

Attachments include a letter from the actuary stating the amendment will not impact future funding obligations.

The IRS requires the proposed amendments be adopted for the favorable determination of the plan to go into effect.

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

**VOTE:** Motion carried with Commissioners Livingston, Gracy, Kynes, Tornga and Mayor Bujalski voting aye. Voting nay: None.

- 2. FIRST READING OF ORDINANCE 16-25 DOWNTOWN PARKING** that explains the new Parking Management System designed to increase turnover and provide new parking inventory over the long term.

City Attorney Trask read Ordinance 16-25 by title only.

**MOTION:** Motion was made by Commissioner Kynes and seconded by Vice-Mayor Livingston to approve Ordinance 16-25 on first reading.

### Staff Presentation

Planning and Development Director Rice introduced the item and explained:

For several years there have been several parking studies showing the city needs additional parking supply.

Two years ago as he and Economic Development/CRA Director Bob Ironsmith watched a number of developers come through the various City agencies and they began to become concerned about the at-risk parking lots to be lost. At that time they made recommendations to create a funding source for increased supply for City leases being lost and create turnover to get the right people in the right places.

A recommendation for paid parking was made for three reasons:

Not to be an additional burden on the General Fund or the Penny-for-Pinellas Fund. There were other projects like a new pool, new government center or the need to keep the Blue Jays in the city and the determination was that the demand from a potential new supply of parking especially if it went to the level of a parking garage should not be added to that list.

Also taken into account was the General Fund and the Penny cannot be bonded like paid parking revenue as it is not a guaranteed source over the life of a garage.

With these recommendations the City Commission first approved a Paid Parking System to start October 1, 2016; a pay station vendor – Parkeon and a parking management company SP Plus.

Tonight staff was presenting an ordinance in which are the codified rules to make the system work.

Mr. Rice thereafter provided a brief description of various sections in Ordinance 16-25 and asked for questions at any point in the review.

### Presentation and Commission Questions

Section 1. Provides the basic applicability of the ordinance.

Section 105-24.7.2.1 – provides the authority to install, operate and maintain parking pay stations.

Section 105-24.7.2.2 – Parking System Description

“Pay-by-Plate” was chosen as the best technology available and reduces the labor force dramatically. The parking license plate camera can pick up license plate numbers at up to 35 M.P.H. allowing enforcement personnel to cover the Downtown and surrounding neighborhoods in a 2-hour block.

Park plates that have paid either through the pay station or mobile app are sent to a data base with a list of properly paid license plates. The camera checks the list and notifies the parking enforcement specialist when there is a discrepancy. The enforcement specialist will then investigate for issues such as a disability permit, residential or visitor permit; if all those fail then is the time for the citation. The plan is to do at least two rounds of warning citations and then the third will be a citation.

**Section 105-24.7.2.3 (C) 1– Parking location by payment type**

These are listed in narrative form in the ordinance, but will be shown as a map on the website.

These are on-street spaces and some of the most heavily used lots in the center of downtown.

\$1.50 per hour was determined by staff because at \$1.00 per hour citywide would result in the number of free parking spaces would have to be less and possibly eliminate the resident discount and the user would have to pay the credit card fee.

**Section 105-24.7.2.3 (C) 3 – Paid parking locations shall be enforced between 10:00 a.m. and 10:00 p.m.**

Demand picks up in the evenings and weekends because of being an entertainment center and few office workers.

**Section 105-24.7.2.3 (D) – Parking location by payment type**

These are listed in narrative form in the ordinance, but will be shown as a map on the website.

1. Paid parking areas requiring \$1.50 per hour payment (3 hours maximum)
2. Paid parking areas requiring \$1.00 per hour payment (4 hours maximum – can extend using phone app)
3. Free Parking Areas (8 hours maximum)

Commissioner Tornga inquired if any of this is going to be by resolution or if it will all be in the ordinance and a resolution will cover other parts.

City Attorney Trask advised that discussion came up at the Agenda Review Session and staff is waiting for direction from the commission. A couple of resolutions were suggested including fees and fines, location and Special Magistrate. It is easier to modify a resolution with only one public hearing required versus two public hearings to modify an ordinance.

**Section 105-24.7.2.4 – Methods of Payment**

No bills will be used because of the humidity and heat of the area, when bills get damp they can jam the bill changer; therefore, the recommendation was not to use paper bills.

The phone application would be presented later in the agenda and is a great tool in that it will act like cash for residents with no user fee and provide a 20% discount.

**Section 105-24.7.2.5 – City of Dunedin Resident Discount Program**

Residents can receive a 20% discount by opening a Parkmobile phone app account; register their license plate with proof of residency at the Planning and Development Department. The Parkmobile transaction fee will be waived for registered residents.

Mr. Rice advised for those residents who are not going to open a Parkmobile account it is possible to do it through the Parkeon pay stations, but it is an extra enhancement with some costs involved and that information can be provided if the commission requests.

Economic Development Specialist Craig advised:

Parkeon has provided information on an “E Permit System” which can go into the pay station with a credit card or coin once preregistered with the city’s system; however, residents would have to come to a location in the city and show proof of residency and provide the license plates in the household.

The fee for the system through Parkeon is a \$2,100 set up fee and \$6,000 per the first 500 names; \$9,600 for 1,000 names; \$18,000 for 2,500 names; \$21,000 for 5,000 names; \$24,000 for 10,000 names and \$36,000 for 20,000 or more names.

Mr. Rice advised staff recommendation is to monitor the scope of the problem over the first three months of the program to determine how many residents it would involve.

Mr. Rice noted another question was about applying on-line and advised:

SP Plus partners have come up with a way to do that; however, the problem with on-line databases is the DMV was described as not the best database because people move around and the DMV is not able to determine those residents who are in unincorporated enclaves within the city limits; the same is true for subdivisions north of Curlew Road with Palm Harbor addresses even though they are Dunedin residents.

The checking for on-line registering will have to come from the Pinellas County Property Appraiser’s Office which City staff does all the time and is a simple check.

The recommendation from SP Plus was to have a simple on-line application to upload their address, a copy of their license or utility bill and they would be added to the “white list” to be provided to the databases for the pay stations and for Parkmobile and they will receive the automatic 20% discount.

Mayor Bujalski inquired if there is a way to put the driver’s license number and utility bill number in a form versus having to upload copies. Mr. Rice explained all the surrounding cities that use the system require coming into the office to show proof of residency. Mayor Bujalski stated she was trying to make it extremely simple.

**Section 105-24.7.2.6 – Downtown Employee Pass Program**

\$30.00 per month or \$300.00 per year pass which is a license plate number entered into a list in the databases for being in the \$1.00 lots would be always considered paid. This would require proof of employment in the Downtown.

**Section 105-24.7.2.7 – Golf Carts**

When using a paid space, golf carts will pay the same as a regular vehicle. Street legal golf carts will use their license plate and those not street legal but allowed in the downtown will use their Dunedin registration number. Those not registered will get a courtesy notice requesting the register which is part of the City ordinance.

Mr. Ironsmith advised if golf carts find other places to park on private property that do not pose a safety hazard or obstruct a right-of-way the city is not looking to be aggressive with enforcement.

Section 105-24.7.3 – Prohibitions and Restrictions

Provides for a detailed list of parking prohibitions and restrictions

Section 105-24.7.3.14 - Parking in Spaces provided for disabled persons

The City's Disability Advisory Committee will look at a pay station at their meeting tomorrow at 11:00 a.m. at the Hale Senior Center and will report back.

City Attorney Trask advised the changes made to proposed Ordinance 16-25 from the Local Planning Agency hearing until now.

During the LPA there was citizen comment about the ordinance not following Florida Statutes; therefore, the appropriate statutory references were applied to the code section as being proposed.

The original language providing for the first 4 hours for a disabled person is free of charge unless it was otherwise restricted by the city has been changed from "restricted" to "extend".

He also suggested deleting the example sentence that seemed to cause some confusion.

At the Agenda Review Session there was discussion as to whether or not there was a placard hanging in the window, but a particular type of license plate for a disability that would also allow for using the space and that is specifically set forth in the code section it references four different State Statutes dealing with Disabled Veterans, people who use wheelchairs, Paralyzed Veterans of America and persons with disabilities eligible for a parking permit who do not have one. All the instances questioned are currently covered in this section.

There was also a provision in the ordinance that went to the LPA basically saying people with disabilities that have the placard would have to pay the standard rate anyone else would pay for a special event which has been removed. Those people still have the right to four free hours without any payment.

Mayor Bujalski asked how the enforcement would work for a special event and suggested not charging the disabled at all. Mr. Ironsmith advised during special events a special area is set up off of Highland where there is an empty lot that is paid is used for disabled because it is close to Main Street. Mr. Rice stated staff would be fine with direction not to charge the disabled for special event parking noting enforcement would be difficult.

**CONSENSUS DIRECTION:** No charge for disabled persons for special events.

Commissioner Tornga inquired about identification of disabled as different states have different ways of permitting.

Chester Escobar with SP Plus advised the company that does the license plate recognition will look at the DMV records and compare registration. Usually it does not necessarily tell whether or not it is a handicap; therefore, one of their officers will get out and usually there is a placard visible somewhere and that will be checked prior to issuing a ticket.

City Attorney Trask commented though the Commission is thinking they are providing an additional benefit to those disabled people using the space, but it is also doing a disservice to the next disabled person that needs to use the space but cannot because it is being overused by someone else. The benefit of the second person is being lost if the lot is full and the main purpose of this ordinance is getting the turnaround and movement.

Mr. Rice suggested for the first 90-day report numbers can be provided regarding the disabled parking for consideration.

Commissioner Tornga asked if there are any issues with disabled people using the pay station kiosks. Mr. Rice commented if the city is not charging the disabled they would not need to use the kiosk, also using the Parkmobile app would eliminate that. Mr. Escobar advised the machines have been vetted through the Americans with Disabilities Act and are ADA compliant.

Mayor Bujalski noted City Attorney Trask brought up a good point and suggested the Disability Advisory Committee have that dialogue as well.

Vice-Mayor Livingston clarified with Mr. Rice those people with disabled permits may park in any spot; therefore, supply would not be a problem.

Section 105-24.7.4 – Parking Enforcement

Section 105-24.7.4.2 (A) Schedule of fines for parking violations within the city is established as follows: 24 listed all, are \$30.00 except for parking in a designated disabled space which is \$250.00.

Section 105-24.7.4.2 (B) – Parking violations are to be paid within thirty (30) calendar days from the date of issuance.

1. Past 30 days has a \$15.00 penalty.
2. Past 45 days has a \$20.00 penalty for a total of \$35.00 penalties plus the original violation.
3. Past 90 days the ordinance provides the authority to collect, but not to exceed 40% of the amount owed.
4. The ordinance provides for when a person has three (3) unpaid parking violations to submit that list to the Department of Motor Vehicles and they would have to satisfy those citations before renewing their license plates or driver's license.

In response to a question from Mayor Bujalski, City Attorney Trask stated he thought there would be a master list turned over to the DMV on a quarterly or bi-annual basis.

Tracy Bruch, Director of Municipal Assets with SP Plus, explained the State of Florida works with municipalities and there is no set up fee. Payment can be made over the phone or on line or go the office in the city and then the DMV can see the payment was updated and accept that.

Section 105-24.7.4.2 (C) – provides for fines to be paid on the day of the violation at the pay station at a 50% discount. The same can be done through Parkmobile on the phone.

Section 105-24.7.4.6 – Vehicles Parked on Public Property; Towing

Mr. Rice advised there are six companies on the sheriff's towing list on a rotating basis and the suggestion from staff is if the city can get a similar contract to the sheriff's which limits the charge and a per mileage fee and restrictions to engage Pete's and Pfeifer's only, which would be the most convenient.

City Attorney Trask advised that it would be possible; however, Pfeifer's does not have an impound lot, but that could be looked into.

Mr. Rice explained the towing would only be for an abandoned vehicle which should be rare.

City Attorney Trask advised of the changes between the LPA and now:

There were already provisions in the Code and at the end of this ordinance is the deletion in the current code of the towing provisions which did not deal with towing from a parking lot.

This ordinance is clearer and provides for the proper notices which the current existing code does not provide.

In addition this ordinance provides for an administrative appeal.

Commissioner Kynes noted the time period was 72 hours for a vehicle not moving from an occupied space.

Mr. Rice advised SP Plus will contact the city of an abandoned status; it will be with city manager approval to tow the vehicle. He noted this is the last thing anyone wants and hopefully it would be for an extenuating circumstance that would be taken into account by a Special Magistrate.

Commissioner Gracy inquired about recent changes in Pinellas County ordinances towing. Mayor Bujalski explained the County extended the time for towing overnight parking until noon and it was for safety reasons for those who do not want to drive home; however, that was for parking lots of privately owned drinking establishments; that is not necessarily applying to city's parking lots.

Mr. Rice noted the problem that needs to be worked out is when someone takes a safe ride home, when enforcement comes on the next morning at 10:00 a.m. the two hours until noon will need to be addressed.

**CONSENSUS DIRECTION:** Include the 72 hour period of time before towing in the ordinance language.

Mayor Bujalski emphasized the City does not want people to feel it is going to cost them when they are doing the right thing. She recalled the suggestion that establishments could give out some kind of placard to people leaving and knowing they were not going to drive and leave their car and it could have the information.

Mr. Rice advised staff would be meeting with business owners of late night establishments to discuss safety issues and that is an issue that can be addressed as well.

#### **Section 105-24.7.4.9 – Administrative Appeal**

Provides information to any person wishing to contest a parking citation, to the Economic Development Department, the Planning and Development Department and the Special Magistrate.

Mr. Rice suggested the Special Magistrate could be scheduled for the first Tuesday of the month and 5:00 p.m. right after the Dunedin Code Enforcement Board meeting in order to keep the same staff available to clerk that session. City Attorney Trask explained it would be coordinated according the availability of the Special Magistrate and he would assume at 5:00 p.m. they would all be available.

Mayor Bujalski asked if there is anything on the kiosks with a phone number for problems and also to assist if someone can't figure out how to work the machine; it was confirmed there would be a meter out of order hot line.

Commissioner Gracy suggested the demonstration software should be on the machines all the time. Mr. Ironsmith would verify.

#### **Section 105-24.7.5 – Residential Parking Permit Program**

Mr. Rice explained this section is designed to protect residential streets in the vicinity of the paid parking system so they are not inundated with people trying to beat the system.

Section 105-24.7.5.1(B) lists the streets in the program

Mr. Rice noted a resident brought up the issue of having a party which will be addressed by a request by phone and the City will send the number of passes for that day for them to print or they can pick them up in the office.

Mr. Rice explained:

If residents plan on parking their vehicles on the street the license plate should be in the database so there is no problem.

There will be door hangers providing information on registration and warnings so residents do not get tickets.

There will be signage that says "Resident Parking Only" so people will know.

His recommendation for Wines the Blues that is coming up quickly is to do a courtesy citation at that time with information for the residents and non-residents.

Commissioner Kynes noted this is modeling the program for Spring Training.

#### Commission Questions

Commissioner Gracy request what the \$1.50 rate is based on and Mr. Rice explained:

The credit card company fees vary and whatever that percentage is the City is paying.

The credit card fee plus the 20% discount is taking a lot out of the \$1.00 and it was felt in the high activity areas to create a fund for some level of supply that the \$1.50 was important.

To change the fee to \$1.00 everywhere would probably work as well; however, Dunedin has a unique situation in that there is no hybrid in the other paid locations in the county and the only discount those residents are receiving is 35 cents off the Parkmobile fee. The reasoning is about the math.

In the highest turnover areas from a planning perspective those are the spaces where the \$1.50 is allocated where the most turnover is desired.

Commissioner Gracy noted when the parking discussions began years ago the Gateway was part of that formula; however, that is not anticipated at this time and asked how that effects the model.

Mr. Rice commented there are two breweries going in that area and the activity is expected to increase on that end of the street; however, it probably will not reach the level for example of a "Lucky Dill".

Commissioner Gracy asked for comment on the Mease Materials property and Mr. Ironsmith advised that is not on board at this time.

Commissioner Gracy asked if the City were to incorporate and put this into the General Fund, continue to underwrite, what would that number be if it was spread ad valorem, if there is not a user fee. Finance Director Ciarro explained:

From an estimate of costs provided, especially with the ultimate goal of building a second structure, the maintenance and other potential lot leases it be just under \$1.2 million in total annually including bond payments, maintenance and the leases just discussed and still having a parking enforcement component and the annual sinking fund reserve as the garage ages basically progress payments almost like a savings account down the road with the parking garage makes up that \$1.17 million.

The related tax rate using the same current valuation for the FY2017 budget is 4.1. To cover those expenses the estimate was for the tax rate to increase by 13.8% to 4.7081 tax rate from the current 4.1345. For a home with a taxable value of \$200,000 that would be \$114.72 more per year.

Approximately 75% of the \$1.2 million would be Capital which possibly does not have to come from the General Fund; it could come from the Penny-for-Pinellas if appropriated as the building of the garage would be eligible.

Commissioner Kynes clarified with staff the Penny is already oversubscribed with a fair amount of unfunded projects.

Commissioner Kynes expressed concern for being clear on what portions of this ordinance are going to be stated in resolution as discussed.

City Attorney Trask advised his notes reflect and he would suggest providing flexibility:

Parking Locations by Payment Type (Subparagraph (d) on Page 4 of the Ordinance)

This will address the dollar amount, the locations for the \$1.50 parking lots, the \$1.00 parking lots and the free parking areas 8 hour and 2 hour maximum.

Schedule of Fines for Parking Violations (Page 11 of the Ordinance)

This will address all the \$30.00 fines up to the \$250.00 for the disability parking area violations.

List of Street Locations under the Residential Parking Permit Program (Pages 18 & 19 of the Ordinance)

This will address the locations of streets for the residential parking permit program.

City Attorney Trask explained if the commission wants to make changes or additions to a proposed resolution it is possible to do that on the night of the meeting it is being considered. As it stands now the resolution will have the streets and dollar amounts as stated in this ordinance unless there is other direction tonight.

Commissioner Tornga requested information as to the pool of money set aside for the use of credit cards and what that cost would be. Finance Director Ciarro commented the range for most credit cards is 2.5% to 4.5% of the transaction depending on the entire charge and he recalled approximately \$55,000 is budgeted in FY2017.

Commissioner Tornga stated he has a number of items listed for resolution including location, times and fines, fees, types, complimentary charged or split, payment type, vehicle type, the metrics, residential parking area and suppliers. He would like to have the flexibility from a resolution standpoint especially because one of the metrics is the merchant or stakeholder in the CRA in order to have the capacity to move quickly if necessary.

City Attorney Trask explained the Metrics/Performance Measures will be a separate resolution as discussed at the Agenda Review Session.

It was clarified suppliers would be by contract and would not be part of the ordinance.

City Attorney Trask noted in addition there will be a resolution for the Special Magistrate.

Mr. Ironsmith advised he received information indicating the tutorial or instructional component with the pay stations will always be on the pay stations.

Mayor Bujalski reviewed with Mr. Ironsmith the CRA was just renewed and expires in 2033 with a check-in with Pinellas County in 2024. She noted one of the major reasons for approval of the extension was to deal with the parking issues and there needed to be extra income and that was a big factor with County and the CRA is another funding source other than the General Fund.

The public hearing was opened.

Larri Gerson of 1310 Overcash Drive provided the following information:

The paid parking Ordinance 16-25 fails to protect Disabled Veterans. The Local Planning Agency took note of the deficiency at the August 10 meeting and directed staff to make certain it was amended to comply with State law as a condition for approval.

Ordinance 16-25 was discussed by the commission at the meeting on August 23 where Mayor Bujalski prompted staff to make sure the ordinance was in compliance with all ADA requirements under F.S. 316.1964.

Attorney Trask fixed some of the problems but was not confident the ordinance protected the rights of the Disabled Veterans.

She asked why staff cannot copy and paste the parts of the statutes saying the holders of handicap parking and Disabled Veterans park for free. She provided a copy of the Florida Statutes.

Handicap permit holders are allowed to park in any metered space as long as it is on the street.

She encouraged residents to pay attention to what is being done on their behalf at the LPA meetings and the 33 other advisory committee meetings.

Mayor Bujalski recalled this evening City Attorney Trask mentioned all three organizations earlier and Mr. Rice mentioned that all disabled can park in any space. She explained all the things discussed at the Agenda Review Session on Tuesday have not changed the document as yet, but all was discussed and mentioned today and when the next copy comes for September 8, 2016 commission meeting all the changes will be in the document. City Attorney Trask acknowledged that was correct.

Harry Steinman of 600 Loudon Avenue suggested the ordinance was not ready yet and his concerns were more about the process. He asked if the sheet on the financials was current or needed to be updated and whether it was prepared by staff or a financial professional and Mayor Bujalski advised it was prepared by staff. Mr. Steinman continued:

In reference to the Summary Table of Revenue & Expenses of the Downtown Parking Management Plan attached to the supplement to the agenda packet he noted the Operating Income projections and explained his understanding that Operating Income is income from operations and if the funds from the BP settlement and the CRA Fund that might be appropriate in a municipal system, but it is not operating income with those backed out instead of having a 4-year net revenue of about \$2.4 million it ends up with an operating loss of a little over \$500,000. He would prefer to see things described accurately.

Asked if the parking performance measures attached to the supplement to the agenda packet were still accurate and Mr. Ironsmith advised they were not as staff is working on them. Mayor Bujalski advised the commission also requested that revision at the Agenda Review Session and there will be a new one for September 8.

Asked if the commission was aware operating this parking system is going to end up costing \$500,000 rather than making \$2.5 million.

Mayor Bujalski clarified with Interim City Manager Hutchens the BP settlement money included is for the buy down on the lease of the garage.

Finance Director Ciurro explained:

The CRA funding seen in the first few years on the model are related to leases the CRA is already paying for and a few of the leases the BP funding is paying for those first three years.

In terms of removing the BP Settlement and the CRA Fund lines in looking at this pilot program and evaluating that funding is offsetting the cost of the first garage; it is not even part of the first year as far as the evaluation is concerned; it is a cost and there is funding related to it already set aside.

The picture seen here is of the entire Parking Fund, it is not necessarily just the Pilot Program of the Parking Fund, while there is a lease payment and maintenance payment related to that garage in FY17, none of that is related to the Paid Parking Program so it will not be related the evaluation of determining whether that program goes on or not.

As Mayor Bujalski noted the BP Settlement and the CRA was set aside for those particular payments. Those items are part of the Parking Fund in the first year, but right now because there are no revenues related to those costs especially in FY2017 that is the reason for showing the offsets between BP and CRA funding because there will be no revenues generated by the garage.

He acknowledged it is showing where the money is going because that is true accounting for government that is different from most business accounting seen; he felt it was transparent to show where the funding was coming from. In terms of the entire Parking Fund some of it is from Paid Parking Revenues and some is from BP Settlement and CRA Revenue.

Should the Paid Parking Program continue past 2017 there would be paid parking related to the garage and there would be another type of evaluation done.

Joe Kokolakis of 134 Buena Vista Drive commended staff and City Attorney Trask for navigating through this very complex process and a number of different facets and interests affected and did their best to take everything into account. In regard to the BP settlement money, it is not a subsidy for any parking garage and was never tied to the paid parking. It is a part of the overall solution to the city's approach to the parking management issues, but is a stand-alone component that the BP money only reduced the annual rental to an amount that could be managed and afforded by the CRA independently of any income or revenue from paid parking. His project should not be included as part of the analysis of the overall city's interests.

Mayor Bujalski agreed the BP settlement money is a "buy down" and not a subsidy.

Matthew Stevens of 1250 Palm Boulevard commented:

The overall parking system plan is a very contentious and challenging issue and staff has done a good job in working the overall plan and specifically the paid parking component. After 28 years in government regulations he considered the document a good attempt.

He appreciated the reference to towing going toward supporting a local Dunedin parking area.

He questioned how the enforcement time referenced on Page 4 and the Parking Prohibitions on Pages 8 – 9 pertain to special events and financially tracking when people cannot park in those areas downtown. Is the City being subsidized or reimbursed?

He suggested on Page 9, item 4 selling merchandise to cross reference the ordinances that pertain.

In terms of the Pilot Program addendum which he understood was under revision, in the Parking Performance measures it seems to lend itself to how to tweak the plan going beyond the first year; he does not see an analytical standpoint of, 'is this a go or no go' whereas in the January 7<sup>th</sup> message that was talked about, the first year was supposed to be a 1-year determination of whether or not things are going to be leased and to continue or not. He did not see the evaluation process, the timeline methodology versus this which seems to be going forward with the program no matter what and just adjust the plan. Is this a go or no go pilot or an evaluation to tweak and move from this year forward?

Mr. Rice advised staff met today to discuss the special event issues with the Parks & Recreation staff and would like to come back to the Commission at a later date with information when different parts of the downtown are shut down as to lost revenue. Also, the pay stations can be set at a fixed rate if the Commission wanted to recover that lost revenue from people coming to the event there are various options.

Commissioner Gracy asked when are the road closures that would be the driver for what is done. Mr. Rice explained Parks & Recreation has the downtown broken into 5 zones and the idea was to put a price tag on each zone as to lost revenue and whether that will matter. Staff will work up proposals for the Commission consideration to charge the vendors, people attending the events or waive the fees completely. Staff felt this would be more of an amendment to the Parks & Recreation Application Process rather than a part of this ordinance, so the plan was not to bring it back to the September 8 meeting.

Finance Director Ciarro recalled the report from Walker did model certain large special events with basically removing the on street parking.

In response to the question from Mayor Bujalski, Mr. Rice advised there could still be consideration of requests by organizations for collection of parking revenues as a fundraiser as an option.

City Attorney Trask advised there does not have to be a mention of the Special Events in this ordinance and all that would have to be done is for the Commission to either address it at the meters or adopt a resolution as it comes about when an event is coming up to not charge or not enforce and so forth. This would provide flexibility as opposed to making it part of the ordinance that cannot be changed.

Mayor Bujalski noted the decision would need to come sooner than later since there are events coming up with road closures.

Mr. Ironsmith noted the Walker report addressed 18 special event days with the on street parking removed. Mr. Ciarro noted off-street revenue was shown as coming in for those days.

Mayor Bujalski stated the Metric is there for a yes or not in terms of moving forward.

Mr. Rice questioned if that will involve a workshop, a Commission meeting and there was a concern of putting in a sunset date because the process has not been worked out in approaching the 12 months.

The Commission was in agreement a sunset date cannot be put in the ordinance because there are too many variables and things that could happen.

Mayor Bujalski noted the discussion at the Agenda Review Session where the Commission asked for information that might not necessarily be a metric that can be measured but when included with the metric tells a story.

Mikell Herrick of 1036 Idlewild Drive South commented:

She finds it disappointing in talking with people and finding overwhelmingly the opinions she is hearing is they are not happy with this and probably in a referendum there would not be much support.

One of the nicest things about Dunedin was to be able to go downtown, park on the street and walk around for a little while and not worry about running back to a meter to put money in and so forth.

She realized come October 1 the residents will be living with it and it will affect her personally in the month of October. She questioned how much consideration has been given to people who go downtown for special events that are not the big ones. She belongs to the Creative Artists Guild of Dunedin and they have a show every second Sunday from October through April in Pioneer Park, they just set up their tables and displays and need to park close in case of inclement weather. They do not make a lot of money and they pay about \$25.00 a month to the Guild to do the show. She is concerned about the additional they will have to pay to park for that day.

She noted also there are the Farmers' Market people who have to park on the street and people who set up information booths at various events, non-profits and so forth.

Commissioner Kynes inquired about a loading zone and then parking somewhere else maybe in the free parking or lesser cost lots.

Mr. Rice stated a possible solution would be to have some parking space closures based on the needs of the organization using Pioneer Park; it would not be a full road closure.

Mayor Bujalski noted that these smaller events will need to be considered with the special events because those are the ones with more impact on the average person; there may have to be multiple solutions depending on the type of event.

Jim Riley of 2220 Waltrous Drive stated:

This ordinance creates permanent paid parking and there is no mention of it being a pilot program that has always been promised.

By definition a pilot program has a mandatory end date and an evaluation period to weight the merits of continuing it.

What was requested by the Local Planning Agency and numerous residents that the pilot program language be added to the ordinance has not happened.

He has been told there is no need for the pilot language because the Commission can repeal the ordinance with two votes at any time they want which is exactly the idea of a permanent program. A pilot program would make the Commission vote two times to continue it.

It is critically important to force the ordinance to end because the pay stations will have to be purchased at a cost of \$282,000 after year 1; the ordinance as written would force the

Commission to start the process of repealing the ordinance after only about 10 months including a completed evaluation period, that would miss the 1-year deadline and automatically have to buy the pay stations.

This program has been sold all along to the public as a 1-year pilot; with the unwillingness to add the pilot program language to the ordinance he can only assume the public has been lied to all along.

One of the goals of the parking system is to create a steady revenue stream to fund a future City owned garage as well as the private one recently agreed to rent. He supposes they never should have known it was never going to be a pilot program with that goal in mind.

By continually calling it a 1-year pilot program made it a lot easier to sell to the public.

This ordinance must include the pilot program language otherwise this is permanent paid parking and the residents have been duped. Any Commissioner voting for this permanent paid parking will need to explain to the voting public why they have been lied to for the past year and a half.

He questioned isn't it ironic that soon residents will have to pay to park to attend these Commission meetings even though they are against it. The Commissioners on the other hand were all for the paid parking get a free spot out back and due to the length of the meetings there will probably be a lot of tickets written.

Mayor Bujalski noted the first "Whereas" cites a "pilot parking management system" and questioned if it mentions pilot anywhere else in the ordinance.

City Attorney Trask advised that is where "pilot program" was added as requested in the LPA motion. He felt it would be redundant to put in program and just left off that word and just added the word "pilot" in the first "Whereas" exactly as the LPA requested. He noted the minutes of the LPA meeting are behind the ordinance in the agenda packet.

Mayor Bujalski suggested the resolution for the Metric should include the process and had a time frame which solves both issues, not having to do the two public hearings and also defines exactly what is attempting to be accomplished.

City Attorney Trask explained it cannot be in the resolution because the resolution cannot control the ordinance. It can be talked about in the resolution, but it will not give the sunset provision people are talking about. The criteria can be there in the resolution say it is being looked at as a pilot program and these measures will be reviewed in 12 months.

Mayor Bujalski summarized the resolution for the Parking Performance Measures can spell out in this time frame what is intended to be done and if the metrics are not met then there will be the decision.

Hearing no additional comments, the public hearing was closed.

#### Commission Questions

Mayor Bujalski:

Requested staff provide a list of what has been changed in the ordinance; Mr. Rice will put it in the staffing for September 8th.

Requested updated information on the Gateway and how it affects the counts taken of permanent parking spaces needed, the revenue and also information on the 7-days a week

Jolley Trolley service which should also reduce the amount of permanent parking necessary and any other events that have happened in the past month to change the counts.

Mr. Ironsmith advised there is approximately \$100,000 in Tax Increment Financing (TIF) revenue that will not be occurring because of the Gateway.

Commissioner Kynes commented the Gateway issue might not be such a bad thing because of the increased flexibility in relation to the revenue that might be lost.

Commissioner Gracy:

Inquired the percentage of paid parking to free parking right now which will change. Mr. Ironsmith advised the last report was 51% free and 49% paid during the day and at night it goes to 75% paid and 25% free.

Inquired what was the cost associated with the people mover concept, that is a full time dedicated looper. Mr. Ironsmith will have to research and bring that information back; however, recalled it was cost prohibitive.

Mayor Bujalski advised there may be an opportunity through the Pinellas Suncoast Transit Authority (PSTA) and through the Jolley Trolley for the 10 seat golf carts versus a big trolley that would be much less expensive. She suggested contacting Brad Miller at the PSTA.

Vice-Mayor Livingston suggested Neighborly Senior Services might be something to look into as he was told they do not use all their vans all the time.

#### Commission Comments

Commissioner Kynes noted the complexity of this issue and commented:

This city has come from tumbleweeds to talking about a parking management system with the bottom line of diminishing supply and increasing demand because of vanishing leased parking lots the increased demands are not being met.

Leased parking is not and never has been free; it is subsidized paid parking.

A paid/complimentary parking management system will be the revenue source for a second vertical parking garage which is the highest and best use for parking. User fees pay the revenue source for that second parking garage, not the Penney or property taxes that could be 13%.

The downtown is the heart of Dunedin that pumps out to the rest of the community. It took many years and many community leaders and many volunteers to achieve our Dunedin. Change is difficult and failure to act can be irreversible.

The important thing for the community to understand is the tale of a vibrant beautiful city, of diminishing supply and increased demand. The best solution in her well considered opinion based on many years of involvement in Dunedin is a parking management system.

Vice-Mayor Livingston noted his pride in this process and coming a long way together in respectful discussion and staff has done a good job of putting together a very complex document and commented:

Though it might not be 100% that is not expected immediately, but we will learn from this by staying focused on what is trying to be accomplished.

All along it has been a supply issue and something has to be done about increased demand and decreased supply and also increase turnover.

The City has to save for the future parking structure which he believes has been agreed is the next step and that will take revenue.

He supports a user based system as opposed to a tax increase.

The last thing the Commission wants to do is hurt the Downtown and they will be listening to the merchants. He is very optimistic.

Commissioner Gracy also thanked staff for the work in this process that has not been easy and commented:

The loss of 100 parking spaces by Christmas time emphasizes the need to accurately get a hold on this issue and get ahead of it which will be key rather than reacting and finding another vulnerable lease.

This program puts the city on the path to sustainability; however, she wants to know there is a safety net and build in enough flexibility.

It is still a concern that the residents have to pay for this and she is searching and hoping through this pilot program someone will show her most of that can be alleviated.

She feels the residents have good intentions to make this work for this community problem which is a good one to have because of a vibrant downtown and most of all walkable and this plan tells her the City will prioritize people over cars.

She feels the 1-year pilot with enough flexibility built in can show how to get the right people into the right places and that has to be done through a user fee. She compared it to the City's swimming pool paid for by taxes, but when she goes today she still has to pay \$3.00 and that works and seems to be the equitable way.

This is the best way she can find through years of documentation and studies and opinions to make sure the Commission is legislating around data and not just perception. She will be looking closely on a monthly basis at the numbers and any type of anomalies.

Commissioner Tornga commented:

This issue goes back a long time and related history of the startup of the Community Redevelopment Area to build up the downtown that was not doing very well. He noted the CRA continues to 2033 and one of the reasons for continuing was to provide parking for the downtown. He thanked everyone for their input and City staff for their hard work.

The people most affected by this the most are the merchants. He feels that is the most important to listen to and with the resolutions the Commission can adopt changes as needed.

In terms of the pilot program it is part of the CRA agreement indicating between now and 2033 the City would create some parking structures. Additionally in that time period it was known some of the spaces would be lost which has happened in the past two years. The pilot program might have changes made in resolution form.

It has been determined funds needed to be created and after countless meetings it was determined to charge the users for those funds.

There is not going to be more land to use, it will only disappear in the downtown as it has for more than ten years.

This is a formidable plan that everyone seems to agree should be flexible to make it work; the alternative is not good.

Mayor Bujalski also thanked everyone for the hard work on this issue and thanked the residents for all of their concerns. Everyone has done a good job and we will see what the next meeting produces. She commented on her concerns:

The timing of the implementation and the effect on people when they come downtown.

Her suggestion is to wait for the garage on Douglas to open and take that time to do the enforcement and education and figure out some of the problems.

The funding component

Moving forward with paid parking before the garage opens and felt it will be a negative customer service message and one year is not going to devastate the City especially given the situation with the Gateway property, where development might be going and the 7-day a week trolley service that was never considered.

She prefers to wait and let people get used to the idea of thinking about where they are going to park.

**VOTE:** Motion carried 4-1 with Commissioners Gracy, Tornga, Livingston and Kynes voting aye. Voting nay: Mayor Bujalski.

There will be a second reading on September 8, 2016.

#### **OLD BUSINESS**

### **1. CHANGE ORDER FOR MICHIGAN BOULEVARD (EAST END) PAVEMENT RECONSTRUCTION**

Public Works Section Engineer Marcello Tavernari advised:

This item is to award the amount of \$432,976.25 to complete the remaining portion of the roadway on the east end of Michigan Boulevard.

The project should be completed before October.

There will be a one-day one lane detour in the process.

Mayor Bujalski commented she wished there could have been curbing and gutter on this roadway; however, it was a matter of funding. Mr. Tavernari commented staff will look for opportunities in the future once the Pavement Management completed, and then this type of roadway can begin to be targeted.

**MOTION:** Motion was made by Commission Gracy and seconded by Commissioner Tornga to approve a Change Order to Asphalt Paving Systems, Inc. (APS) of Zephyrhills, FL in the amount of \$432,976.25 to reconstruct Michigan Boulevard, from east of Pinehurst Road eastward to CR-1.

**VOTE:** Motion carried unanimously.

#### **NEW BUSINESS**

### **1. TZEKAS - TERMINATION AND RELEASE OF DECLARATION OF RESTRICTIONS**

Mayor Bujalski advised after discussion at the Agenda Review Session the commission requested more information on this item and asked for postponement.

**MOTION:** Motion was made by Commission Kynes and seconded by Commissioner Tornga to postpone this item to September 8, 2016.

**VOTE:** Motion carried unanimously.