



City of Gulfport Florida
City Council Meeting Notice
Tuesday, May 15, 2018

City Hall – 2401 53rd Street South, Gulfport, FL 33707

7:00 p.m.

AGENDA

Call to Order
Invocation given by Vice Mayor Christine Brown
Pledge of Allegiance

Roll Call:

1. Public Comment.
2. City Manager Report.
3. City Attorney Report.
4. City Clerk Report.

5. Consent:

Consider approval of the Council Meeting Minutes of April 17, 2018 and May 1, 2018.

6. Ordinances:

2018-07, An ordinance of the City of Gulfport, Florida, amending Chapter 12, Health Sanitation, Article I Nuisances; by creating Section 12.2.1, Prohibition on the Service of Plastic Straws; and providing for an effective date.

7. Resolutions:

2018-39, A resolution of the City of Gulfport, Florida, authorizing the city manager to enter into an Agreement with the Pinellas County School Board for School Resource Officer services; providing for an amendment to the Fiscal Year 2017/2018 budget; and providing for an effective date.

8. Discussion: Budget - Fiscal Year 2018-2019.

9. Council Comments/Informational Reports.

10. 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) 893-1012 or fax a written request to (727) 893-1008. Posted: May 11, 2018.

City of Gulfport Florida

City Council Meeting Minutes

Tuesday, April 17, 2018

The Regular Meeting of the Gulfport City Council was held on Tuesday, April 17, 2018, in the City Hall, City Council Chambers, located at 2401 - 53rd Street South, Gulfport, Florida.

Samuel Henderson, Mayor, called the meeting to order at 7:00 p.m. The invocation was given by Councilmember Daniel Liedtke followed by the Pledge of Allegiance.

Roll Call:

Present were Councilmembers Michael Fridovich, Daniel Liedtke and Paul Ray; Vice Mayor Christine Brown, Mayor Samuel Henderson; City Manager James O'Reilly; City Attorney Andrew Salzman and City Clerk Lesley DeMuth.

Presentation:

Dave Mather, Director of Library & Information Science, provided an overview and answered questions from council on the city's new Mygulfport Mobile App.

1. Public Comment.

Marilyn Savery, Town Shores, requested the city consider placing a bronze bench on Shore Boulevard like the ones St. Petersburg has put on Beach Drive; a handout showing the benches was provided.

Caron Schwartz, 5213 Delete Avenue S., advised the Senior Citizens Advisory Committee Meetings are open to the public and the Committee welcomes comments and suggestions regarding the needs of seniors. Ms. Schwartz commented on the deteriorating condition of the fountain at the pier.

Joe Guenther, 5937 Seabird Drive S., invited council, on behalf Bill Joule and the Michael J. Yakes Foundation, to a remote control boat race for out-patients of All Children's on May 31, and asked for council's consideration in permitting the pier to be closed for a VIP area during the Gulfport Grand Prix and to close 58th Street S. from 28th Street S. to Shore Boulevard to allow for valet parking. There was a consensus of council to allow the requests.

Beverly Comstock, Town Shores, asked when the city mows around the Wood Ibis Park Lake that some grass/bushes be left for the protection of birds and requested fishing in the lake be stopped. In response to a question by Mayor Henderson, City Manager O'Reilly advised the city is not mowing down to the water's edge and spoke on the aesthetic issues with the trimming of bushes adjacent to residential properties.

Mayor Henderson recognized Ms. Tober who congratulated Councilmember Liedtke and Councilmember Ray on their recent election and spoke on the upcoming Junk in the Truck and JITT Flip.

2. **City Manager Report.** City Manager O'Reilly reported he would like to show a brief video from VETSports and Councilmember Liedtke provide the background on their nomination last week of Sam Henderson and the City of Gulfport for an award in the Supporter of the Year category. Mayor Henderson said it was nice to be recognized, but hoped everyone realized this was for all of us and city staff.

3. **City Attorney Report.** No Report.

4. **City Clerk Report.** No Report.

5. **Consent:**

- a. Consider approval of the Council Meeting minutes of April 3, 2018.
- b. Resolution No. 2018-31: 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.

City Clerk DeMuth read the consent agenda.

Motion by Councilmember Liedtke, second by Vice Mayor Brown to approve the Consent Agenda.

UNANIMOUS APPROVAL BY ACCLAMATION

6. **Ordinances:**

- 2018-06, First Reading and Public Hearing: an ordinance of the City Council of the City of Gulfport, Florida, amending the City of Gulfport Comprehensive Plan, pursuant to the Evaluation and Appraisal Process of Section 163.3191, Florida Statutes, and the Amendment Process of Section 163.3184, Florida Statutes, adopting new Goals, Objectives, and Policies, and Maps as presented herein below; providing for severability; and providing for an effective date.

City Clerk DeMuth read Ordinance No. 2018-06 by title only.

City Manager O'Reilly deferred to Community Development Director Fred Metcalf who introduced Linda Fischer, Forward Pinellas, and explained the amendments/changes to the Comprehensive Land Use Plan.

Councilmember Liedtke asked if PSTA has any governing documents that say they are required to work with the city to improve mass transit; as the city has an objective under the Transportation Element to support the efforts of PSTA to increase the use of mass transit and alternative modes of transportation. Ms. Fischer said she could find out additional information on that, but the policies were kept the same as they were in the previous plan. Community Development Director Metcalf advised this can always be changed in the future. Councilmember Liedtke said he brings this up because the city has brought many concerns to PSTA and nothing is ever heard back.

Mayor Henderson opened the public hearing. Neither hearing nor seeing anyone who wished to speak, Mayor Henderson closed the public hearing.

Motion by Vice Mayor Brown, second by Councilmember Fridovich to approve Ordinance 2018-06.

ROLL CALL:	COUNCILMEMBER LIEDTKE	YES
	VICE MAYOR BROWN	YES
	COUNCILMEMBER RAY	YES
	COUNCILMEMBER FRIDOVICH	YES
	MAYOR HENDERSON	YES

MOTION CARRIED.

7. Resolutions:

- a. 2018-32, Public Hearing: A resolution of the City of Gulfport, Florida, approving Application #C18-01: a conditional use application with a site plan for the razing of an existing restaurant and drive-through facility and the construction of a new restaurant with a drive-through facility at 5111 Gulfport Boulevard South; providing conditions; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2018-32 by title only.

City Manager O'Reilly explained the Resolution.

Mayor Henderson opened public discussion. Neither hearing nor seeing anyone who wished to speak, Mayor Henderson closed the public discussion.

Motion by Councilmember Liedtke, second by Councilmember Fridovich to approve Resolution No. 2018-32.

In response to questions from council, Braulio Grajales, High Point Engineering, 5300 West Cypress Street, Tampa, said their idea is to rebuild the restaurant at the end of the year or the beginning of 2019 and the construction will take about 75 days. Mr. Grajales explained the ingress and egress, the drive-through lanes, service and new technology/automation.

ROLL CALL:	COUNCILMEMBER LIEDTKE	YES
	VICE MAYOR BROWN	YES
	COUNCILMEMBER RAY	YES
	COUNCILMEMBER FRIDOVICH	YES
	MAYOR HENDERSON	YES

MOTION CARRIED.

- b. 2018-33, Public Hearing: A resolution of the City of Gulfport, Florida, approving Application #C17-04: a conditional mixed use application with a site plan for the addition of a personal services use to the front of an existing single family structure to create a live-work use at 5110 Tangerine Avenue South; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2018-33 by title only.

City Manager O'Reilly explained the Resolution.

Mayor Henderson opened public discussion. Neither hearing nor seeing anyone who wished to speak, Mayor Henderson closed the public discussion.

Motion by Councilmember Fridovich, second by Vice Mayor Brown to approve Resolution No. 2018-33.

ROLL CALL:	COUNCILMEMBER LIEDTKE	YES
	VICE MAYOR BROWN	YES
	COUNCILMEMBER RAY	YES
	COUNCILMEMBER FRIDOVICH	YES
	MAYOR HENDERSON	YES

MOTION CARRIED.

- c. 2018-34, A resolution of the City of Gulfport, Florida, authorizing an amendment to the Fiscal Year 2017/2018 Budget; providing for the addition of one police officer; amending the personnel summary; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2018-34 by title only.

City Manager O'Reilly explained the Resolution which provides funding for a School Resource Office at Gulfport Elementary.

Mayor Henderson opened public discussion. Neither hearing nor seeing anyone who wished to speak, Mayor Henderson closed the public discussion.

Motion by Vice Mayor Brown, second by Councilmember Liedtke to approve Resolution No. 2018-34.

Councilmembers expressed their support of the Resolution.

ROLL CALL:	COUNCILMEMBER LIEDTKE	YES
	VICE MAYOR BROWN	YES
	COUNCILMEMBER RAY	YES
	COUNCILMEMBER FRIDOVICH	YES
	MAYOR HENDERSON	YES

MOTION CARRIED.

- d. 2018-35, A resolution of the City of Gulfport, Florida, authorizing the city manager to enter into contracts with Pinellas County for Community Development Block Grant funds and Cardno Engineering for engineering, design, permitting, environmental remediation and construction monitoring services for the Tangerine Parkway - Trolley Market Square Improvement Project; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2018-35 by title only.

City Manager O'Reilly explained the Resolution.

Mayor Henderson opened public discussion. Neither hearing nor seeing anyone who wished to speak, Mayor Henderson closed the public discussion.

Rick Hagberg, Professional Geologist and Environmental Manager and Michael Costello, PE, of Cardno Engineering provided a PowerPoint; explaining and answering questions from council on the environmental remediation necessary on the Tangerine Greenway site and the design concepts for Trolley Market Square.

In response to a question by Councilmember Liedtke on acquiring an old trolley, City Manager O'Reilly advised as part of a meeting he is having with PSTA on May 3, his hopes would be that they will title the existing leased trolley to the city, which he would move to the Greenway and enter into a new lease with PSTA for a modern trolley.

Vice Mayor Brown asked if a historical plaque could be installed and Councilmember Ray spoke on his concern for proper lighting. City Manager O'Reilly said Staff will work with the Historical Society on the plaque and lighting can be discussed with Duke Energy during the design phase.

Motion by Councilmember Liedtke, second by Councilmember Fridovich to approve Resolution No. 2018-35.

ROLL CALL:	COUNCILMEMBER LIEDTKE	YES
	VICE MAYOR BROWN	YES
	COUNCILMEMBER RAY	YES
	COUNCILMEMBER FRIDOVICH	YES
	MAYOR HENDERSON	YES

MOTION CARRIED.

8. Discussion: Plastic Straw Ban.

Councilmember Fridovich asked for two changes in the draft ordinance: an entire plastic straw ban to include use in the beach area and that the penalty provided be only for a restaurant or store that distributes the straw. Councilmember Fridovich spoke on the Ft. Myers Beach and Marco Island ordinances, the UK McDonalds banning plastic straws, contacts he had made with McDonalds and Seattle's citywide ban.

Mayor Henderson opened public discussion.

Speaking in support of a plastic straw ban were: An unidentified speaker who Councilmember Fridovich recognized as Jennifer Winn, a Stetson College of Law student, who brought the ban to his attention; Beverly Comstock, Town Shores, Mayor Henderson recognized Ms. Love, who also questioned enforcement; a Member of the Suncoast Surfrider Foundation, who recommended an education program and Malory Foster, 16th Avenue.

Neither hearing nor seeing anyone else who wished to speak, Mayor Henderson closed the public discussion.

Councilmember Fridovich pointed out the proposed ordinance has a six (6) month enactment clause and it covers convenience stores.

City Attorney Salzman informed council he spoke with Jennifer Cowan, Attorney for Treasure Island, on the ordinance Treasure Island drafted, but did not pass. The city did an educational program and received voluntary compliance from businesses.

Joe Guenther, owner/operator of O'Maddy's, told council they banned plastic straws a long time ago. They will give a straw out upon request, and it is either a paper or rice straw.

Mayor Henderson asked Ms. Goff, who was present in the audience, if she cared to comment and she said she was all for this.

Councilmember Liedtke discussed with Councilmember Fridovich his McDonalds research, spoke on the need of the elderly/disabled for straws and read from a list of the top ten plastic items found on the beach with plastic caps and lids and plastic forks and knives ahead of plastic straws. The banning of these items was discussed with Councilmember Fridovich who stated he felt straws are more harmful to sea animals. Councilmember Liedtke said he thought there is a better way to approach this subject and would support a campaign for voluntary compliance from the community.

Mayor Henderson asked if the ordinance applies to someone who gives out a single use straw with a drink or the ability of someone to buy a straw for use in their home in bulk. City Attorney Salzman advised if you are using a straw at home that is fine and he explained the exceptions provided for educational facilities/schools, which was discussed.

Vice Mayor Brown spoke in support of establishing a voluntary campaign to promote change.

Councilmember Ray spoke to the amount of straws used each day in the county and of discussions he had with restaurant owners; advising they had no problem with the city passing this ordinance which he thought was a good idea.

Mayor Henderson felt this is not just about the restaurants or the beach, it is going to be people grabbing a straw for their drink at a convenience store. He said most of the trash he sees in the pond by his home is not coming from the restaurants downtown. Mayor Henderson advised he would like to have an ordinance, not with the language presented, as plastic's are of environmental concern to him with the impact not just on marine life, but birds as well.

Council discussed the enforcement level and use of city resources and how violations/offenses would be handled as local ordinance violations. City Attorney Salzman clarified that the way the ordinance is currently written, it is extremely restrictive and an individual with a straw is in violation. Mayor Henderson asked if council will agree to move forward with an educational program while they are thinking about what they would like to see in an ordinance; suggesting they speak to businesses in their wards to see how they felt and this was discussed by City Manager O'Reilly. Mayor Henderson said he is not interested in enforcement on an individual that possesses a straw, rather the distributor of single use plastic straw and Councilmember Fridovich agreed his focus is on the institution. City Attorney Salzman will bring back a proposal with the language talked about for the mid-May council meeting.

9. Council Comments/Informational Reports.

Councilmember Liedtke asked that discussion of a mini reef system be placed on the next or future council meeting agenda; advising he has discussed this with the City Manager and

Harbormaster. There was no objection from council. City Manager O'Reilly advised the area under the pier was being proposed for the installation of two or three mini reef systems.

Vice Mayor Brown complimented the city workers for immediately cleaning up after the storm, recognized CERT and their Director James Wright; speaking to CERT activities and Neighborhood Watch, and requested a linear park, out beyond the Boca Ciega Yacht Club, be budgeted. City Manager O'Reilly advised staff is currently addressing how to create public access and budgeting funds for design.

Councilmember Ray reported on his attendance at Holocaust Remembrance Day, the upcoming Dine out for Life, the placement of the mooring field balls, and the raising of the Pride flag and ArtOut exhibit at the library.

Councilmember Fridovich reported he also attended Holocaust Remembrance Day.

Mayor Henderson reported on the upcoming Junk in the Truck, the Friends of the Gulfport Groove fundraiser for the Historical Society and introduced a short video which was shown on Earth Day.

10. Adjournment.

Motion by Vice Mayor Brown, second by Councilmember Fridovich to adjourn.

Date Approved: _____

Samuel Henderson, Mayor

Lesley DeMuth, City Clerk

City of Gulfport Florida

City Council Meeting Minutes

Tuesday, May 1, 2018

The Regular Meeting of the Gulfport City Council was held on Tuesday, May 1, 2018, in the City Hall, City Council Chambers, located at 2401 - 53rd Street South, Gulfport, Florida.

Samuel Henderson, Mayor, called the meeting to order at 7:00 p.m. The invocation was given by Vice Mayor Christine Brown followed by the Pledge of Allegiance.

Roll Call:

Present were Councilmembers Daniel Liedtke and Paul Ray; Vice Mayor Christine Brown, Mayor Samuel Henderson; City Manager James O'Reilly; City Attorney Andrew Salzman and City Clerk Lesley DeMuth. Councilmember Michael Fridovich asked to be excused.

Presentations:

David Alvarez, CPA, CVA, CGMA, Partner, Carr, Riggs & Ingram, LLC, presented the Annual Financial Report for Fiscal Year 2016-2017.

Denis Frain, CMM, Director of Marina Operations, introduced David Wolff, President/Executive Director, Ocean Habitats, Inc., who reviewed and answered questions from council on his PowerPoint of their mini reef system. In response to a question by City Manager O'Reilly, there was no objection to considering the reef system as part of the Council's budget discussion. City Manager O'Reilly advised staff was hoping to bring forth ideas regarding the breakwater on the south side of Boca Ciega Yacht Club.

1. Public Comment.

Karen Love, 23rd Avenue S., expressed her concerns about council approving the closing of the pier and 58th Street for the Gulfport Grand Prix under Public Comment during the last meeting.

Margarete Tober, congratulated the City Manager and Ms. Hannafin on the CAFR and spoke of her concerns in the beach area, which in her opinion, involved the city's history and heritage. She encouraged the city to engage the Historical Society on issues that concern our history, encouraged residents to learn about the city and asked that we not give away the city's heritage to developers.

April Thanos, 27th Avenue S., asked that the Parks Department stop mowing to the edge of the Wood Ibis pond, requested Pinellas County be asked to spend the money needed to nicely landscaping Gulfport Boulevard, and agreed with Karen Love.

Beverly Comstock, Town Shores, requested fishing be stopped in Wood Ibis Park.

Pat Walsh, spoke on her experience with trash at the beach playground and beach pavilions. She asked what the procedure is for having a party on the beach and felt people needed to be held more accountable.

2. **City Manager Report.** City Manager O'Reilly reported:
 - beach pavilions can be reserved for a fee or used on a first come, first serve basis;
 - on discussions he has had with the Historical Society and Merchants Association on the promotion of July 4; and
 - the Police Department has been going through reaccreditation and Chief Vincent was asked to come forward and he explained the Department's accreditation. Chief Vincent invited councilmembers to attend the Accreditation Commissions Meeting on June 20, in Orlando.
3. **City Attorney Report.** No Report.
4. **City Clerk Report.** No Report.
5. **Consent:**
 - a. Resolution No. 2018-36: A resolution of the City of Gulfport, Florida, providing for a budget amendment to account for grant proceeds for the Tangerine Parkway – Trolley Market Square Improvement Project; and providing for an effective date.
 - b. Resolution No. 2018-37: A resolution of the City of Gulfport, Florida, providing for a budget amendment to accept and recognize the proceeds received from the sale of Claw Truck #29; and providing for an effective date.

City Clerk DeMuth read the consent agenda.

Motion by Vice Mayor Brown, second by Councilmember Liedtke to approve the Consent Agenda.

UNANIMOUS APPROVAL BY ACCLAMATION

6. **Ordinances:** None
7. **Resolutions:**

2018-38, A resolution of the City of Gulfport, Florida, authorizing the city manager to issue a task order to J Nandlal Maintenance Services, LLC for sidewalk replacement on Shore Boulevard; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2018-38 by title only.

City Manager O'Reilly explained the Resolution.

Mayor Henderson opened public discussion.

Mayor Henderson recognized Margarete Tober who recalled when this was pulled for a prior consent agenda, the idea was to do this work more economically, but it has gone the other way. She felt the safety concerns need to be fixed, but the expense for pavers on the sidewalk was better spent elsewhere.

Mayor Henderson recognized April Thanos who spoke against the pavers; suggesting the city go back to the contractor to fix the tripping hazard.

Neither hearing nor seeing anyone else who wished to speak, Mayor Henderson closed the public discussion.

City Manager O'Reilly advised council he did not believe there is a design flaw with the project and the city's number one goal was to stop individuals from stepping into a storm gutter/drain adjacent to the curb. He did not anticipate that people would be stepping over barriers/bollards/chains into the drain. City Manager O'Reilly commented the issue on the cost is related to the replacement being for the entire sidewalk.

Councilmember Liedtke said he would like to look at other options such as putting this out for bid or narrowing the scope of work. He felt something had to be done because over the years the sidewalk has sunk to street level and now the sidewalk needs to be elevated.

Mayor Henderson advised he was not in favor of going large scale on this, he was in favor of looking into other options.

Councilmember Brown questioned if the proposed metal grating was removable in case of blockage, to which City Manager O'Reilly advised there is a mechanism to clean it out.

Councilmember Ray said he would like to discuss this more and look at other options.

Motion by Councilmember Liedtke, second by Vice Mayor Brown to table Resolution No. 2018-38.

ROLL CALL:	VICE MAYOR BROWN	YES
	COUNCILMEMBER RAY	YES
	COUNCILMEMBER LIEDTKE	YES
	MAYOR HENDERSON	YES

MOTION CARRIED.

8. Council Comments/Informational Reports.

Vice Mayor Brown reported on the upcoming Boca Ciega Yacht Club Fun Day and that the 49th Street Outfall project seems to be working.

Councilmember Ray reported on the success of Dine Out for Life, his attendance at a Neighborhood Watch Meeting, the upcoming Pride flag raising, and a fundraiser at Bealls benefitting a local Chihuahua rescue in recognition of Pet Rescue Month.

Councilmember Liedtke reported he felt it is very important that council speak openly as little as possible on the active lawsuit with the Suncoast Waterkeeper. He expressed his concern of someone on the City of St. Petersburg's City Council openly discussing their lawsuit.

Mayor Henderson reported he is having some regret on the discussion and approval at the last meeting for the Gulfport Grand Prix, advising that going forward he will not be in favor of closing or restricting areas to the public for money, he asked that there be at least a four foot buffer around the shoreline of ponds this time of year, he will not bring up "No Fishing" and encourage the use of the State's freshwater springs.

City Attorney Salzman said the council has been good about not discussing litigation and it is not appropriate. If this should become an issue, he will address it with the individual councilmember.

Mayor Henderson spoke on a house fire which occurred before the meeting in Ward IV. Ms. Tober advised the Police Department and Gulfport Neighbors will be working together to collect donations/goods.

9. Adjournment.

On a motion by Vice Mayor Brown, the meeting was adjourned.

Date Approved: _____

Samuel Henderson, Mayor

Lesley DeMuth, City Clerk



**CITY OF GULFPORT
CITY COUNCIL
AGENDA MEMORANDUM**

FROM: Lesley DeMuth, City Clerk

AGENDA ITEM: 6

DATE: May 15, 2018

ORDINANCE: 2018-07

SUBJECT: Plastic Straw Ban - Ordinance First (1st) Reading

BACKGROUND:

During the Council Meeting of April 3, 2018, Councilmember Fridovich requested consideration of an ordinance for a citywide ban on plastic straws. There were no objections from Council to placing this item on for discussion at their April 17, meeting. At that time, City Manager O'Reilly advised a draft ordinance would be prepared for Council's discussion and direction. Upon completion of Council's discussion on April 17, City Attorney Salzman was directed to prepare an amended ordinance for their consideration at the mid-May meeting.

ANALYSIS:

City Attorney Salzman has prepared an ordinance for Council's consideration.

FINANCIAL IMPACT:

Per the Pinellas County – Local County/City Ordinance Violations and Uniform Fine Schedule:

A "straw" ordinance violation will be classified as a level 5 (V) violation for the purpose of assessing the appropriate fine. *(Comparative to or comparable to the prohibition of "littering").

	Contested			Uncontested		
	Fine	Court Costs*	Total	Fine	Court Costs*	Total
Class V	\$80.00	\$58.00	\$138.00	\$80.00	\$13.00	\$93.00

MOTION:

Move to approve/deny Ordinance No. 2018-7 on First (1st) Reading.

ORDINANCE NO. 2018-07

AN ORDINANCE OF THE CITY OF GULFPORT, FLORIDA, AMENDING CHAPTER 12, HEALTH SANITATION, ARTICLE I NUISANCES; BY CREATING SECTION 12.2.1, PROHIBITION ON SERVICE OF PLASTIC STRAWS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Gulfport desires to ensure the quality of the beaches and waters in the City of Gulfport for its use and enjoyment by the City residents, businesses and visitors; and

WHEREAS, the City Council finds that plastic straws are not recyclable; and

WHEREAS, the City Council finds that plastic drinking straws are not biodegradable, that they break down into smaller pieces becoming difficult to manage; and

WHEREAS, the City Council finds that plastic straws and trash/debris pose a threat to marine and other wildlife; and

WHEREAS, the City Council finds the use of plastic straws and other trash/debris are a source of pollution of the City's beaches and waterways; and

WHEREAS, the City Council finds straws made of paper, plant, vegetable and other natural grain products are available and are more environmentally-friendly alternative to plastic straws.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GULFPORT, AS FOLLOWS:

Section 1. Chapter 12, Health Sanitation, Article I, Nuisances, shall be amended as follows:

Section 12.2.1. Prohibition on service of plastic straws.

- (a) No business, restaurant, including but not limited to café, bar, store or other establishment at which food or drink is served, purchased or offered, and which is located within the City of Gulfport, shall use, serve, or distribute plastic drinking straws on or after the effective date of this Ordinance. For purposes of this section a "straw" is defined as a tube for transferring a beverage or liquid from a container to the mouth of the drinker by suction or other means.
- (b) Amortization. All entities subject to this Ordinance, shall be permitted to continue to use, serve or distribute plastic drinking straws for that period of time up to December 1, 2018.
- (c) Exemptions. This section does not prohibit:

- (1) Paper straws.
- (2) Straws made of compostable plant material.
- (3) Reusable non-plastic straws.
- (4) This section does not apply to individuals, educational or recreational institutions.

Section 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed

Section 3. If any portion or part of this ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

Section 4. This ordinance shall become effective immediately upon final passage.

Samuel Henderson, Mayor

FIRST READING: _____

PUBLISHED: _____

SECOND READING:
AND PUBLIC HEARING: _____

I, Lesley DeMuth, City Clerk of the City of Gulfport, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of law and the City Charter this _____ day of _____, 2018.

Lesley DeMuth, City Clerk



**CITY OF GULFPORT
CITY COUNCIL
AGENDA MEMORANDUM**

FROM: Robert Vincent, Police Chief

DATE: 5/15/2018

AGENDA ITEM: 7

RESOLUTION NO: 2018-39

SUBJECT: Approval of services contract with Pinellas County School Board and related budget amendment.

**RECOMMENDATION: (or)
DIRECTION REQUESTED:**

That council authorizes the City Manager to enter into an agreement with the Pinellas County School Board for school resource officer services at Boca Ciega High School and Gulfport Elementary School for July 1, 2018 to June 30, 2019 in consideration of \$174,000.

BACKGROUND:

The Police Department has for several years contracted with the Pinellas County School Board to provide two school resource officers at Boca Ciega High School. In prior years, the School Board has paid a fixed amount for the first officer and then approximately one half of that amount for the second officer. Following passage of the School Safety Act, the School Board staff has negotiated with jurisdictions in Pinellas and has agreed to pay \$58,000 for each officer assigned to a public school.

On April 17, 2018 Council approved a budget amendment for the purpose of funding a school resource officer to be assigned to Gulfport Elementary School. At that time, it was not known what the financial commitment would be, if any, from the School Board. As indicated in the contract, they have agreed to pay \$58,000 for that officer.

ANALYSIS:

This is a mutually-beneficial arrangement. The School Board police department does not have the resources to staff each school with an officer. Likewise, our public schools are an integral part of the Gulfport community. Having Gulfport police officers working full time at these schools not only helps the School Board meet its security obligations, but it keeps our own police department connected to vital intelligence for ongoing investigations and to encourage a positive relationship between youth and law enforcement.

FINANCIAL IMPACT:

The \$174,000 payment from the school board will cover approximately 70% of the total cost for these three police officers. It should be noted, however, that the officers are typically available for non-school functions approximately 25% of the year.

As the funds designated are in excess of what was budgeted for the current fiscal year, a budget amendment will be required, as indicated below.

<u>Fund</u>	<u>Account Name</u>	<u>Account Number</u>	<u>Current Budget</u>	<u>Debit (Credit)</u>	<u>Amended Budget</u>
General	Appropriated Surplus	001-0000-389-01	(38,542)	22,089	(16,453)
General	Police/Fire Services	001-0000-342-10	(130,000)	(22,089)	(152,089)

MOTION:

I move to approve/deny this resolution authorizing the City Manager to enter into an agreement with the Pinellas County School Board as specified and amending the FY 2017/2018 budget as specified.

SCHOOL RESOURCE OFFICER AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2018, between the **SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA** (referred to herein as the "**Board**"), and **THE CITY OF GULFPORT**, (referred to herein as "**Gulfport P.D.**" or "**City**"), is for the services to be provided by the Gulfport P.D. for the School Resource Officer Program ("SRO Program").

WITNESSETH:

WHEREAS, the parties hereto value the collaboration and cooperation fostered by the SRO Program and believe that all of society benefits when the safety of children is improved, where the threat of crime and disorder is reduced, the learning environment is improved, and the true mission of teachers becomes more achievable; and

WHEREAS, the SRO Program provides an opportunity for students and law enforcement officers to have positive interaction with one another which enhances law enforcement officers' service to the community, and

WHEREAS, the Board and the City intend to provide law enforcement and related services to the public schools of Pinellas County as hereafter described, and in accordance with the provisions of SB 7026 (2018), and

WHEREAS, the Board and Gulfport P.D. will mutually benefit from the SRO Program;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I. The Obligations of Gulfport P.D. and the SROs are as follows:

A. Provision of School Resource Officers. The Gulfport P.D. shall assign two full time officers to serve at Boca Ciega High School and one regularly employed officer to serve at Gulfport Elementary School.

B. Designation and Selection of School Resource Officers. SROs have a dual role at the schools which they serve. They serve as law enforcement officers and as "school officials" who may have a legitimate educational interest in information contained in the education records within the meaning of 20 U.S.C. §1232g and F.S. § 1002.221. The Chief of Gulfport P.D., or his designee, in consultation with the Principal of the school to which the SRO will be assigned shall select the SRO on the basis of the following criteria.

1. The SRO must have the ability to deal effectively with students. The ages, socioeconomic, and cultural composition of the students of the particular school should be considered in making this evaluation.

2. The SRO must have the ability to present a positive image and symbol of the entire police agency. A goal of the SRO Program is to foster a positive image of police officers among young people. Therefore, the personality, grooming, and communication skills of the SRO should be of such nature so that a positive image of the police agency is reflected. The SRO should sincerely want to work with the staff and students at the particular school to which he or she is assigned.

3. The SRO must have the ability to provide good quality educational services in the area of law enforcement. The education, background, experience, interest level and communication skills of the SRO must be of high caliber so that the SRO can effectively and accurately provide resource teaching services. The SRO will spend as much time as practical in classroom instruction, dependent upon time constraints and workload. The SRO and the Principal will formulate an acceptable plan consistent with the circumstances and the needs of the school.

4. The SRO must have the desire and ability to work cooperatively with the Principal and his administrative staff.

5. The SRO must be a state certified Law Enforcement Officer.

C. Regular Duty Hours/Absences of the School Resource Officers.

1. The full time SRO will be assigned to his/her school on a full-time basis of eight (8) hours on those days and during those hours that school is in session. The SRO's specific duty hours shall be determined by the SRO supervisor in consultation with the principal, to reflect the needs of the individual school. In each case the agency shall ensure that SROs are present during regular school hours, and those routine duties that require an absence from campus should be accomplished either prior to or after regular school hours. The SRO may be temporarily reassigned only during the period of a law enforcement emergency as such may be determined to exist, by the Chief of Gulfport P.D. The parties will mutually determine the number and specific duty hours of the second SRO based on the respective needs of the school and the Gulfport P.D.

2. If it is necessary for the assigned SRO to be absent from school for less than a full day, the SRO will notify the Principal and provide instructions on how emergency police service may be obtained in his/her absence. If it is necessary for the assigned SRO to be absent from school for a full day or more, the Gulfport P.D. shall supply a substitute SRO.

D. Training for School Resource Officers.

Prior to July 1 of each year, the Board will identify the number and dates of training days to be attended by School Resource Officers. The Board and the Chief of Gulfport P.D. will jointly determine the topics, curriculum and delivery of the training incorporating all recommendations made by the School Safety Specialist appointed pursuant to F.S. § 1006.07 (6) in order to ensure implementation of all policies and procedures necessary for school safety and security.

E. Duties of School Resource Officers. While on duty, the SRO shall perform the following duties:

1. Speak to classes on the law, including search and seizure, criminal law, motor vehicle law, and other topics when assigned to speak by the Principal.

2. Act as a resource person in the area of law enforcement education at the request of the Principal.

3. Conduct criminal investigations of violations of law on School Board property. The Gulfport Police Department and the District agree that petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances, should ordinarily not be referred to law enforcement for prosecution and should not ordinarily result in a student arrest. The District encourages schools to use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to school safety. Individual SRO's are encouraged to exercise discretion and to divert student offenders to school based discipline or community based diversion where appropriate and authorized by department policy and applicable law.

4. Provide school-based security and maintain the peace on School Board property, to include in assisting with the development, implementation and evaluation of security programs/crisis plans in their assigned school when requested.

5. Make arrests and referrals of criminal law violators.

6. Appear at State Attorney investigations, depositions, trials and sentencing.

7. Provided that there is law enforcement coverage, transport to the Pinellas County Juvenile Assessment Center (PJAC), Juvenile Addiction Receiving Facility (JARF), and County Jail.

8. Coordinate Emergency Medical Service (EMS) at the request of the Principal, or his/her designee.

9. Receive and dispatch complaints via telephone, walk-in and radios.

10. Develop, implement, and evaluate security programs in the school assigned.

11. Coordinate with school administrators, faculty and staff, law enforcement agencies, and courts to provide school-based security to maintain the peace and promote order on the school campuses.

12. Cooperate with Pinellas County Schools Police in connection with the creation and maintenance of all records, including security and surveillance camera recordings, whether recorded by video tape, digital or other medium, and whether recorded at a school site or school bus, witness or suspect statements, interviews or other documents made in connection with the law enforcement duties set forth in this Agreement. Such records shall constitute "law enforcement records" within the meaning of 34 CFR § 99.8(b) (l)(i)-(iii). When such records are made available to school administration for disciplinary or other legitimate educational purposes they shall also constitute confidential student records subject to the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 CFR Part 99, and §§1002.22, 1022.221 F.S. The SRO shall comply with all laws and policies applicable to such records in both their law enforcement and student record capacities.

13. Maintain a file on property reported lost and/or stolen at the SRO's school.

14. Provide counseling or referrals to students as needed.

15. Secure, handle and preserve evidence.

16. Recover School Board property through working with other police agencies.
17. Make referrals to social agencies.
18. Relay messages in emergency situations (such as, tornadoes, hurricanes, etc.)
19. Provide special truancy investigations and prepare for prosecution.
20. Coordinate investigation of bus stop incidents.
21. Wear the official police uniform which shall be provided at the expense of the law enforcement agency; however, civilian attire may be worn on such occasions as may be mutually agreed upon by the Principal and the SRO supervisor.
22. Perform such other duties as mutually agreed upon by the Principal and the SRO, so long as the performance of such duties are legitimately and reasonably related to the SRO Program as described in this Agreement, and so long as the duties are consistent with State and Federal law and the policies and procedures of the Gulfport P.D.
23. Follow and conform to the School Board Policy Manual, which is available at each school site and F.S. §1006.12, that does not conflict with the policies and procedures of the Gulfport P.D. The parties to this agreement shall abide by all Federal and State Civil Rights legislation including the Civil Rights Act of 1964 and its' subsequent amendments.
24. Provide a Monthly Activities Report or such other report regarding his/her activities, as may be required by the Superintendent or designee. A copy of the report shall be provided to the principal on a monthly basis.
25. SROs are recognized as an active part of the school's administrative team. Their duties as a team member reflect their agency's directions and lend their expertise to the review of activities, duty assignments, scheduling and identification of potential problems.
26. The Gulfport Police Department will provide an opportunity for Principals to provide input on the SRO's performance.

G. Support Services to be Provided by Gulfport P.D. The Gulfport P.D. shall supply the following support services for SROs:

1. Maintain and file Uniform Crime Reporting (UCR) records according to law.
2. Maintain a dispatch log, consistent with accepted law enforcement management practices.
3. Provide copies of all reports taken by the School Resource Officer to the Pinellas County Schools Police, upon request, as the law allows.
4. Provide each SRO with a patrol automobile and all other necessary or appropriate police equipment. The cost of purchasing, maintaining, and repairing police equipment provided under this agreement shall be borne by the Gulfport P.D.

5. Maintain copies of reports generated by officers in compliance with State and Federal laws.
6. Maintain fingerprints and photographs of arrestees in compliance with State and Federal laws.

ARTICLE II. Relationship of SROs to Board and Gulfport P.D.

The SRO shall be an employee of the Gulfport P.D. and not an employee of the Board. The Gulfport P.D. shall be responsible for the hiring, training, discipline, and dismissal of its personnel. Board employees shall report allegations of improper conduct to the SRO's immediate supervisor or to the department's internal affairs section. Board employees shall not conduct an internal investigation of alleged improper conduct on the part of the SRO.

ARTICLE III. Charges for SRO Services

In consideration of the services provided herein, the Board shall pay to the City of Gulfport the sum of \$58,000 (Fifty Eight Thousand Dollars) for each of the three SRO's to be assigned to the schools identified in Article 1 herein for a total sum of payable annually under this Agreement of \$174,000 (One Hundred Seventy Four Thousand Dollars). This amount shall be paid monthly in twelve payments beginning July 1, 2018, in the amount of \$14,500 (Fourteen Thousand Five Hundred Dollars). The parties agree that in the event the Board approves an increase to the salary of Pinellas County Schools Police during the term of this Agreement, the same percentage increase will be applied to increase the amount payable per SRO.

To the extent that security services are provided by Gulfport P.D. at school functions occurring after regular school hours, including an extended school day, Gulfport P.D. shall be paid in accordance with the Gulfport P.D. salary policy and procedures. The school at which such services are provided, shall be billed for such services within thirty (30) days from the date of service, and any services provided during May shall be submitted no later than the 15th of June.

ARTICLE IV. Problem Resolution.

The parties, their agents and employees will cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the Superintendent of the Board and the Chief, or their designees.

ARTICLE V. Amendments.

This Agreement may be amended by the chief administrative officers of the parties. Any amendment shall be reduced to writing and signed by the Gulfport P.D. and the Superintendent of Pinellas County Schools.

ARTICLE VI. Transfer of SROs.

Both the School Board and Gulfport P.D. desire to avoid the transfer of an SRO at the request of a principal. Therefore, except in egregious circumstances when the SRO's behavior warrants immediate removal, the following procedures must be followed:

A. Principals should engage in good personnel management practices to include discussing any issues or concerns with the SRO first, followed by consultation with the SRO's supervisor if necessary.

B. If, after sufficient time has been given for the SRO to modify his/her performance, and concerns still exist, then the Principal will recommend to the Area Superintendent that the SRO be transferred from the school, stating the reasons for the recommendation in writing.

C. Within a reasonable period of time after receiving the recommendation to remove an SRO, the Area Superintendent, or designee, will confer with the Chief, or designee, to attempt to resolve any problem that may exist between the SRO and the staff at his/her assigned school.

1. With the agreement of the Superintendent and the Chief, or their designees, the SRO, or specified members of the staff from the school, may be required to be present at that meeting.

2. If, within a reasonable amount of time, the problem cannot be resolved in the opinion of both the Superintendent and Chief, or their designees, then the SRO will be transferred from the school and a replacement will be selected, as provided elsewhere in this Agreement.

This Article does not provide the SRO any rights separate and apart from those found in Gulfport P.D.'s collective bargaining agreement with its union. Only Gulfport P.D. itself, and not individual SROs, can seek enforcement of the provisions of this Agreement. Nothing herein shall preclude the Gulfport P.D. from unilaterally transferring the SRO at its sole discretion.

ARTICLE VII. Term of Agreement.

The term of this Agreement shall be for one year beginning July 1, 2018, and ending on June 30, 2019. Notwithstanding the expiration of the term of this Agreement on June 30, 2019, and provided that the Agreement has not been terminated as provided in Article IX herein, the Superintendent or designee may provide notice of his intention to continue the services of the Gulfport P.D. as provided for herein, and the terms of this Agreement shall automatically continue until a replacement contract has been fully negotiated, executed and approved. The Board shall continue to pay to the Gulfport P.D. on a monthly basis the amount due under this Agreement, until such time as a replacement contract has been approved. The parties further agree that an increase, if any, shall be retroactively applied for services rendered after June 30, 2019 when the replacement contract has been negotiated, executed and approved.

ARTICLE VIII. Materials and Facilities Supplied by Board.

The Board shall provide the SRO, in each school to which an SRO is assigned, the following materials and facilities necessary to the performance of duties by the SRO:

A. Access to a private office which is air conditioned and properly lighted, with a telephone, to be used for general business purposes. Whenever practicable, the SRO will be provided with a private office. Upon request, SROs will be provided free access to the Board's computer network to the extent that it is economically practicable. Gulfport P.D. will provide the computer hardware to be utilized by the SRO, although each individual school may provide such

hardware in its sole discretion. If access is provided, existing school security procedures must be followed, to include secure network access for both the computer and user. Network use must conform to school board policy 7540.04, Use of Electronic Resources.

B. A location for files and records which can be properly locked and secured.

C. A desk with drawers, a chair, work table, filing cabinet, and office supplies (e.g. paper, pencil, pens, etc.).

D. Access to a typewriter and/or secretarial assistance.

E. The SRO will be issued keys for complete access on the campus to which he/she is assigned in accordance with the school safety plan. In the event these keys are lost misplaced, or stolen through negligence, the cost of any re-keying of the facility shall be borne equally by the law enforcement agency and the Board.

ARTICLE IX. Termination.

This Agreement may be terminated by either party for cause upon seven (7) days written notice that the other party failed substantially to perform in accordance with the terms and conditions of this Agreement through no fault of the party initiating termination. This Agreement may be terminated without cause by either party upon thirty (30) days written notice.

ARTICLE X. Defense of Legal Actions.

A. Subject to the limitations contained in F.S. §111.07, the Gulfport P.D. shall defend any lawsuit filed against the Gulfport P.D. or the SRO which arises out of services performed by the Gulfport P.D. Gulfport P.D. procedures shall be followed in handling such suits. The Gulfport P.D. shall pay any judgment rendered against it according to law. Nothing contained herein shall be construed to waive the provisions of F.S. §768.28 as the same applies to both the Gulfport P.D. and the Board.

B. The Board shall defend any lawsuit filed against the Board which arises out of services performed by the Board. Board procedures shall be followed in handling such suits. The Board shall pay any judgment rendered against it according to law. Nothing contained herein shall be construed to waive the provisions of F.S. §768.28 as the same applies to both the Board and the Gulfport P.D.

ARTICLE XI. Miscellaneous.

A. Assignment. This Agreement may not be assigned without the written consent of the Gulfport P.D. and the Board.

B. Severability. Should any section or part of any section of this Agreement be rendered void, invalid, or unenforceable by any court of law, for any reason, such a determination shall not render void, invalid, or unenforceable any other section or any part of any section of this contract.

C. Notification. All notices, requests, demands, or other communications hereunder shall be in writing and shall be deemed to have been served as of the delivery date appearing upon the return receipt if sent by certified mail, postage prepaid with return receipt

requested, at the address listed below, or upon the actual date of delivery, if hand delivered to the address below. Either party may change the below-listed address at which it receives written notices by so notifying the other party hereto in writing.

Gulfport P.D. to:

Chief of Police, Gulfport P.D.
2401 53rd Street South
Gulfport, FL 33707

Copy to:

City Attorney, City of Gulfport
2401 53rd Street South
Gulfport, FL 33707

Board to:

Chief of Police
Pinellas County Schools Police
11111 S. Belcher Rd.
Largo, FL 33773

Copy to:

Office of School Board Attorney
Pinellas County School Board
301 4th St. SW
Largo, FL 33770

D. Waiver. No act or omission or commission of either party, including without limitation, any failure to exercise any right, remedy, or recourse, shall be deemed to be a waiver, release, or modification of the same. Such a waiver, release, or modification is to be effected only through a written modification to this Agreement.

E. Governing Law and Venue. This Agreement is to be construed in accordance with the laws of the State of Florida. Venue for any cause of action or claim asserted by either party hereto brought in state courts shall be in Pinellas County, Florida. Venue for any action brought in Federal court shall be in the Middle District of Florida, Tampa Division.

F. Headings. The paragraph headings are inserted herein for convenience and reference only, and in no way define, limit, or otherwise describe the scope or intent of any provisions hereof.

G. Due Authority. Each party to this Amendment represents and warrants to the other party that (i) they are duly organized, qualified and existing entities under the laws of the State of Florida, and (ii) all appropriate authority exists so as to duly authorize the persons executing this Amendment to so execute the same and fully bind the parties on whose behalf they are executing.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their duly authorized representatives on the _____ day of _____, 2018.

THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

By: _____

Attest: _____

Print: _____

Chairman

Print: _____

Ex-Officio Secretary

CITY OF GULFPORT, FLORIDA

By: _____

Attest: _____

Print: _____
City Manager

Print: _____
City Clerk

Approved as to form:

Approved as to content and correctness:

Sign: _____

Print: _____
School Board Attorney,
Pinellas County Schools

Print: _____
City Attorney

RESOLUTION NO. 2018-39

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE PINELLAS COUNTY SCHOOL BOARD FOR SCHOOL RESOURCE OFFICER SERVICES; PROVIDING FOR AN AMENDMENT TO THE FISCAL YEAR 2017/2018 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Police Department has for several years contracted with the Pinellas County School Board to provide two School Resource Officers at Boca Ciega High School; and

WHEREAS, on April 17, 2018, Council approved a budget amendment for the purpose of funding a School Resource Officer to be assigned to Gulfport Elementary School. At that time, it was not known what the financial commitment would be, if any, from the School Board; and

WHEREAS, following the passage of the School Safety Act, the School Board staff has negotiated with jurisdictions in Pinellas County and has agreed to pay \$58,000 for each officer assigned to a public school.

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 enter into an Agreement with the Pinellas County School Board for School Resource Officer services at Boca Ciega High School and Gulfport Elementary School for the period of July 1, 2018 to June 30, 2019.

Section 2. The City Council hereby authorizes an amendment to the Fiscal Year 2017/2018 Budget as follows:

<u>Fund</u>	<u>Account Name</u>	<u>Account Number</u>	<u>Current Budget</u>	<u>Debit (Credit)</u>	<u>Amended Budget</u>
General	Appropriated Surplus	001-0000-389-01	(38,542)	22,089	(16,453)
General	Police/Fire Services	001-0000-342-10	(130,000)	(22,089)	(152,089)

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

PASSED AND ADOPTED this 15th day of May, 2018 by the Council of the City of Gulfport, Florida.

Samuel Henderson, Mayor

ATTEST:

Lesley DeMuth, City Clerk



CITY OF GULFPORT CITY COUNCIL AGENDA MEMORANDUM

FROM: James E. O'Reilly, City Manager

DATE: May 15, 2018

AGENDA ITEM: 8

RESOLUTION NO.: N/A

**SUBJECT: Proposed Fiscal Year 2018 – Fiscal Year 2019
Operating & Capital Budget(s)
City Council Budget Discussion #3 – City Council Input - Direction**

The purpose of the sustained general overview discussion(s) is to continually 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 specific recommendations or any proposed specific actions, projects or applicable funding, other than those previously provided by and approved by City Council when adopting the present fiscal year's budget (Fiscal Year 2017 – Fiscal year 2018), those identified as Capital Improvement Projects or actions supporting recurring Capital costs (i.e. Public Safety equipment); this dialogue is to discuss any specific change or changes in philosophy or projects and programs that City Council would seek to further explore for inclusion (or removal) in the forthcoming fiscal year and a subsequent five (5) year budget program timeline(s).

City Council Budget Schedule:

- ✓ April 3, 2018 - City Council Budget Discussion #1 – Proposed Capital Improvement Program Budget.
- ✓ April 3, 2018 - City Council Budget Discussion #2 – Proposed Operating Budget.
- ✓ May 1, 2018 - Fiscal Year 2017 Audit (CAFR) – Presented to City Council.
- May 15, 2018 - City Council Budget Discussion #3 – City Council proposed projects and programs.
- June 5, 2018 - City Council Budget Discussion #4 – Presentation of "Draft" Budget with Fund Analysis.
- June 19, 2018 - Stantec – Utility Rate Study Presentation to City Council.
- July 3, 2018 - City Council adopts proposed Millage Rate (TRIM) – Set dates for Public Budget Hearings.
- July 15, 2018 - Per City Charter - City Manager to formally provide proposed budget to City Council.
- August 7, 2018 - City Council Review of City Manager's Proposed Fiscal Year 2019 Budget.
- August 21, 2018 - Renewal of City of St. Petersburg Utility Agreement.
- September 4, 2018 - City Council 1st Reading of Ordinance providing for Ad Valorem Tax Levy.
- September 4, 2018 - City Council 1st Reading of Ordinance adopting Fiscal Year 2019 Operating Budget.
- September 18, 2018 - City Council 2nd Reading of Ordinance providing for Ad Valorem Tax Levy.
- September 18, 2018 - City Council 2nd Reading of Ordinance adopting Fiscal Year 2019 Operating Budget.

ANALYSIS:

CITY COUNCIL – COMMENT AND INPUT

Successively, from the time of the adoption of the Fiscal Year 2017 – 2018 Budget in September 2017; the Mayor and respective City Council members may have identified budget topics, projects and programs or tasks that they individually would like to see brought forth for further discussion, to possibly include in the City’s Fiscal Year 2018/2019 through Fiscal Year 2023/2024 Budgets. Initially, over the course of present year and at the City’s first budget presentation, overview and discussion of April 3, 2018 - the following preliminary items have been suggested as topics for discussion and action for possible budget inclusion. Staff requests at this time City Council to please provide prior to the City Manager and staff’s further development of the City Manager’s proposed Fiscal Year 2018 – Fiscal year 2019, (Required to be presented to City Council on July 15, 2018) any additional budget topics, projects, programs or task direction they would like to include in future budget discussions, deliberations and projections.

TO DATE - MAY 15, 2018 - CITY COUNCIL IDENTIFIED THE FOLLOWING BUDGET TOPICS, PROJECTS, PROGRAMS OR TASKS FOR CONSIDERATION AND FUTURE CITY COUNCIL DISCUSSION:

- | | | |
|--|-----------|---|
| 1). Playground Shade Sails | \$238,604 | City Council Recommended Project - (04/03/18) |
| > Beach Playground | 62,468 | |
| > Tomlinson Fitness Area | 47,530 | |
| > Tomlinson Playground | 98,730 | |
| > Marina - Patio Area | 29,876 | |
| 2). Senior Center (MPC) Replacement | | |
| - Capital Fund Raising - Feasibility Study | \$25,000 | City Council Recommended Project - (04/03/18) |
| 3). Theater Audio/Visual/Lighting Imp. | \$25,000 | City Council Recommended Project - (04/03/18) |
| 4). Casino - WRD Wi-Fi & Live Streaming
(Year 1 w/Equipment) | \$10,000 | City Council Recommended Project - (04/03/18) |
| *Annual Cost = \$7,200.00 per year. | | |
| 5). PSTA WRD Trolley Replacement & City’s PSTA participation, Service Levels.
(Trolley Market Square Set Piece) | | Ongoing Council concerns. |

DIRECTION REQUESTED:

That City Council provides the City Manager a consensus in regards to the development of the “Proposed” Fiscal Year 2018 – Fiscal Year 2019 Budget and if desired; provide additional input of supplementary projects or priorities with the related impact to funding sources for inclusion in future Fiscal Year 2018 – Fiscal Year 2019 “Budget Discussions” or presentations for consideration prior to formal budget adoption. At this time staff would seek a consensus of City Council as to the program or projects inclusion in future budget considerations.

ON BACKGROUND – As provided to the Mayor and City Council at the April 3, 2018 City Council Meeting’s initial Fiscal Year 2018 – Fiscal Year 2019 Budget discussion:

Future budgets will be impacted by the following issues:

1. Negotiation of respective Police and Fire’s Collective Bargaining Agreements (CBA).
2. General Employee Salary Adjustment(s) – possible “Bonus” incentive program.
3. November 2018 - Additional \$25,000 Homestead Exemption Referendum (est. \$176,000 impact Citywide).
4. Proposed Fiscal Year 2018/2019 City of St. Petersburg Utility Agreement(s) to include applicable 25% State Statute provided for outside of City - Water and Wastewater Treatment Surcharge.
5. Fiscal Year 2018/2019 City of St. Petersburg Wholesale Utility Cost Increases.
6. FDEP - State Revolving Loan Fund(ed) – Major Sanitary Sewer Inflow and Infiltration Rehabilitation Program. (\$260,738–Annual Payment).
7. FDEP issued Sanitary Sewer System “Consent Order.” * Utility Funded-Sanitary Sewer Private Lateral Replacement Program \$127,500 – FDEP P2 program.
8. Pending Environmental Litigation – Due to Tropical Storm rain event(s) triggered Sanitary Sewer Overflows (SSO’s).
9. Continued flat or downward trend in Communications Service Tax revenues.

As consistently discussed on an annual basis; the City Manager has identified the following common core objectives, priorities, previously approved projects and issues in the continual development of the present and future proposed budgets. With City Council input – Where appropriate, City staff will provide a more detailed commentary, status and applicable proposals to address items outlined below:

Fiscal Year 2018 – Fiscal Year 2019 Budget Priorities:

- **Public Safety**
- **Utilities**
- **Infrastructure**

- Maintain present Millage rate at 4.039.
- Maintain City’s Reserve Funds at 16% to 25% of Fund Balance. Increase or Replenish where possible.
- Present a conservative Capital Improvement Program.
- Maintain City’s Public Safety service delivery model – fund, adequately equip and train.
- On-going Community promotion(s) and support of Special Events.
- Continue City’s Utility and Sanitation services delivery model(s).
- Renewal of Water and Sewer Agreements with the City of St. Petersburg. - (w/25% surcharge).
- Study, Development, Presentation and Implementation of a long-term stabilized Utility and Sanitation rate structure.
- Continue Improvements and Upgrade of Sanitary Sewer (Utility) Infrastructure.
- Ongoing Roadway Resurfacing (Paving), Brick Restoration, Alley and Sidewalk Improvements.
- Continue with ongoing Marina improvements and future expansion.

- Construction Transfer to General Fund.

- Ongoing review of market equitable costs for services for City Council's consideration.
- Study future Williams Pier repairs and replacement and City Hall Administrative facilities replacement.
- Continue ongoing Improvements to City's Internal Information Technology Infrastructure.
- Tangerine Greenway – 49th Street Trolley Market Square Park Project.
- Plan/solicit long-term funding of Senior Center Remodel and Expansion. (Re-Design II).
- Improve/replace/create Community amenities and aesthetics where financially feasible.
- Annually provide appropriate compensation, benefits and salary adjustment(s) to employees.
 - Negotiate/Manage Police and Fire's respective Collective Bargaining Agreements (CBA).
 - Manage and maintain Employee Health Insurance Cost(s).

COROLLARY:

As previously stated - The purpose of this discussion is to seek the City Council's input and to study 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 within the context of the related deliberations, decision making and City Council's direction to staff.

The Mayor and City Council have created and continue 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 financial parameters that will need to be considered as the City Council 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.
- Is City Council willing to endorse the refocus or redeployment of assets and people to achieve the specific ideas or goals?
- 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 City staff focus on the specific idea or project?
- Level of Financial support necessary?
- Is Financial support available?
- Broad level of commitment?
- Long-term City Council support?
- Can issue/project or goal transcend present to future City Councils?

The City Manager and his staff's ability to manage specific direction - fund and implement proposed ideas, projects or goals must be in concert with City Council's acknowledgement of the respective costs, personnel needs and

appropriate funding to facilitate such efforts continues to be crucial to the discussion of City Council's direction and support of proposed integrated projects, changes or proposals.

Changes to presently established City priorities or goals of both the City Council and staff will necessitate that the City Council provide clear and concise (specific) direction and the required applicable resources to the City Manager and City staff to foster and facilitate the attainment of the City Council's priorities and/or goals for the City and City Manager.

Moreover, due to the City's limited resources, the application, appropriation or re-appropriation or the need for new or additional funding for a significant change in City Council's goals, priorities or direction and the applicable or associated priorities/processes – may require a change in the present administrative management style, lending itself to the adoption of one that is significantly more structured or one with less flexibility than is presently in place – a management hierarchy process that will afford City Council in the future much less flexibility to create, re-design or re-focus on yet to come endeavors.