.
  - b. If requested by the Mayor/Chair, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization and whether the person is being compensated by the organization.
2. All remarks shall be addressed to the City Council as a body and not to any member thereof. No personal attacks shall be tolerated.
3. Each person is limited to speak once during public comment and once on each agenda item.
4. Speakers should make their comments concise and to the point, and present any data or evidence they wish the City Council to consider. Comments shall be limited to three (3) minutes.
5. Written communications provided to the City Council shall be retained in accordance with the Florida Records Retention Guidelines by the City Clerk.
6. The City Clerk shall indicate by a bell, buzzer or voice when the allotted three (3) minutes time period has expired.

E. Signs, Placards, Banners. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures shall be allowed in the Council Chambers. Other signs, placards, banners, shall not disrupt meetings or interfere with others' visual rights.

F. Overhead/Visual Displays. The presenting of information through the City's audio/visual equipment is an allowable use by City Staff, by applicants during Site Plan Review and quasi-judicial proceedings or other applicable situations subject to City Council authorization. Persons making a scheduled presentation before the City Council who intend to present information through the City's audio/visual equipment shall coordinate with the City Manager before the close of business the day prior to the meeting.

- G. Decorum - City Council. While the Council is in session, the members thereof shall preserve order and decorum and shall not, by conversation or otherwise, delay or interrupt the proceedings nor the peace of the Council and shall obey all orders of the Council or its Mayor/Chair, except as otherwise provided. The Mayor/Chair shall preserve strict order and decorum at all meetings.

Every Councilmember desiring to speak shall address the Mayor/Chair and, upon recognition by the Mayor/Chair, shall confine them self to the question under debate and shall avoid all personalities and inappropriate language.

Generally, a Councilmember having an administrative inquiry shall address his/her question to the City Manager, who may answer or designate a member of the City Staff to answer.

A Councilmember once recognized, shall not be interrupted while speaking unless called to order by the Mayor/Chair, and unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. All members of the Council shall demonstrate the utmost courtesy to each other, to City employees, and to public members appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities. Councilmembers shall confine their remarks to the issues before the Council.

Cellular telephones and audible pagers shall be silenced and/or turned off while the City Council meeting is in order. Text messaging shall not be permitted.

- H. Decorum - Public. The Mayor/Chair shall preserve decorum and order and decide all questions of order subject to City Council appeal.

1. The public shall be respectful of others' opinions, and refrain from making personal attacks. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Mayor/Chair and given the opportunity to conclude remarks on the subject in a decorous manner and with the designated time limit. Any person failing to comply as cautioned may be barred from making any additional comments during the meeting by the Mayor/Chair, unless permission to continue or again address the City Council is granted by the majority of the City Councilmembers present.
2. If the Mayor/Chair or the City Council declares an individual out of order, he or she may be requested to relinquish the podium. If the person does not do so, he or she may be subject to removal from the Council Chambers or other meeting room.
3. Clapping, applauding, heckling or verbal outburst in support or opposition to a speaker or his or her remarks shall be discouraged.



4. Cellular telephones and audible pagers shall be silenced and/or turned off while the City Council meeting is in order.
  5. Persons exiting the Council Chambers shall do so quietly.
- I. Order of Business. The business of each regular City Council Meeting shall be transacted in the following order unless the City Council suspends the rules and changes the order by consensus and/or majority vote of the members present:
1. Call to Order.
  2. Invocation, followed by the Pledge of Allegiance.
  3. Roll Call.
  4. Presentations.
  5. Public Comment. (Limit to 3 minutes on non-agenda and/or consent items)
  6. Reports of City Manager.
  7. Report of City Attorney.
  8. Report of City Clerk.
  9. Consent Agenda.
  10. Ordinances.
  11. Resolutions.
  12. Action Items.
  13. Council Comments/Informational Reports.
  14. Adjournment.
- J. Agenda Setting.
1. The City Manager will place administrative or ministerial items on the agenda with the City Clerk. The Mayor will have the ability to review the agenda for clarity and placement, but the Mayor's action will not provide administrative duties.
  2. A member of the City Council who would like to have specific items placed on the agenda will need to clearly state the issue and if the item is to be a discussion or action item. A Councilmember will need to receive a consensus from fellow Councilmembers to place an item on for a future agenda. Items requested for placement on a future agenda must be made during the Council Comments/Informational Reports section of the Council Meeting Agenda.
  3. During the placement of items on the agenda, the City Manager will make the determination for items to be placed on the Consent Agenda. Consent items shall include the minutes, items dealing with the appointment and resignation to boards and committees and items related to the acquisition of goods and services which have already been included in the adopted budget. Variance from this will be in situations that require adoption as required by existing resolutions or ordinances, other government agencies or the City's purchasing guidelines.

All administrative matters or acts concerning Charter Officials or other items as determined by a majority of Council shall not be placed on the Consent Agenda. Any item placed on the agenda as a consent item may be removed by a motion, second, and majority vote of the City Council. Items removed from Consent will be considered prior to New Business.

4. Items discussed during City Council Workshop Meetings will require a consensus of the majority of the City Council to bring the item forward for placement on a subsequent City Council Meeting Agenda. Substantive decisions shall not be made at workshops.

K. Procedure for City Council actions on the adoption of Ordinances and approval of Resolutions not on the consent agenda, and consideration of agenda items. The City Council shall follow the following process:

1. The Mayor/Chair shall direct the City Clerk to read the Ordinance or Resolution by title unless otherwise provided by law.
2. Comments from the City Manager and/or City staff members.
3. City Council questions to staff.
4. Open public hearing and/or public comment.
5. Close public hearing and/or public comment.
6. Consideration of a motion to adopt, reject or defer the agenda item.
7. Second on the motion.
8. Council debate.
9. Roll call vote.

L. Procedure for Ex-Parte Communications concerning Quasi-Judicial matters. Any person not otherwise prohibited by statute, charter, provision or ordinance may discuss with any public official, the merits of any matter on which action may be taken by the City Council. Such communication shall not raise any presumption of prejudice provided the following process of disclosure occurs:

1. The subject and substance of any ex-parte communication with a member of the City Council relating to a quasi-judicial action pending before them, as well as the identity of the person, group or entity with whom the communication took place, is disclosed and made a part of the record before final action is taken on the matter.
2. A member of the City Council may read a written communication from a person relating to a quasi-judicial action pending before them; however, such communication shall be made a part of the record before final action is taken on the matter.
3. A member of the City Council may conduct investigations, make site visits and receive expert opinions regarding a quasi-judicial action pending before them, provided that such activities and the existence of such investigation, site visit, or

expert opinions are made a part of the record before final action is taken on the matter.

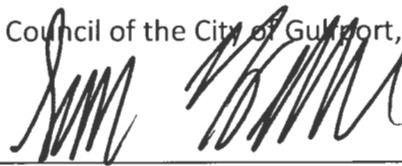
M. Procedure for Public Hearings on Quasi-Judicial matters. The City Council shall follow the following process:

1. Mayor/Chair explanation of hearing process.
2. Swearing in of individuals wishing to speak.
3. Staff presentation – 10 minutes max.
4. Applicant presentation – 10 minutes max.
5. City Council Disclosure – Ex-Parte Communications.
6. Proponents:
  - Designated representative – 10 minutes max.
  - Individuals – 3 minutes max.
7. Opponents:
  - Designated representatives – 10 minutes max.
  - Individuals – 3 minutes max.
8. Other citizen comments – 3 minutes max.
9. Rebuttal by Applicant – 5 minutes max.
10. Staff Response – 5 minutes max.
11. City Council questions.
12. Close public hearing.
13. City Council action.

**Section 2.** The rules and policies adopted herein shall be effective until modified, or repealed by the City Council.

**Section 3.** This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 7th day of April, 2015 by the Council of the City of Gulfport, Florida.



Samuel Henderson, Mayor

ATTEST:



Lesley DeMuth, City Clerk