



CLEARWATER DOWNTOWN DEVELOPMENT BOARD

August 2, 2017 – 5:30 PM - City Hall – 3rd Floor Council Chambers

AGENDA

1. Call to Order
2. Citizen Comments – Items Not on the Agenda
3. Approve the Minutes from the July 12, 2017 Regular Monthly Meeting
4. Adopt June 2017 Financial Statement for Filing
5. Adopt Resolution 2-17 Adopting City of Clearwater Investment Policy Per Florida Statute Requirement – Monica Mitchell, City of Clearwater Finance Department Assistant Director
6. Adopt Updated City Travel Policy – Anne Fogarty France, Downtown Manager
7. Discussion Regarding Legal Opinion for Clearwater Downtown Partnership (CDP) Membership – Chairman Paris Morfopoulos
8. Funding Request – CDP Membership – Jay Polglaze, CDP Executive Director (continued from July 12, 2017)
9. Approve CRA/DDB FY 2017-2018 Interlocal Agreement – Seth Taylor, Community Redevelopment Agency (CRA) Director
10. Adopt Aggregate Millage Rate of 0.9700 mil for FY 2017-2018 and set public hearing dates on the budget for September 7, 2017 and September 12, 2017 – Anne Fogarty France, Downtown Manager
11. Finalize and Adopt FY 2017-2018 DDB Budget – Chairman Paris Morfopoulos
12. Chairman's Report
13. Final Comments
14. Adjournment

CLEARWATER DOWNTOWN DEVELOPMENT BOARD MEETING
July 12, 2017 – 5:30 PM – City Hall – Council Chambers

Members Present:	Paris Morfopoulos	Chairman
	Dennis Bosi	Vice-Chairman
	Thomas Wright	Member
	Tony Starova	Member
	Stu Sjouwerman	Member
	Zachary Thorn	Member
	Chelsea Allison	Treasurer

Also Present:	Bill Jonson	Ex-officio/Councilmember
	Doreen Caudell	Ex-officio/Councilmember
	Anne Fogarty France	Board Administrator
	Seth Taylor	CRA Director

1. Chairman Morfopoulos called the meeting to order at 5:30 p.m. asking the board and Ex-officio members to introduce themselves.
2. Citizens Comments--Items not on the agenda—No comments.
3. Approve the Minutes from the June 7, 2017, Meeting

Member Wright moved to approve the minutes from the June 7, 2017, meeting. The motion was duly seconded and upon roll call, the vote was:

“Ayes”: Member Morfopoulos, Member Bosi, Member Starova, Member Sjouwerman, Member Allison, Member Wright, and Member Thorn.

“Nays”: None.

Motion carried.

4. Adopt May 2017 Financial Statement for Filing

Member Allison moved to adopt the May 2017 Financial Statement for filing. The motion was duly seconded and upon roll call, the vote was:

“Ayes”: Member Morfopoulos, Member Bosi, Member Starova, Member Sjouwerman, Member Allison, Member Wright, and Member Thorn.

“Nays”: None.

Motion carried.

5. Second Reading—Approve funding for the Sidewalk Sales/Downtown Clearwater Merchants Association in the amount of \$3,000 on second reading from the Advertising line item—Lina Teixeira, President

Chairman Morfopoulos stated that a lot of work went into organizing the sidewalk sale. He wanted to acknowledge those volunteers who made the event a success. Ms. Teixeira said the core team consisted of Camille Hebing, Clearwater Ferry; Brianna Hartigan, Capitol Theatre;

Carolyn Bradham, Kara Lynn's Kitchen; and Anne Fogarty-France, CRA. She stated that the Downtown Clearwater Merchants Association has an event planned for every month.

Member Wright moved to approve funding for the Sidewalk Sales/Downtown Clearwater Merchants Association in the amount of \$3,000 on second reading from the Advertising line item. The motion was duly seconded and upon roll call, the vote was:

"Ayes": Member Morfopoulos, Member Bosi, Member Starova, Member Sjouwerman, Member Allison, Member Wright, and Member Thorn.

"Nays": None.

Motion carried.

6. Funding Request—Clearwater Downtown Partnership (CDP) Membership—Jay Polglaze, CDP Executive Director addressed the Board regarding the request for the DDB to fund membership in the CDP. Mr. Polglaze briefly reviewed his PowerPoint presentation outlining the purpose of the CDP. He stated that by joining the CDP, the DDB would expand its reach to businesses and create economic opportunities to bring businesses to downtown Clearwater.

Member Sjouwerman stated that since he is a member of the CDP's Executive Board, he would need to recuse himself from voting on this request. It was noted that several Board members serve on its Advisory Board. Before considering this request, it was determined that the Board needed to seek a legal opinion from its attorney as to any conflicts that may exist, including the members serving on the CDP Executive Board and the Advisory Board. Chairman Morfopoulos had a concern with the Board approving funding requests for events the CDP is involved in if the Board is also a member of the CDP. This item was continued until the next meeting pending receipt of the attorney's opinion.

7. Budget Discussion

- a. Certification Taxable Value from Property Appraiser—Seth Taylor, Community Redevelopment Agency Director, presented the Board with the certified property taxable value from the Pinellas County Property Appraiser. The preliminary amount shows an increase from last year to just under 7%.
- b. Funding Requests/Programs & Events—Organizations requesting DDB funding were each given 3 minutes to present their request to the board.
 - 1) Spectrum Clearwater Super Boat National Championship Festival—Frank Chivas addressed the Board regarding the Super Boat Festival. Changes have been made for 2017 that will bring some of the events from Coachman Park to Cleveland Street. They include 1) the Black Honkeys will be performing on a stage in Downtown Clearwater rather than Coachman Park, 2) the VIP party is being moved to Cleveland Street from the pavilion, 3) the organizers are also planning a beer fest for Friday night, and 4) the outdoor market will be brought into Coachman Park on Saturday during the boat races.
 - 2) Mural Projects—Siobhan Nehin and Beth Warmath addressed the Board concerning the request for funding a mural project in Downtown Clearwater. Ms Nehin stated that they have a unique proposal that would involve painting murals reflecting themes that the City is known for such as the Jazz Holiday Festival. She advised the Board that her group would

approach the building owners to get permission to paint the murals and request matching funding from the owners equal to the DDB funding. Discussion ensued.

- 3) Jolley Trolley North Coastal Route/PSTA—Cassandra Borchers, Chief Development Officer for PSTA, addressed the Board on the request for funding for the Jolley Trolley's north coastal route. The DDB has been helping to fund the Jolley Trolley since 2011. With the combination of several routes, the service to downtown and the beach has increased from three days to seven days. There has been an increase in ridership. There is a new transit stop that is under construction that will eliminate the need for riders to transfer at Island Estates to go to the beach. Automatic passenger counters are being installed in the trolleys. For a three-day period that the Trolley measured in the last year, there was a 25% increase in ridership.

Members asked if it would be possible for the drivers to be given information about the downtown area so they can provide this to riders. Ms. Borchers said that would be fine.

- 4) 9th Annual Achieva Credit Union Box Car Rally—Chelsey Wilson advised the Board that the box car rally is 13 weeks away. This event brings about 2500 people to the downtown area with 67 cars and 262 racers. They have raised \$150,000 in classroom grants for Pinellas County schools funded through the Achieva Foundation.
- 5) Blast Friday Festival Series, including Miracle on Cleveland Street & Cruisin' at the Capitol Post Event Report followed by Funding Request—Susan Crockett gave a post event report. She stated there were seven events—five Blast Fridays, Miracle on Cleveland Street, and Cruisin' at the Capitol. These events brought approximately 29,000 people to Downtown Clearwater. This year they had Bank of America and two smaller sponsors. They also did a lot of partnering with local merchants. Ms. Crockett said the group has increased its funding request for next year. They want to make Cruisin' at the Capitol a weekend festival. They want to include a bike night. There are additional expenses incurred as they try to expand.

Members asked questions regarding possible change of name of Blast Friday to Last Friday, an increase in the marketing and if the musical offerings could be diversified. When questioned why the intersection of Ft. Harrison rather than Osceola was used, Ms. Crockett advised that this was done for financial reasons.

- 6) City of Clearwater—Post Event Report/Clearwater Celebrates America, Sea Blues Festival, and Fun 'n Sun Festival and Funding Request 2017 Clearwater Sea Blues Festival, Bay 2 Beach Festival, and Clearwater Celebrates America—Kris Koch, City of Clearwater Special Events Manager, addressed the Board. He was accompanied by Justin Kristich who was hired to work directly with all the sponsors for the events. Mr. Koch briefly went through the post-event handout provided.

They discussed next year's Sea Blues Festival and noted they plan to have the Friday evening event as part of the three-day festival. The street will be closed and live music provided. Fun 'n Sun has been rebranded to the Bay 2 Beach Music and Arts Festival with

four days of music including a stage at Station Square Park. Clearwater Celebrates America will stay the same.

When asked if they were trying to bring a comedy act back Mr. Koch stated that it is hard to get comedians because they don't like the distractions involved in performing outside. They may look at getting some national touring DJ's.

The Sea Blues event will take place on Blast Friday so there will be multiple events on the same night. A member questioned whether or not the Board wanted to fund two events on the same night.

- 7) Clearwater Jazz Downtown Party—Gary Hallas addressed the Board concerning the request for funding for the Jazz Downtown Party to be held on Wednesday, October 18, from 6 p.m. to 9 p.m. which will make the Jazz Festival a five-day event. There will also be a concert at the Capitol Theatre that night which will draw people to the downtown establishments.
- 8) Downtown Clearwater Merchants Association (DCMA) Yearly Events—Downtown Funk, Sidewalk Sales, Supplement to Blast Friday, BBQ Block Party, and Supplement to Miracle on Cleveland Street—Lina Teixeira, DCMA President, addressed the Board on the request from the Downtown Clearwater Merchants Association for funding its yearly events. She stated that holding these events is essential to promoting downtown Clearwater. Some of these events will expand the Blast Fridays and allow events to be held year-round. Helping fund these events sends a strong message that the DDB believes in its downtown merchants. Discussion ensued concerning how the DDB's funding was used and how the Board can assist the merchants. A funding report will be provided to the Board at the next meeting.
- 9) Downtown Clearwater Monthly Art Events—Lina Teixeira addressed the Board regarding monthly art events that are held at Studio 617. She said her patrons come from Tampa and St. Petersburg and continue to experience Downtown Clearwater after visiting the gallery. Her events are held the last Friday of every month, and she gets between 80 and 150 people at each event. She surveyed her patrons and found that 95% of them will have a meal in one of the restaurants after leaving the gallery. She provides free wine and hors d'oeuvres and is looking for assistance to alleviate some of the financial burden.

Member Allison asked if she would be willing to move the event out to the street. Since the art is hung on the walls, it would be difficult to do that. Ms. Teixeira doesn't feel the artists would do this with their art. Ms. Teixeira said they have held eight events so far and are asking for funding assistance for an additional five.

- 10) Cleveland Street Jeeps & Brews Festival—Stephanie DiPolito addressed the Board on the request for a jeep festival to be held in downtown Clearwater. The event will help raise money for the Clearwater Firefighters Charitable Foundation. This event will be held on October 14 in the afternoon after the box car rally. She said there are expenses involved in

closing down the street, sanitation pick up, etc. The Board asked that she provide a breakdown of her budget and how the DDB funding would be used.

Members asked how many jeep clubs are in the area. Ms. DiPolito responded that there were seven Jeep clubs and two certified search and rescue teams. She also stated that there are 400,000 jeep owners in the United States and Florida ranks 16th on the list.

- 11) Santa and Suds 5K Race/Walk—Robert Radney addressed the Board regarding the Santa and Suds 5K Run/Walk. Kathryn Pederson from Running for Brews Clearwater also appeared. They are taking over this event from the previous organizers. This event was started by the merchants and has developed over the past four years. The new organizers have more experience with this type of event. They added that it will be held on December 17, 2017.
- 12) Open Air Paint Party & Art Bazaar—Jennie Pearl addressed the Board concerning her request for funding for the Open Air Paint Party and Art Bazaar. The request is for funding from 10/17 to 9/18. She wants to make these events for families with a kid zone and bounce house. She feels Station Square Park is a great venue, but the events need to be moved into the street to generate more foot traffic.

The open air market is held the first Saturday of every month from 5 p.m. to 9 p.m. and she is willing to adjust the hours. Ms. Pearl stated that currently more money is going out than is coming in and she is absorbing a lot of the expenses. The event is more of an artist throw-down where artists compete for prizes.

Members thought that the \$18,000 funding request is high for the small number of attendees the events generate. Ms. Pearl said this was something she was asked to do, but it won't generate more attendees unless it is moved out of the park.

Mr. Taylor stated that Ms. Pearl will be opening a permanent studio at the corner of Osceola Avenue and Cleveland Street. There has been discussion of holding another art zone on the east side of Cleveland at Osceola on Blast Fridays.

Ms. Pearl asked if it was possible to put up a permanent banner advertising the art market so people see it more often than just the day of the event. Members suggested that Ms. Pearl market the event to residents of the condos and the new apartments.

- 13) Second Annual Downtown Clearwater Craft Beer & Music Fest—Mr. Polglaze addressed the Board regarding the request for funding for the Craft Beer and Music Fest. The first event was held in May and was a huge success with about 9,000 attendees. He said it was an incredible collaboration between the CDP and the Dunedin House of Beer. Mr. Polglaze said this event really showed everyone the potential in Downtown Clearwater and that some merchants said they had their best night ever. He said the organizers will be seeking additional sponsors. Discussion ensued. He advised the Board that they are working on holding an Octoberfest on October 7, 2017.

Mr. Polglaze stated that the CRA and Parks & Recreation staff was very helpful.

Chairman Morfopoulos said the Board will review all these requests and make a decision on the funding.

8. Set Minimum Reserves for FY 2017-18—Chairman Morfopoulos discussed the staff recommendation to set \$74,500 as the minimum reserve for fiscal year 2017-18.

Member Wright moved to accept staff's recommendation. The motion was duly seconded and upon roll call, the vote was:

"Ayes": Member Morfopoulos, Member Bosi, Member Starova, Member Sjouwerman, Member Allison, Member Wright, and Member Thorn.

"Nays": None.

Motion carried.

9. Appoint Nominating Committee for October 10, 2017, Election—Anne Fogarty-France

All members except Members Allison and Bosi were appointed to the nominating committee for the October 10, 2017 election.

10. **Chairman's Reports** - Chairman Morfopoulos advised the Board of upcoming events. These events are listed on the web site at www.clevelandstreetdistrict.com.

11. Final Comments

Member Wright thanked everyone for keeping their comments brief tonight. He said there were requests for approximately \$166,000 and some people will be disappointed.

Member Bosi said it is great to see everyone working together. He questioned how many more new events the Board wants to fund. He remembers when there was more money than events and now there is the opposite problem.

Member Sjouwerman agreed Member Bosi that this is a problem that we want to have.

Member Allison said it was exciting to see the new ideas. The board should look at the new events as well as the old events.

Ex-officio Member Jonson said he has been exploring the menu at Clear Sky and he hoped they are successful in their great location.

Ex-officio Member Caudell said she has been in meetings since 1 p.m. and is heading to Clear Sky after this meeting. She is sure there will be some jeeps in the parking lot.

Mr. Taylor reminded the Board that the Church of Scientology is having a block party on July 15th. He also thanked Anne Fogarty France for organizing all these requests and putting everything together.

12. The meeting was adjourned at 7:53 p.m.

	A	B	M	N	C	P	H	R	T
1	Downtown Development Board Statement of Revenues & Expenditures							7/28/17 1:49 PM	
6		Approved	Amended			Year to			
7		Budget	Budget	June		Date		Difference	
8	Income:								
9	Ad Valorem (Property) Taxes	262,815	268,815	5,170	266,914			4,099	
10	Ad Valorem Taxes Prior Yr	100	100	-	-			(100)	
11	Interest Income	500	500	717	1,189			689	
12	CRA Interlocal Agreement Rev	188,500	188,500	-	188,289			(211)	
13	Misc Revenue	500	500	-	1,831			1,331	
14	Total Income	452,415	458,415	5,888	458,222			5,807	
15									
16	Expenditures:								
18	Promoting District								
19	Banner Installation & Maintenance	1,500	1,500	-	52			1,448	
20	Downtown Streetscape Maintenance	3,200	3,200	-	-			3,200	
21	Holiday Lighting	14,000	14,000	-	12,886			1,114	
22	Total Promoting District	18,700	18,700	-	12,938			5,762	
24	Promoting Merchants								
25	Graphic Design and Printing	3,000	3,000	94	331			2,669	
26	Advertising	10,000	10,000	530	2,666			7,334	
27	List Serve	2,400	2,400	-	-			2,400	
28	Video Production	2,000	2,000	-	-			2,000	
29	Jolley Trolley Downtown Loop	13,520	16,797	-	6,760			6,760	
30	Total Promoting Merchants	30,920	34,197	624	9,757			21,163	
32	Promoting Events								
33	8th Annual Achieva Box Car Rally	1,500	1,500	-	1,000			500	
34	Bright House Clw Superboat National Championship	10,000	10,000	-	-			10,000	
35	City/Clw Celebrates America	2,500	2,500	2,500	2,500			-	
36	City/Fun n' Sun Festival	5,000	5,000	5,000	5,000			-	
37	City/Sea Blues Festival	10,000	10,000	10,000	10,000			-	
38	Clearwater Jazz Festival Jazz Walk	5,000	5,000	-	5,000			-	
39	Festival Series including Blast Friday, Miracle on Cleveland Street & Cruisin at the Capitol	25,000	25,000	6,250	25,000			-	
40	Cleveland Street Business Alliance: Taste of Downtown								
41	Downtown Funk, Little Miss Miracle Pageant	10,000	10,000	-	10,000			-	
42	Pierce Street Market	7,500	7,500	-	7,500			-	
43	Pierce Street Market Vendor Incubator Space	-	-	-	-			-	
44	Santa & Suds Race/Walk for ASL & Deaf	4,000	4,000	-	4,000			-	
45	Cleveland Street Project/Photography Exhibit	-	3,000	-	3,000			(3,000)	
46	Garden Avenue Garage Mural	-	5,000	-	5,000			(5,000)	
47	Latino Anniversary Party	-	3,500	-	3,500			(3,500)	
48	Total Promoting Events	80,500	95,000	23,750	81,500			(1,000)	
50	Future Initiatives	46,353	28,577	-	-			46,353	
52	Staff & Office Administration								
53	Downtown Meeting & Event Support	200	200	10	212			(12)	
54	Office Expenditures	750	750	-	35			715	
55	Dolphin Sign Replacement Cost	100	100	-	-			100	
56	Palm Tree Lighting Replacement (as needed)	300	300	-	-			300	
57	Public Meeting Notices	2,000	2,000	36	246			1,754	
58	Legal Fees	3,500	3,500	-	825			2,675	
59	CRA Mgt & Admin Fee - 2.5% Increase	66,950	66,950	5,579	50,213			16,737	
60	DDB Minutes Preparation	1,430	1,430	110	990			440	
61	Tax Collector Commissions	-	6,000	103	5,821			(5,821)	
62	Total Staff & Office Admin	75,230	81,230	5,839	58,341			16,889	
64	Fixed Payments								
65	Officers & Directors Insurance	700	700	640	640			60	

	A	B	M	N	P	R	T
1	Downtown Development Board Statement of Revenues & Expenditures						7/28/17 1:49 PM
2							
3							
4							
5							
6							
7							
66	Liability Insurance (Dolphins)	Approved Budget	Amended Budget	June	Year to Date	Difference	
67		1,422	1,422	-	1,246	176	
68	Annual Audit	7,500	7,500	-	7,500	-	
69	CRA Increment Payment	188,500	188,500	-	188,289	211	
70	State Special District Fee	175	175	-	175	-	
71	Property Appraiser Fee	2,415	2,415	603	2,367	48	
72	Total Fixed Payments	200,712	200,712	1,243	200,217	495	
73	Total Expenditures	452,415	458,415	31,456	362,753	89,662	
74							
75	Revenues in Excess of Expenditures	-	-	-	95,469		
76							
77	Expenditures in Excess of Revenues	-	-	(25,569)	-		
78							
79	Beginning Fund Balance 10-1-16		103,835		103,835		
80							
81	Ending Fund Balance		103,835		199,304		
82							
83	Minimum Reserves Approved by Board 7-13-16		70,000				
84							
85	Cash in Bank as of 6/30/2017		-		197,260		

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1																7/28/17 2:20 PM
2																
3																
4																
5																
6																
7	Tax Collector Commissions															
61	Tax Collector Commissions															
62	Total Staff & Office Admin															
63																
64	Fixed Payments															
65	Officers & Directors Insurance															
66	Liability Insurance (Dolphins)															
67	Annual Audit															
68	CRA Increment Payment															
69	State Special District Fee															
70	Property Appraiser Fee															
71	Total Fixed Payments															
72																
73	Total Expenditures															
74																
75																

Downtown Development Board
Statement of Revenues & Expenditures
For the Period Oct. 1, 2016 thru June 30, 2017

Amended Budget	Oct.	Nov.	Dec.	Jan	Feb	Mar	Apr	May	June	July	August	September	Year to Date
6,000	2,020.78	2,446.18	738.44	110.27	204.20	142.60	54.95	103.40	5,898.83	-	-	-	5,820.82
81,230	5,989.17	7,752.28	8,799.36	6,470.52	5,951.90	5,962.23	5,887.94	5,789.10	-	-	-	-	58,341.33

63	Officers & Directors Insurance (Dolphins)	700	1,422	7,500	7,000.00	1,246.03	500.00	640.00	640.00	1,246.03	7,500.00	188,289.03	
64	Fixed Payments												
65	Officers & Directors Insurance (Dolphins)												
66	Liability Insurance (Dolphins)												
67	Annual Audit												
68	CRA Increment Payment												
69	State Special District Fee												
70	Property Appraiser Fee												
71	Total Fixed Payments												
72													
73	Total Expenditures												
74													
75													

Amended Budget	Oct.	Nov.	Dec.	Jan	Feb	Mar	Apr	May	June	July	August	September	Year to Date
458,415	27,603.65	18,547.13	218,289.29	14,328.52	18,904.58	17,053.71	5,883.54	10,686.10	31,456.33	-	-	-	362,752.85
-	46,150.78	264,440.07	278,768.59	297,673.17	314,726.88	320,610.42	331,296.52	362,752.85	362,752.85	362,752.85	-	-	362,752.85

Resolution 02-17
CLEARWATER DOWNTOWN DEVELOPMENT BOARD
INVESTMENT POLICY
ADOPTED AUGUST 2, 2017

WHEREAS, the Clearwater Downtown Development Board ("DDB") is a special taxing district organized and operating pursuant to the ordinances and laws of the City of Clearwater; and

WHEREAS, Florida Statute §218.415 requires that the DDB adopt a written investment policy for any public funds in excess of the amounts needed to meet current expenses or limit its investments as provided in Florida Statute §218.415(17); and

WHEREAS, pursuant to an annual agreement between the DDB and the Community Redevelopment Agency of the City of Clearwater, DDB funds are maintained in the City of Clearwater's bank account and segregated for accounting purposes from the City of Clearwater's records as a separated, interest earning fund; and

WHEREAS, the City of Clearwater has adopted the City of Clearwater Investment Policy approved September 9, 2010 (the "Clearwater Investment Policy") in compliance with Florida Statute §218.415; and

WHEREAS, the members of the board of the DDB have reviewed the Clearwater Investment Policy; and

WHEREAS, the members of the board of the DDB have determined that it is in the best interest of the DDB that it adopt the Clearwater Investment Policy to the extent that it is applicable to the DDB funds maintained in the City of Clearwater's bank account.

It is now, therefore, resolved that

1. The above recitals are true and correct and incorporated herein.
2. This resolution shall apply to all DDB funds in excess of the amounts needed to meet current expenses.
3. To the extent applicable to DDB funds, the DDB adopts and approves the Clearwater Investment Policy.
4. The board members of the DDB shall review the Clearwater Investment Policy at least annually to determine whether the DDB should re-adopt the Clearwater Investment Policy. The annual review shall be made prior to entering into any agreement which provides for maintenance of the DDB's funds in the City of Clearwater bank accounts.
5. The board members of the DDB shall review the Clearwater Investment Policy any time there is a substantive change in the policy to determine whether the DDB should readopt the Clearwater Investment Policy.

Attest:

Paris Morfopoulos/Chairman

Dennis Bosi
Vice-Chairman

Anne Fogarty France
DDB Administrator

City of Clearwater, FL
Investment Policy
Approved September 9, 2010

(1) SCOPE

This statement of investment policy and guidelines applies to all investments of the City's pooled cash, which includes cash and investment balances of the following funds:

- General
- Special Revenue
- Debt Service
- Capital Projects
- Enterprise
- Internal Service Funds
- Fiduciary Funds

The policies set forth do not apply to the non-pooled cash investments of the Pension and Deferred Compensation Funds of the City of Clearwater, deposits for defeased debt, or assets under Bond Trust Indenture Agreements.

(2) INVESTMENT OBJECTIVES

- A. Safety of principal is regarded as the highest priority in the handling of investments for the City. All other investment objectives are secondary to the safety of capital. Each investment transaction shall seek to first ensure that capital losses are avoided.
- B. The City's investment strategy will provide sufficient liquidity to meet the City's operating, payroll and capital requirements. To accomplish this the portfolio will be "laddered" with monthly maturities except for those months in which significant Ad Valorem taxes are received. To the extent possible, the City will match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow requirement, the City will not directly invest in securities maturing more than 15 years from the date of purchase. Also, unless specifically matched against a debt or obligation not more than 15% of the portfolio will have a maturity greater than 10 years.
- C. The City's investment portfolio shall be designed with the objective of attaining a

CITY OF CLEARWATER - Investment Policy

market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

(3) PERFORMANCE MEASUREMENT

The benchmark yield for the operating portfolio will be the weighted average yield determined by using the following maturity distribution and the related U.S. Treasury yields. Treasury yields are considered the benchmark for riskless investment transactions and, therefore comprise a minimum standard for the operating portfolio's rate of return. The investment program shall seek to augment returns above this threshold, consistent with risk limitations identified herein.

Average Treasury Rates Percentage Distribution

Overnight rate	15%
3 month Treasury Bill rate	15%
6 month Treasury Bill rate	15%
1 year Treasury Bill rate	15%
3 year Treasury Note rate	15%
5 Year Treasury Note rate	15%
10 year Treasury Note rate	10%
<hr/> Total	100%
Weighted average maturity of benchmark	2.46 years.

(4) PRUDENCE AND ETHICAL STANDARDS

The standard of prudence to be applied by the investment officer shall be the "Prudent Person" rule, which states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income derived." The "Prudent Person" rule shall be applied in

the context of managing the overall portfolio.

(5) AUTHORIZED INVESTMENTS

The City shall limit investments, as authorized in Florida Statutes to:

- a. Direct Federal Government obligations. Investments in this category would include but not be limited to the following: United States Treasury Bills, Notes and Bonds, and securities issued by the Small Business Administration, Government National Mortgage Association (Ginnie Mae), Veterans Administration, and Federal Housing Administration.
- b. Federal Agencies and instrumentalities. Investments in this category would include but not be limited to the following: obligations of the Federal Home Loan Banks System (FHLB) or its distinct banks, Financing Corporation (FICO), the Federal Farm Credit Bank, Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), Student Loan Marketing Association (Sallie Mae), Financial Assistance Corporation and Federal Agriculture Mortgage Corporation (Farmer Mac).
- c. U.S. Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
- d. Interest-bearing time deposits or savings accounts, in a qualified Public Depository as defined in s. 280.02 Florida Statutes.
- e. Debt issued by the State of Florida or any political subdivision thereof including pools.
- f. Securities of, or other interests in, any open-end or closed-end management-type investment company or investment trust registered under the Investment Company Act of 1940, 15 U.S.C. ss. 80a-1 et seq., as amended from time to time, provided that the portfolio of such investment company or investment trust is limited to obligations of the

City of Clearwater - Investment Policy

United States Government or any agency or instrumentality thereof and to repurchase agreements fully collateralized by such United States Government obligations, and provided that such investment company or investment trust takes delivery of such collateral either directly or through an authorized custodian.

- g. Repurchase Agreements and reverse repurchase agreements collateralized by securities otherwise authorized in this policy.
- h. The Local Government Surplus Funds Trust Fund or any intergovernmental investing pool authorized pursuant to the Florida Interlocal Cooperation Act as provided in s. 163.01 Florida Statutes.
- i. Commercial paper of prime quality of the highest letter and numerical rating as provided for by at least one nationally recognized rating service.

(6) Maturity and Liquidity Requirements

- A. The City will maintain a forecast of expected cash outflows and inflows by major categories. For months that the outflows exceed inflows the City will have investments maturing that month in excess of the forecasted deficits.
- B. The City's intention is to keep the weighted average maturity to three years or less. Due to market conditions and cash needs the average maturity may temporarily be greater than three years but no greater than five years.

(7) Portfolio Composition, Risk and Diversification

Assets held shall be diversified to control risk of loss resulting from overconcentration of assets in a specific maturity, issuer, instrument, or dealer/broker, through which these instruments are bought and sold. The following maximum limits apply to the portfolio:

Maturity date	10%	Specific instrument	8%
Specific issuer	40%	Specific dealer/broker	33%
Commercial paper	25%	CMOs and REMIC	33%

City of Clearwater - Investment Policy

Diversification strategies within the established guidelines shall be reviewed and revised periodically as necessary by the Investment Committee.

(8) Authorized Investment Institutions and Dealers

- A. Banks - Certificates of deposit purchased under the authority of this policy will be purchased only from Qualified Public Depositories of the State of Florida as identified by the State Treasurer, in accordance with Chapter 280 of the State Statutes.
- B. Broker/Dealer Approvals and Limitations - Time, practicality, and general business constraints limit the number of investment relationships which can be managed on a regular basis. In most cases, normal investment activity will be limited to no more than ten dealer relationships. A broker/dealer list will be established by the Finance Director or designee. This list will be presented to the Investment Committee for approval. This list will be updated as needed and approved by the Investment Committee.

(9) Third-Party Custodial Agreements

All securities shall be held by a third party safekeeping company. All purchases by the City under this policy shall be purchased using the "delivery versus payment" procedure. For all purchases and sales of securities the third party custodial will require the approval of two individuals authorized by the Finance Director.

(10) Master Repurchase Agreement

All approved institutions and dealers transacting repurchase agreements shall be covered by a Master Repurchase Agreement. All repurchase agreement transactions shall adhere to the requirements of the Master Repurchase Agreement.

(11) Bid Requirements

After the Finance Director or designee has determined the appropriate maturity based on

City of Clearwater - Investment Policy

cash flow needs and market conditions and has selected one or more optimal type of investment, the security in question shall, when feasible and appropriate, be competitively bid. Competitive bids or offerings shall be received from at least three dealers/brokers on all sales or purchases except in situations where:

- A. The security involved is a "new issue" and can be purchased "at the auction".
- B. The security has a fixed "postal-scale" rate.
- C. The security involved is available through direct issue or private placement.
- D. The security involved is of particular special interest to the city and dealer competition could have an adverse impact with respect to the price and availability to the City.

It is also realized that in certain very limited cases the City will not be able to get three quotes on a certain security. For those cases the City will obtain current market prices from one of the following to determine if the transaction is in the City's best interest:

- 1. Bloomberg Information Delivery System.
- 2. Wall Street Journal or a comparable nationally recognized financial publication providing daily market pricing.
- 3. Daily market pricing provided by the City's Custody Agent or their corresponding institution.

(12) Internal Controls

The Finance Director shall establish and monitor internal and procedural controls designed to protect the City's assets and ensure proper accounting and reporting of the transactions related thereto. The internal controls will be designed to prevent losses of funds which might arise from fraud, employee error, misrepresentations by third parties, or imprudent actions by employees of the City. All buy and sell communications with the third party safekeeping company will be signed by two individuals authorized to make investment decisions. The internal controls developed under this policy shall be reviewed by the independent auditors as a regular part of their audit of the City.

The Finance Director shall establish an Investment Committee that meets on a regular basis for the purpose of reviewing investment transactions, approving brokers/dealer changes and other investment activities. The Investment Committee members will be the

City of Clearwater - Investment Policy

Finance Director, Assistant Finance Director, Cash & Investment Manager and any other individual appointed by the Finance Director and confirmed by the City Manager.

(13) Reporting

The Finance Director or designee shall report on at least an annual basis the following information on the City's investments:

- A. Securities by class/type.
- B. Book Value
- C. Market Value
- D. Income Earned

(14) Continuing Education

The members of the investment committee will complete no less than 8 hours of continuing educational opportunities on investment practices each fiscal year. The members of the investment committee will have sufficient knowledge and education to invest in any and all of the securities listed above.



ITEM 6

TO: Downtown Development Board Members

FROM: Anne Fogarty France, Downtown Manager and Downtown Development Board (DDB) Administrator *AF*

CC: Seth Taylor, Community Redevelopment Agency Director
Monica Mitchell, Assistant Director, Finance Department

DATE: July 28, 2017

RE: Adoption of City Travel Policy 4004.7 dated 12/29/14

Last year the auditors asked staff if there were any changes to the DDB's travel policy.

Staff advised that city employees who travel on behalf of the DDB would follow the city's travel policy and that DDB members had not travelled in several years.

If DDB funds are used for travel expenses, the DDB would need to have adopted the same policy for the expenses to be in compliance

I request that the DDB adopt the city's travel policy (attached) in the event that board members travel for board business.



ADMINISTRATIVE POLICY & PROCEDURE MANUAL

SECTION: Financial (4000)

POLICY NO.: 4004.7

ADMINISTERING DEPARTMENT (S): Financial Services/Treasury

SUBJECT: Travel

Purpose:

To establish procedures for travel and related meal expenses applicable to all City of Clearwater employees and those individuals performing authorized travel for official City business.

Policy:

The City will pay or reimburse reasonable and necessary travel expenses that occur while on official City business and shall be consistent within limitations prescribed in the ordinance.

Definitions:

"Travelers" are defined as elected officials, appointed officials, advisory board members, employees, job candidates, contractors, consultants, advisors, interns and other authorized officials traveling on official business for the City of Clearwater.

Administrative Repeal:

The provisions contained herein shall supersede and replace all prior policies and procedures regarding this subject.

/s/William B. Horne II 12/29/2014
William B. Horne II, City Manager Date

Procedure: See attached.

Effective Date: 1/27/04

Amended or Reissue Date: 12/29/2014

Reference(s):

Statutes: _____ Ordinances: 2.321-2.332 Resolutions: _____ Legal Opinions: _____

Administering Department Finance

Policy Committee _____



ADMINISTRATIVE POLICY & PROCEDURE MANUAL

Procedure:

City of Clearwater Travel Information

Travel Coordinators:

Each department will have a designated travel coordinator. If department size or other factors warrant it, multiple departments may have the same coordinator.

The duties of the coordinators are to keep their respective departments apprised of travel ordinances, policies, and procedures; to provide checklists for travelers; and answer questions regarding City travel in general and for specific trips. Travel coordinators are not to be designated approvers for travel authorization requests.

Travel coordinators will be provided training by Finance/Accounts Payable.

Pre-Travel Authorization Form:

The Pre-Travel Authorization Form should be completed and forwarded by the final approver to Finance/Accounts Payable by e-mail no later than 10 calendar days prior to the first day of travel for all overnight travel. For travel that could not be anticipated at least 10 calendar days in advance (i.e. police investigations, legal depositions, etc.), the Pre-Travel Authorization Form should be forwarded to Finance/Accounts Payable by email as soon as possible.

All documentation to justify travel expenses must be sent to Finance/Accounts Payable within 15 calendar days following the last day of official travel.

Travel Advances:

Travel advances are not permitted for employees at SAMP level 4 and above or for estimated travel costs at less than \$100.00. For estimated travel costs at or above \$100.00 the advance will be rounded down to the next \$20.00 increment but no less than \$100.00.

Use of City Purchasing Card:

All City employees traveling on City business will be issued a City purchasing card to pay for travel expenses, except meals, where the card is accepted by the vendor. When a group of City employees are traveling to a common destination only one employee is required to be issued a City purchasing card and all City business-related expenses of the group should be paid using this card if accepted by the vendor.

Travel Mode Most Advantageous to the City:

Travelers are expected to use the mode of transportation that is most advantageous to the City. When flying, the traveler is expected to fly the most economical method available, such as coach, economy or tourist class, taking all factors into consideration. Airline travel upgrades are the traveler's responsibility. A person traveling by an indirect route for his/her own convenience will bear any extra cost. Documentation showing the direct route must be included with the travel calculations.



ADMINISTRATIVE POLICY & PROCEDURE MANUAL

Meals and Incidentals

The City's meal and incidental reimbursement rates are based on the official General Services Administration (GSA) rates. Current rates for the United States are provided on the Pre-Travel Authorization Form.

Meals will be reimbursed based on the departure/arrival time per the following:

- Breakfast: When travel begins before 6:00 a.m. and extends beyond 8:00 a.m.
- Lunch: When travel begins before 12:00 noon and extends beyond 2:00 p.m.
- Dinner: When travel begins before 6:00 p.m. and extends beyond 8:00 p.m.

Meals will not be reimbursed to the traveler if they were included as part of the conference, convention, seminar, reception or any similar event or were otherwise provided (not requiring payment by the traveler). Food provided at an event that is not formally described or identified as a meal may be sufficient to comprise a meal. If a traveler cannot take advantage of a provided meal for City business-related reasons, or the food provided does not meet the dietary requirements of the traveler, the traveler will be reimbursed at the lesser of actual cost of a substituted meal or the GSA rates for meals and incidental expenses (M&IE). Receipts are required for reimbursement for the substituted meal. Travelers are advised to keep all receipts for meals purchased until such time as the travel voucher is finalized and reimbursed. If no receipts are needed by the City, the traveler can then dispose of unneeded receipts. The traveler is required to be aware of the food and meals provided at the event including those meals provided at their place of lodging and must include a written justification if they are unable to take advantage of the meal for City business-related reasons or dietary needs. The justification and receipt for the substituted meal must be attached to the travel voucher in order to be reimbursed by the City.

The incidental expense reimbursement per travel night includes tips for airport baggage handling, bellmen, maids and other such items. It does not include tips for taxis or airport limos. The incidental amount will be paid when the travel is overnight.

All of the above information is incorporated into the Employee Travel & Training Voucher.

Airline Tickets

Travel Web Sites: www.travelocity.com www.expedia.com www.orbitz.com www.travel.com

When looking for airfares, visit a general travel site such as those listed above. Find the lowest fare for your destination. Then visit the airline's website to compare their rates with the general travel site rate, to determine the lowest rate.

Emergency or Last-Minute Travel:

Where travel is necessary for an emergency or due to unplanned circumstances, an outside travel agency can be used if the additional costs incurred for the travel agency services are justified.



ADMINISTRATIVE POLICY & PROCEDURE MANUAL

Rental Cars

When a rental car is justified, the City will authorize rental of any car up to vehicle class intermediate (rental car class IDAR) for normal travel. A department director can authorize the rental of a full size car or minivan when the number of employees traveling requires a larger vehicle. When flying, the use of taxis, airport limos, complementary or fee-paid hotel transportation, or other transport should be investigated for cost savings versus the cost of a rental vehicle. The use of a rental car paid for by the City or alternative transportation at the traveler's destination must have a justifiable business purpose and must be approved by the department director or assistant director in his/her absence, or for director's travel, the city manager or assistant city manager. For departments without assistant directors, a senior manager or supervisor or another department director can be designated in the absence of the department director.

The State of Florida has a rental car contract available to the City. Primary insurance coverage is included in the State's contract rate only when the vehicle is used for official purposes and paid for by the City. Personal use of rental cars or alternative transportation paid for by the City is prohibited; however, the traveler is authorized to use the City paid rental car to travel a reasonable distance for meals.

Visit the Finance Department intranet site for more information regarding the State rental car contract, current vehicle rental provider(s), vehicle rental cost, and how to rent a vehicle. You may also call the Finance Department for assistance: 562-4531 or 562-4528.

Personal Cars

The use of personal vehicles is authorized when the cost is advantageous to the City. Mileage for non-business use of personal vehicles will not be reimbursed by the City.

Mileage Rate

Mileage is currently paid at the Internal Revenue Service rate.

Assigned City Car

For those travelers who have an assigned City vehicle: when traveling on City business, the traveler should be using their assigned City vehicle and they are not entitled to mileage reimbursement or the use of a City paid rental car. If the travel is outside the State of Florida, the traveler may fly at the City's expense, and a related car rental is allowed, if necessary. If the traveler would like to fly within the State of Florida, that cost will be borne by the traveler unless an exception is granted by the City Manager or Assistant City Manager, and in such exceptions, the cost will be paid by the City.



ADMINISTRATIVE POLICY & PROCEDURE MANUAL

Personal Phone Calls

The City will pay for personal phone calls up to \$2.50 per travel day. Personal phone calls can be made using a City cell phone if available or can be charged to the traveler's hotel room. The cost of personal calls in excess of \$2.50 per travel day included on the City cell phone or hotel bill paid by the City will be reimbursed by the traveler. Personal calls paid from the traveler's personal funds will be reimbursed up to \$2.50 per travel day. Receipts are required for reimbursement of personal calls paid from the traveler's personal funds.

Authorization of Travel

Only department directors or a designated assistant director in his/her absence can authorize travel. Travel by department directors and all out-of-state travel must be approved the city manager or assistant city manager. For departments without assistant directors a senior manager or supervisor or another department director can be designated in the absence of the department director. Finance must have notification (email) from the department director stating that they are away from the office and identifying the designee in his/her absence.

Miscellaneous

Non-overnight travel is reimbursed through payroll. Travel expenses are not reimbursable from petty cash. For international travel, please contact Finance/Accounts Payable. The traveler is responsible to incur only those expenses that are necessary for the performance of official City business. Excess costs are the responsibility of the traveler. Please remember that the lowest cost for travel should be used in most cases, and deviations must be justified.

Administering Department Finance

Policy Committee _____

ITEM 7

EMAIL TRANSMISSION

ELISE K. WINTERS, P.A.

1006 Drew Street
Clearwater, FL 33755
(727) 442-3888
FAX: (727) 443-6944
ewinters@elisekwinters.com

July 27, 2017

To: Anne Fogarty France
Cc: Seth Taylor
From: Elise Winters

Re: City of Clearwater Downtown Development Board (“DDB”)
Prohibited Voting Conflicts for members of the DDB
Dues paying membership of the DDB in other organizations

Questions:

Does service as a voluntary, uncompensated board or committee membership in an organization create a prohibited voting conflict of interest for funding requests from that organization?

Can the DDB become a dues paying member of a not for profit organization formed to promote downtown Clearwater?

If it can and does, would a conflict arise when that organization makes funding requests for events/projects?

Facts:

The DDB is a Special Taxing District (“District”) formed to revitalize and preserve downtown property values and prevent deterioration in the District. Its funds are collected specifically for that purpose from property owners within the District. Its functions are more specifically defined by Clearwater Ordinance (Code 1980, §22.45; Ord. No. 5510-93, §5, 12-16-93) (“DDB Ordinance”). Members of the DDB fall within the statutory definition of public officers (Florida Statute §112.313(1)).

The Clearwater Downtown Partnership, Inc. (“CDP”) is a Florida not for profit corporation. The purpose stated in the CDP Articles of Incorporation are broadly stated and make no reference to downtown Clearwater. Based upon the CDP website, its purpose is “to promote Downtown Clearwater as the Premier destination to live, work and play.”

The CDP has applied for and received funds from the DDB for events promoting and located within downtown Clearwater. The CDP has submitted a funding request for the DDB to join the CDP as a dues paying member.

Individual DDB Board members are uncompensated members of the executive and advisory committees of the CDP. They receive no compensation from the CDP regardless of the DDB’s decisions on requests for funding by the CDP.

Response:

Does service as a voluntary, uncompensated board or committee membership in the CDP create a prohibited voting conflict of interest for funding requests from the CDP?

The short answer is no. The controlling provision is Florida Statute §112.3143(3)(a), the beginning of which states:

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer.

I reviewed the statute and opinions of the Florida Commission on Ethics. The individual DDB members receive no compensation from CDP regardless of the DDB's funding decision and therefore no special or private gain inures to the DDB members. Further, given the lack of compensation, the individual DDB members are not retained by the CDP.

However, the participation of multiple DDB members on the CDP executive board or advisory board does trigger the need for compliance with Florida's Government in the Sunshine Law. Please see attached memo.

Can the DDB become a dues paying member of a not for profit organization formed to promote downtown Clearwater?

In order to qualify for DDB funding, membership in the CDP would have to fall within one of the functions set forth in the DDB Ordinance. It does not. It is not a marketing activity or event bringing people into the District, nor does it qualify as a business to be retained in or recruited to the District. The DDB Ordinance requires cooperation with the CRA and Greater Clearwater Chamber of Commerce to form a public private partnership, but it does not authorize membership in another entity to do so.

The DDB Ordinance does authorize the DDB to enter into contracts to accomplish functions set forth in the DDB Ordinance and it does when it funds other organizations to perform events and projects. Those contracts have specific requirements as to the use of the funds for the approved events and projects. Membership in an entity with goals similar to those of the DDB does not qualify as a contract to accomplish functions defined in the DDB Ordinance.

If it can and does, would a conflict arise when that organization makes funding requests for events/projects?

My legal opinion is that membership in the CDP does not fall within the functions set forth in the DDB Ordinance and therefore this question is moot. However, it does raise a number of practical issues which should be considered when reviewing funding requests.

The members of the DDB are public officers spending tax payer dollars. It is the DDB's responsibility to determine, within the parameters of the DDB Ordinance, how those dollars are to be spent. Relying on another group to perform the DDB's functions without clear contractual requirements as to how the DDB funds will be used is an abdication of the DDB's responsibilities.

Further, as public officers spending tax payer's funds, the DDB should avoid even the appearance of impropriety and favoritism. How would the DDB justify becoming a member of only one of the several downtown groups? When funding requests come in, how would the DDB avoid the appearance of favoring the group of which it is a member?

EMAIL TRANSMISSION

ELISE K. WINTERS, P.A.

1006 Drew Street
Clearwater, FL 33755
(727) 442-3888
FAX: (727) 443-6944
ewinters@elisekwinters.com

January 2, 2014

To: Anne Fogarty France
Cc: Geraldine Lopez
From: Elise Winters

Re: City of Clearwater Downtown Development Board (DDB)
Sunshine Law Questions

Question:

Does the participation as board members on the board of the Clearwater Downtown Partnership (CDP) by a recently elected member of the DDB and a current member of the DDB require compliance with the public meeting requirements of the Government in the Sunshine Law (Sunshine Law)?

Facts:

The DDB and the CDP have overlapping missions. The DDB's purpose is to assist the CRA with planning and implementation of planning for the downtown district. The CDP "was formed to name, fund and implement projects that will assist the public and private sectors in creating a downtown district that becomes a regional destination" (CDP website). The CDP does address matters that come before the DDB.

Response:

The requirement that discussions between members of the DDB board be held at public meetings applies to current members and persons elected but who have not yet taken office.

The courts have consistently held that the decision making process is as important as the decision. Any discussion by two or more members of the DDB board, whether formal or informal, face to face, in writing by electronic transmission, or some other means, of some matter which will foreseeably come before the DDB board for action must comply with the requirements for public meetings.

There are several opinions of the Attorney General's Office that allow attendance as panelists or speakers by multiple board members at a forum or meeting sponsored by a private organization as long as the board members do not discuss the issues with each other or use third persons as conduits to discuss the issues with each other. However, the opinions rely heavily on the facts in each case and provide substantial limitations as to the extent of the opinion. Red flags include exclusion of the general public from the meeting and locations with limited access, such as locked buildings and private homes. None of these decisions involved active participation in the organization by board members.

In our situation, the DDB board members are members of the CDP board. As such, they are actively involved

in the mission, planning, and implementation of meetings and projects of the CDP. The problem goes beyond attendance by both at meetings of the CDP board.

In order to perform their duties as board members of the CDP, they are required to discuss with each other, in some fashion, matters that could come before the DDB board. Whether the discussion is at meetings, through written or electronic communications to the CDP board members, or through other board members, it will trigger compliance issues.

If both members of the DDB board remain on the CDP board, meetings of the CDP board will have to be open and accessible to the public, statutory notice will have to be provided, and minutes must be maintained and provided to the DDB. Further, most written communications, including email, involving both board members regarding matters that could come before the DDB would have to be maintained in compliance with the Public Records Act.

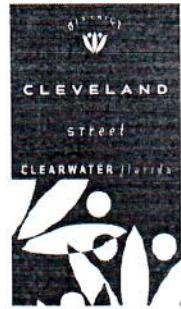
Knowing violation of the provisions of Florida Statute §286.011 is a second degree misdemeanor. Any action taken by the DDB board in violation of Florida Statute §286.011 can be set aside. If someone sues the DDB board for such action, court fees can be assessed against the DDB board and against individual members of the DDB board.

Summary:

Unless one of the DDB members resigns from the CDP board, we will need to make arrangements to ensure compliance by the CDP with Florida Statute §286.011 and Chapter 119 of the Florida Statutes.



CLEARWATER DOWNTOWN DEVELOPMENT BOARD



FUNDING REQUEST FORM

The Clearwater Downtown Development Board (DDB)'s primary purpose is to promote, facilitate and support activities that sustain, promote and advance downtown revitalization and to attract businesses and residents to relocate and stay in the downtown area. Events that meet this purpose will be considered for sponsorship.

Please submit the completed form to: Anne Fogarty France, Downtown Development Board (DDB) Administrator, email: anne.fogarty-france@myclearwater.com, (727) 562-4044 / Fax (727) 562-4075. (Completed forms are due to DDB Administrator by May 15 of each calendar year.)

Check one: Budgeted Request (submitted by May 15) Non-budgeted Request

Date submitted: 6/23/2017

Name: CLEARWATER DOWNTOWN PARTNERSHIP

Title of event: MEMBERSHIP FOR CDP

Event contact: JAY POLGLAZE

Organization: CDP

Address: 600 CLEVELAND ST STE 450

City: CLEARWATER State: FL Zip: 33755

Daytime phone: () _____ Cell phone: () 727-410-3270

Fax number: () _____ E-mail address: jaypolglaze@gmail.com

Website address: clearwaterdowntownpartnership.com

501(c)(3) not for profit organization? Yes No

1. Date and time of event/program: ANNUAL MEMBERSHIP

2. Location and address of event/program: _____

3. Projected attendance: _____

4. Briefly describe the event/program and its purpose:

5. How does this request help achieve the goals of the DDB?

CPP actively markets downtown and continually recruits new business that align with

CRA strategies and facilitate and encourage economic development:

6. What kind of activities will take place during your event and what activities will take place on Cleveland Street?

For membership: MAY - BEER FEST / SEPT - SAT DOWNTOWN Super Power Boat / OCT - OCTOBERFEST

7. How long has this event/program been in existence?

FIRST YEAR

8. Is this event/program a fund-raiser? Yes No If yes, for whom?

CDP

9. Will your organization prepare a banner or sign including the Cleveland Street District (CSD) and DDB's approved logo? Yes No

If yes, what size? AS LARGE AS REQUIRED

10. Will you include the DDB and CSD logos and web url on all marketing materials for your event?

Yes No

11. Please list other participating media sponsors and corporate sponsors:

CRA, BAYSTAR REST, DUNEDIN HOUSE OF BEER
CITY OF CLWR, INFISYSTEMS

12. Attach detailed budget that includes expenses and income. If a recurring event, attach last year's budget.

13. What is the number of attendees expected at your event? ANNUALLY - 25,000

If this is a recurring event, what was the number of attendees at your event last year? BEER FEST
9,000

14. Specifically, what are you asking the DDB to provide as a sponsor?

THIS IS A MEMBERSHIP REQUEST
FOR DDB TO JOIN CDP at either
SUSTAINING LEVEL - 3,000 OR ASSOCIATE - 1,000

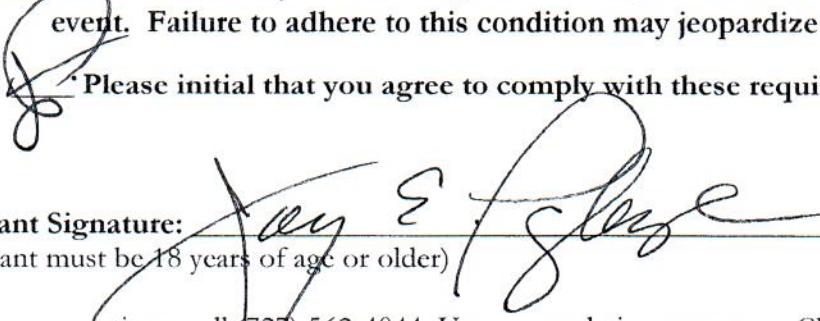
All organizations requesting funds will be required to do a brief presentation about the event at a DDB meeting. Funds that are approved by the DDB will have both a First and Second Reading of the request.

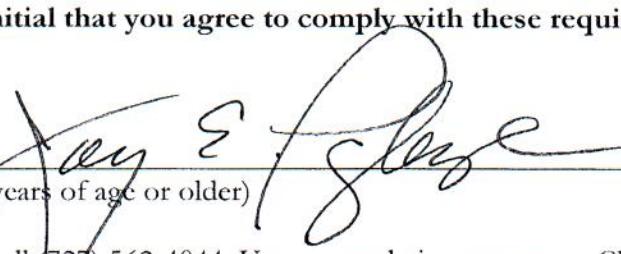
Funds will be provided not more than 30 days prior to the event date.

15. APPLICANT CERTIFICATION:

I hereby certify that I have read this application and that all information contained herein is true and correct to the best of my knowledge, information and belief. **PLEASE READ AND INITIAL:** If DDB funds are granted, I understand that when promoting my event I must:

- a. Use the description "Cleveland Street District" or "Cleveland Street District in downtown Clearwater" AND the url www.ClevelandStreetDistrict.com in all collateral material and social media. Copies of promotional material must be provided with Invoice for reimbursement.
- b. Each organization is responsible for placing Event Parking Signs directing event attendees to parking garage before the event and for returning these signs to the Garden Avenue Parking Garage after the event. (Parking Sign location map attached.) Photos that show use of these parking signs are required to be part of your post event report to the DDB at the end of your event/event season. To schedule your pick-up of the signs contact Robert "Mike" Skinner via email at Robert.Skinner@myclearwater.com within 24 hours of your event, Monday through Thursday. Signs must be removed and returned to the garage after the event.
- c. Purchase two banners, minimum size 2' x 6', announcing event that is taking place to be installed on barricades on each end of the event. Photos that show the location of the banners are required to be part of your post event report to the DDB at end of your event/event season.
- d. I also understand that I must give a final report to the board within three months after the event. Failure to adhere to this condition may jeopardize future sponsorship funding.

 Please initial that you agree to comply with these requirements.

Applicant Signature: 
(Applicant must be 18 years of age or older)

Date: 6/23/17

If you have questions, call (727) 562-4044. Upon completion, return to: Clearwater Downtown Development Board, 112 S. Osceola Ave., 1st Floor, Clearwater, FL 33756/anne.fogarty-france@myclearwater.com.
(4/6/16)



Consumer's Certificate of Exemption

DR-14
R. 04/11

Issued Pursuant to Chapter 212, Florida Statutes

85-8015234037C-6	07/27/2015	07/31/2020
Certificate Number	Effective Date	Expiration Date

This certifies that

CLEARWATER DOWNTOWN PARTNERSHIP INC
175 1ST ST S APT 1401
SAINT PETERSBURG FL 33701-4506



is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 04/11

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

CDP MEMBER BENEFITS



The Clearwater Downtown Partnership is a not-for-profit organization comprised of Downtown property owners, developers, concerned citizens and civic groups. Working together, we foster & promote economic development in Downtown Clearwater.

Open to any and all individuals, partnerships, firms, corporations and businesses interested in the development of Downtown Clearwater, Florida, CDP membership is an investment in Clearwater's future.

CDP Members sustain the organization allowing to fulfill our strategic mission as a prominent advocate for Downtown Clearwater.

Visit clearwaterdowntownpartnership.com
Join the CDP In Action Today!

See back for membership levels

EXECUTIVE COUNCIL - \$10,000

- Invitation to be a CDP Executive Board Member
- Notice of all Executive Board & Committee Meetings
- Executive Board Meeting Minutes
- Company Logo included on CDP Collateral Materials
- "Featured Member" & Corporate Link on CDP Web Site
- Acknowledgement of CDP Participation for Display
- Complimentary seating CDP forums
- Complimentary CDP event participation
- Reduced sponsorship rates
- Literature distribution at CDP events

PARTNERS COUNCIL - \$5,000

- Invitation to be a CDP Advisory Board Member
- Notice of all Executive Board & Committee Meetings
- Executive Board Meeting Minutes
- Company Logo included on CDP Collateral Materials
- "Featured Member" & Corporate Link on CDP Web Site
- Acknowledgement of CDP Partnership for Display
- CDP Event Participation to include:
- Reduced Sponsorship Rates
- Literature Distribution at CDP Events

SUSTAINING — \$3,000

- Notice of all Executive Board & Committee Meetings
- Executive Board meeting Minutes
- Early notice of CDP Events
- Corporate Link on CDP Web Site
- Acknowledgement of CDP Participation for Display

ASSOCIATE — \$1,000

- Executive Board Meeting Minutes
- Early notice of CDP Events
- Corporate link on CDP Web Site
- Acknowledgement of CDP Participation for Display

FRIEND — \$500 - \$100

- Early notice of CDP Events
- Acknowledgement of CDP Participation for Display

Visit
clearwaterdowntownpartnership.com
Join the CDP In Action Today!

INTERLOCAL AGREEMENT

This Interlocal Agreement is made and entered into this ____ day of _____, 2017, by and between the Community Redevelopment Agency of the City of Clearwater, Florida (CRA), a redevelopment agency established pursuant to law, and the Downtown Development Board (DDB), a special district organized and operating pursuant to the ordinances and laws of the City of Clearwater.

WHEREAS, Florida Statutes 163.387 requires all taxing authorities to make an annual appropriation in an amount equal to the incremental increase in the ad valorem revenue within the CRA area; and

WHEREAS, the DDB is a taxing authority within the meaning of the statute; and

WHEREAS, the CRA and the DDB in the spirit of cooperation desire to offer the downtown constituents the opportunity to utilize more efficiently the public dollars collected for each entity; and

WHEREAS, the CRA and the DDB have a special obligation to ensure wise and sound administration of the programs; and

WHEREAS, the CRA and the DDB desire to enter into an Interlocal Agreement outlining the scope of services and responsibilities of the parties; and

WHEREAS, the CRA and the DDB wish to enter into an Interlocal Agreement pursuant to Florida Statues 163.01, in which the DDB agrees to perform certain responsibilities and functions consistent with and in furtherance of the Downtown Redevelopment Plan, in return for an amount equal to the difference between the increment payment of \$210,441.00 and the \$68,624.00 the DDB pays the CRA for administration.

NOW THEREFORE, in consideration of the covenants made by each party to the other and of the mutual advantages realized by the parties hereto, the DDB and the CRA agree as follows:

Section 1. Term. The term of this Interlocal Agreement will be October 1, 2017, through September 30, 2018.

Section 2. Intent. It is the intent of the parties that the moneys paid to the CRA by the DDB pursuant to Florida Statute section 163.387, commonly referred to as the tax increment payment, be used to advance the goals and objectives of the Downtown Redevelopment Plan. The CRA shall retain \$68,624.00 to offset the cost of administration of the DDB as further described herein. The remaining money shall be returned to the DDB by the CRA in exchange for performance of certain responsibilities and functions by the DDB consistent with and in furtherance of the Downtown Redevelopment Plan.

Section 3. Responsibilities of the DDB. The DDB will promote, facilitate and support activities that sustain, promote and advance downtown revitalization and attract businesses and residents to relocate and stay in the DDB's district. In furtherance of these goals, the DDB will:

- a. advise the City of Clearwater (City) and the CRA on policies and procedures which will succeed in bringing more businesses and residents into the downtown district and thus improve its tax base and overall economic conditions;
- b. survey downtown freeholders and businesses to determine needs and attitudes, to monitor progress, to evaluate success or failure of initiatives;
- c. sponsor community events and encourage public attendance at events in support of downtown merchants;
- d. prepare and distribute public relations pieces such as, but not limited to, brochures and videos, district maps, etc.; and
- e. cooperate with the Regional Chamber of Commerce, the Convention and Visitors Bureau, and all others interested in promoting the downtown district as a destination.
- f. Assist in the programming for Station Square Park.

Section 4. Responsibilities of the CRA. The services that the CRA will provide are:

- a. Prepare correspondence for DDB members
- b. Maintain all DDB funds in the City's bank account and with funds segregated for accounting purposes in the City's records as a separated, interest-earning fund
- c. Assist with preparation and monitoring of the annual budget and prepare amendments as necessary
- d. Prepare monthly financial reports
- e. Prepare agendas and distribute packets to DDB members prior to each meeting
- f. Prepare meeting notices for monthly and special DDB meetings
- g. Attend meetings and supervise work of Board Reporter who records and transcribes minutes
- h. Coordinate the DDB Promotion and Business Visitation Committee meetings, if applicable
- i. Handle all phone inquiries and follow up on the calls
- j. Handle any special mailing notices
- k. Serve as coordinator for the DDB special activities
- l. If funded, qualify potential recruitment candidates for consideration by DDB for the Retail and Restaurant Recruitment Grant program
- m. Assist in looking into other incentive options to improve downtown properties and implement projects funded or initiated by the Board
- n. Assist with promoting design related programs to the downtown community
- o. Manage loans, contracts and all applicable documents

- p. Coordinate field trips and travel arrangements in accordance with the City of Clearwater Travel and Meals Policy
- q. Other administrative duties as mutually agreed
- r. Coordinate the annual election process in cooperation with the Pinellas County Supervisor of Elections
- s. Act as a Liaison to the Pinellas County Property Appraiser, Pinellas County Tax Collector, and DDB legal counsel: Elise K. Winters, P.A.
- t. Assure that the annual audit is conducted in compliance with requirements of the State of Florida Auditor General
- u. Comply with State of Florida Tax Increment Millage Compliance with Chapter 200, Florida Statutes, Sections 218.23, 218.63, Florida Statutes (TRIM)
- v. Comply with the Florida Department of State Information Services Records Disposition Act
- w. Comply with the State of Florida Department of Community Affairs Special District Information Program
- x. Comply with the State of Florida Department of Insurance Treasurer's Public Depositor Annual Report
- y. Coordinate financial disclosure requirements of the State of Florida Commission on Ethics

Section 5. Compensation. In return for the above services, the CRA shall pay to the DDB this difference upon receiving the increment payment from the DDB. The budget for the CRA for services listed in Section 4 above shall be as follows:

Personnel and Administration \$68,624.00.

Section 6. Notice. Any notice by either party to the other pursuant to the Interlocal Agreement shall be given in writing and hand-delivered or mailed as follows:

Chairperson, Board of Trustees
Community Redevelopment Agency
112 S. Osceola Avenue
Clearwater, Florida 33756

Chairperson
Downtown Development Board
Post Office Box 4748
Clearwater, Florida 33758-4748

Section 7. Entire Agreement. This document embodies the whole Agreement of the parties. There are no promises, terms, conditions or allegations other than those contained herein. This Agreement shall be binding on the parties, their successors, assigns and legal representatives.

Section 8. Filing Effective Date. As required by Section 163.01(11), Florida Statutes, the Interlocal Agreement shall be filed with the Clerk of the Circuit Court of Pinellas County after execution by the parties, and shall take effect upon the date of filing.

IN WITNESS WHEREOF, the parties hereto, or their lawful representative, have executed this agreement as of the date first above written.

**COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF CLEARWATER, FLORIDA**

By:

George N. Cretkos, Chairperson

ATTEST:

By:

Rosemarie Call, City Clerk

Approved as to form:

Pamela K. Akin
Attorney for CRA

DOWNTOWN DEVELOPMENT BOARD

BY:

Paris Morfopoulos, Chairperson

Approved as to form:

Elise K. Winters
Attorney for DDB

ITEM 11

A	B	C	D	E
1	Downtown Development Board			
2	FY 2017-18 Preliminary Budget			
3	Propose 0.9700 Millage Rate			
4				
6	Income	Budget		
7				
8	Ad Valorem/Property Taxes 0.9700 mil	281,757		
9	Ad Valorem Taxes Prior Year	100		
10	Interest Income	500		
11	CRA Interlocal Agreement Revenue	210,441		
12	Misc Revenue	500		
13	Total Income	493,298		
14				
15	Expenditures			
16				
17	Downtown Arts & Beautification			
18	Banner Installation & Maintenance	1,000		
19	Downtown Streetscape Maintenance	3,200		
20	Mural Projects	7,500 *		
21	Holiday Lighting	15,000		
22	Total Downtown Arts & Beautification	26,700		
23				
24	Downtown Marketing			
25	Graphic Design and Printing	3,000		
26	Advertising	10,000		
27	Website Content (includes List Serve & Video Production)	4,400		
28	Jolley Trolley Downtown Loop	14,466		
29	Total Downtown Marketing	31,866		
30				
31	Downtown Events		REQUESTED	
32	Achieva Box Car Rally - 9th Annual		1,500	
33	Festival Series including Blast Fridays, Miracle on Cleveland St. & Cruisin at the Capitol		39,000	
34	City/Sea Blues Festival		10,000	
35	City/Bay 2 Beach Music and Art Festival (formerly known as Fun 'n Sun)		10,000	
36	City/Clearwater Celebrates America		2,500	
37	Clearwater Jazz Festival Downtown Party		5,000	
38	Downtown Clearwater Merchants Association Yearly Events (Blast Friday Supplements, BBQ Block Party, Downtown Funk, Miracle on Cleveland Supplement, Sidewalk Sales)		15,000	
39	Downtown Clearwater Monthly Art Events	*	3,000	
40	Jeeps Downtown	*	5,000	
41	Santa & Suds 5K Fun Run		5,000	
42	Spectrum Clearwater Super Boat National Championship		15,000	
43	Station Square Park Events	*	10,000	
44	CDP - Downtown Clearwater Beer Fest	*	10,000	
45	Open Air Paint Party & Art Bazaar	*	18,000	
46		-	149,000	
47	Total Downtown Events	121,000		
48				7/28/2017

A	B	C	D	E
1	Downtown Development Board			
2	FY 2017-18 Preliminary Budget			
3	Propose 0.9700 Millage Rate			
4				
6	Income	Budget		
49	Future Downtown Initiatives	7,883		
50				
51	Staff & Office Administration			
52	Operating Expenditures	1,000		
53	Public Meeting Notices	2,000		
54	Legal Fees	3,500		
55	CRA Mgt & Admin Fee (2.5% increase)	68,624		
56	DDB Minutes Preparation	1,452		
57	Total Staff & Office Admin	76,576		
58				
59	Fixed Payments			
60	Officers & Directors Insurance	700		
61	Liability Insurance (Dolphins)	1,422		
62	Annual Audit	8,000		
63	CRA Increment Payment	210,441		
64	State Special District Fee	175		
65	Tax Collector Commissions	6,000		
66	Property Appraiser Fee	2,535		
67	Total Fixed Payments	229,273		
68				
69	Total Expenditures	493,298		
70				
71	Beginning Fund Balance 10-1-16	103,835		
72				
73	Minimum Reserves Approved by Board 7-12-17 (Amount to be adopted each budget year.)	74,500		
74				
75	* - New Initiative or Event			

Downtown Clearwater Merchant's Association

Revenue

Downtown Development Board	10,000.00
Downtown Funk Bar Crawl	256.00
Taste of Downtown	930.00
Membership	3,750.00
Total Expenses	14,936.00

Expenditures

Clearwater Police	320.00
Liquor License Fee	25.00
Event Liability Insurance	352.26
DJ/Downtown Funk	495.00
City Parking	155.00
Clearwater Fire Inspector	285.00
Internet Advertising	340.00
Signworx/Signs & Banners	1,048.60
Creative Loafing Ads/Three	2,500.00
Great Bay Distributing/Beer Truck	342.00
Blue Site Portalets	193.00
Bob & Daughter/Pumpkins	63.00
Selfie Booth	662.50
Rack Cards	215.00
Payment to Restaurants/Taste of Clearwater	830.00
Sign Art/Step & Repeat	288.37
Little Miss Miracle Crown/Tiara	50.33
State of Florida/SunBiz Fee	375.00
Membership Incentive	1,875.00
Morning Blend Segment	2,550.00
Clearwater Ferry Ad	1,750.00
Total Expenditures	14,715.06
Net Surplus	220.94