

**CITY COUNCIL POLICIES
TABLE OF CONTENTS**

Boards	Page 1
Representative Balance.....	1A
Ad Hoc Committee.....	1B
City Representatives on Non-City Boards.....	1C
Non-Board Business Functions Sunshine Law	1D
Special Request.....	1E
Input to Other Boards/Committees.....	1F
Letterhead.....	1G
Campaign Material During Meetings.....	1H
Input from Advisory Boards.....	1 I
City Representatives on Non City Boards (<i>Deleted by Council 8-21-03</i>)	1J
Advisory Board Dinner	1K
 Budget	 Pages 2-13
Balanced Budget.....	2A
Maintenance of Capital Plant and Equipment	2B
Budget Review Process.....	2C
Budgetary Position Control	2D
General Fund Unappropriated Retained Earnings	2E
Capital Improvement Budget and Capital Improvement Plan	2F
Road Millage	3G
Enterprise Funds.....	3H
Enterprise Fund Transfer Payment.....	3 I
Interfund Administrative Charge.....	3J
Interfund Other Service Charge	4K
CRA Contribution to General Fund	4L
Special Events Fee	4M
Accounting Procedures	4N
Review of Rate Schedules.....	5O
Review of Annual Audit.....	5P
Investment Policy	5Q
Debt Management Policy	11R
Central Insurance Reserve Policy.....	13S
Clearwater Gas System Gas Supply Hedging Policy.....	13T
 City Council.....	 Pages 14-17
Resolutions	14A
Proclamations	14B
Representation on Boards	14C
Citizen Inquiries-Responses	14D
Departing Councilmembers' Gifts	15E
Travel.....	15F
Fund Raiser	15G
Staff Projects	15H
Annual Dinners	15 I
Televising Council Meetings	16J
Information Available to Public and Press.....	16K
Distribution of Council Mail	16 L

Table of Contents (contd)

Strategic Planning..... 17M

City Employees Page 18

Participating in Auctions.....18A

Reimbursement of certain meal event.....18B

General Administration Pages 19-20

Application Fee Waivers19A

Sparkling Clearwater.....19B

Drew Street Banner 19C

Fire Lanes..... 20D

Copyright Fees.....20E

Renewal.....20F

Stationery.....20G

Welcome Letters..... 20H

Citizens to be Heard Response 20 I

Special Event Street Closure Limitation..... 20J

Land Development..... Pages 21-22

Annexation Agreements.....21A

Subdivision Monuments.....21B

Petitions for Annexation 21C

Easement – US 19 (*Deleted by Council 8-21-03*) 21D

Landscaping of City Roads21E

Parks & Recreation Card to Annexing Property21F

Waiver/reduction of Liens..... 22G

Legal Page 23

Case Reports.....23A

Leisure Pages 23

Holiday Decorations.....23A

Library Donor Naming Recognition.....23B

CITY COUNCIL POLICY

BOARDS



- A. **Representative Balance.** When making appointments to a board, the City Council will strive to assure the board has a balance of race, gender and geographical area of the City represented.
- B. **Ad Hoc Committees.** Members of boards may also serve on Ad Hoc committees or Task Forces.
- C. **City Representatives on Non-City Boards.** Individuals appointed by City Council to be the City's representatives on non-City Boards will serve no more than three consecutive terms. The representatives shall keep the Council informed of the activities of the boards by providing annual reports unless more frequent reports are requested. *Note: Policy C Revised and approved by Council 8-21-03*
- D. **Non-Board Business Functions - Sunshine Law.** In order to eliminate the possibility or appearance of violation of the Sunshine Law, all boards and committees appointed by the City Council are requested not to schedule luncheons or other non-board business functions.
- E. **Special Request.** Requests for special reports on projects will require Council or City Manager's approval prior to staff commencing efforts in this regard.
- F. **Input to Other Boards/Committees.** Upon majority approval, a board may advise other boards or agencies regarding its position on issues but may not represent that position as City policy.
- G. **Letterhead.** Advisory Board letterhead may be used and staff assist when correspondence is written on behalf of the entire board. Letterhead will not be used by individual members expressing individual opinions and concerns.
- H. **Campaign Material during Meetings.** During City Council and board meetings, board members will not display material supporting or opposing candidates or issues on any election ballot.
- I. **Input from Advisory Boards.** Staff will assure that input from advisory boards regarding issues coming before the City Council is noted in the City Council's agenda items.
- J. **City Representatives on Non-City Boards** (*Note: Deleted by Council 8-21-03*)
- K. **Advisory Board Dinner.** Each recipient of an invitation to the Annual Advisory Board Appreciation Dinner may bring one guest. Members should attend at least one meeting prior to being invited to the annual dinner.

CITY COUNCIL POLICY

BUDGET and FINANCE



- A. **Balanced Budget.** It is a policy of the City Council to adopt a balanced budget for all funds. The City will avoid budget and accounting practices that balance the budget at the expense of future budgets. The City will also avoid budgeting any unrealized investment gains due to the City's practice of holding investments until maturity.
- B. **Maintenance of Capital Plant and Equipment.** It is a policy of the City Council that the City's budget will provide adequate funding for maintenance of capital plant and equipment and the funding for their orderly replacement.
- C. **Budget Review Process.** It is a policy of the City Council to be provided with a quarterly budget report comparing actual versus budgeted revenue and expense activity.
- D. **Budgetary Position Control.** It is a policy of the City Council that the total number of permanent full-time and part-time positions (full-time equivalents) approved in the annual operating budget may not be exceeded without prior approval of the authorized staffing level.
- E. **General Fund Unappropriated Retained Earnings.** It is a policy of the City Council to maintain a General Fund reserve equal to 8% of the subsequent year's budgeted expenditures as a contingency fund to meet unanticipated financial needs. Should funds in excess of 8% be available in any fiscal year, these funds shall be identified as available, and may be appropriated by the Council for specific Capital Improvement Projects or other one-time needs.

In addition, the City Council will maintain an additional General Fund reserve equal to ½% of the subsequent year's budgeted expenditures to fund unanticipated retirements of General Fund long-term employees during the given fiscal year. Any appropriations approved by the City Manager during the year, for this purpose, will be noted in the City Manager's quarterly budget report.

- F. **Capital Improvement Budget and Capital Improvement Plan.** It is a policy of the City Council to adopt a six-year Capital Improvement Plan and Budget which summarizes the project scope, estimated cost estimates by project, method of financing, and anticipated operating costs of each project.

Budget and Finance (contd.)

- G. **Road Millage.** In order to maintain the City's sidewalks and streets (including curbs and bridges), a road millage will be designated as a part of the annual budget process. Priorities will be determined first on functional and safety considerations. Road Millage may be used for aesthetic repairs.
- H. **Enterprise Funds.** It is a policy of the City Council that all Enterprise Fund operations shall be self-supporting, and shall pay administrative and other appropriate service charges to General Fund Operations for support at a level determined by the City Council.
- I. **Enterprise Fund Transfer Payment.** It is a policy of the City Council that the specific enterprise operations designated by the City Council shall annually transfer to the General Fund an amount determined appropriate to be considered reimbursement in lieu of taxes. The current rate is 5.5% of prior year gross revenues.

April 1989 policy adopted by councilmembers established this rate at 4.5% of prior-year gross revenues. This proportionate rate was adopted to accommodate growth, and replaced prior years' policy of a prescribed dollar contribution. Other than the exceptions noted below, the rate of 4.5% remained in effect until the City Council adopted the amended rate of 5.5% in September 2005.

Upon adoption of the Gas Strategic Plan in fiscal year 1995/96, the Council agreed to replace the Gas Support contribution with a franchise fee from natural gas customer accounts payable to the General Fund. This, in combination with the Gas dividend, offered the General Fund the same level of support as fiscal year 1995/96. The Gas System Dividend will be a minimum of \$1,000,000 plus a PILOT (Payment in Lieu of Taxes) fee of at least \$508,720. Such PILOT fee will be paid by the Gas Franchise Fees to offset such PILOT payment. When the Gas System Net Income less Bond Interest Earnings exceeds \$2.0 million for any fiscal year, the Gas Dividend payment for the next fiscal year will be one half of that amount.

In September 2000, with the adoption of the 2001/02 Annual Operating Budget, the City Council expanded this policy, which had previously been imposed only on the utility enterprises, to include an annual payment in lieu of taxes from the Marine and Airpark Fund. At the current time, the Parking Fund has not been imposed such a payment.

- J. **Interfund Administrative Charge.** It is a policy of the City Council that an allocation shall be made annually distributing the costs for administrative support departments among all operating departments. This distribution shall be proportionately based on the operating

department's annual budget, and shall not be charged to General Fund departments.

Upon adoption of the Gas Strategic Plan in fiscal year 1995/96, the Council agreed to maintain the same charge for administrative support from the Gas Fund for fiscal year 1995/96 which will be increased annually by estimated the cost of salary increase index (fiscal year 2001/02 - 5%).

Beginning in fiscal year 2001, the City Council approved an adjustment to the Gas Fund charge increasing the charge by \$325,000 over the computed amount to bring the Gas Fund more in line with the proportionate amount calculated in the same manner as the Other Enterprise Funds.

Due to the nature of the Harborview Fund, this enterprise operation is not charged this fee.

- K. **Interfund Other Service Charges.** It is a policy of the City Council that the cost of services provided to Enterprise Fund Departments by General Fund Departments shall be charged to, and paid by the Enterprise Fund.
- L. **CRA Contribution to General Fund.** It is the City's policy that services provided for administrative support to the Community Redevelopment Agency (CRA) by City employees shall be reimbursed to the General Fund. Such reimbursement shall be approximate actual costs incurred by the department, together with any associated costs.
- M. **Special Event Fees.** The Special Events Committee will review applications for use of City beaches, sidewalks, outdoor recreation open space and rights-of-way. Sponsoring organizations will be responsible for the costs of all City services needed in conjunction with the events unless they are City sponsored or co-sponsored events.

The City Council may waive all or a portion of fees and related charges for City sponsored or co-sponsored events, including, but not limited to Fun 'N Sun, Jazz Holiday, July 4th, Turkey Trot and Martin Luther King Parade. There shall be an annual review of City sponsored/co-sponsored events during the budget process. An agenda item confirming co-sponsorship and waiver of fees for those to be submitted in the budget will be brought for City Council acceptance in March of each calendar year. All items accepted by the Council are then to be included in the appropriate department's budget. Only after the item is passed as part of the approved budget is the item considered funded.

In the event additional monies are requested beyond what is included in the approved budget, City Council approval will be needed before said additional funds are appropriated. *Note: Policy M Revised and approved by Council 8-21-03*

Budget and Finance (contd.)

- N. **Accounting Procedures.** It is a policy of the City Council to establish and maintain a standard of accounting practices on a basis consistent with Generally Accepted Accounting Procedures (GAAP), and the Governmental Accounting Standards Board (GASB), and the standard practices of the Government Finance Officers Association of the United States and Canada (GFOA).

The City will also comply with the rules of the Auditor General and the Uniform Accounting System as required by the State of Florida.

- O. **Review of Rate Schedules.** It is a policy of the City Council to review rate schedules of the City of Clearwater at a minimum of every 5 years. The purpose of the review will be to assure rates are set in a manner to be fair and equitable while covering the City's cost to provide the service.

Unrestricted fund balances (working capital reserves) should be maintained at a level equivalent to at least three months' operation and maintenance expense.

- P. **Review of Annual Audit.** It is a policy of the City Council to have a Certified Public Accounting firm perform an annual audit on all of the City's funds. A work session will be held each year within 60 days of the release of the annual financial audit of the City. At that time, the overall financial condition of the City and its enterprise funds will be reviewed.

- Q. **Investment Policy.**

(1) SCOPE

The 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
- Trust Funds

The policies set forth do not apply to the Employee 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.

Budget and Finance (contd.)

From time to time, however, securities may be traded for other similar securities to improve yield, maturity or credit risk. For these transactions, a loss may be incurred for accounting purposes, providing any of the following occurs with respect to the replacement security:

- The yield has been increased, or
- The maturity has been reduced, or
- The quality of the investment has been improved

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 maturates each month except for those months in which significant Ad Valorem taxes are received. To the extent possible, the City will attempt to 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. And unless, specifically matched against a debt or obligation not more than 10% 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 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 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	25%
3 month Treasury Bill rate	20%
6 month Treasury Bill rate	15%
1 year Treasury Bill rate	20%
3 year Treasury Note rate	20%
Total	<hr/> 100%

(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

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

a. Direct obligations, the United States Treasury. 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. Securities and Exchange Council 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 FS.

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 United States Government or any agency or

Budget and Finance (contd.)

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. Repurchase Agreements and reverse repurchase agreements collateralized by securities otherwise authorized in this policy.

g. 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.

h. 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 attempt to forecast 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. As stated above the City will ladder it's maturates so that there are maturates each month with the exception of months when the majority of Ad valorem taxes are received.

C. The City will attempt 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 four years.

(7) Portfolio Composition, Risk and Diversification

Assets held shall be diversified to control risk of loss resulting from over-concentration of assets in a specific maturity, issuer, instrument, 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%

Budget and Finance (contd.)

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 be notified by fax of the transaction including all details of the securities purchased or sold. The notification will be signed by two individuals authorized to make investment decisions.

(10) Master Repurchase Agreement

All approved institutions and dealer 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 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:

Budget and Finance (contd.)

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 entity 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 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.

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

R. **Debt Management Policy** This policy is to establish criterion and procedures for the issuance of debt financing by the City. This Debt Policy confirms the commitment of the City Council, management, staff, advisors and other decision makers to adhere to sound financial management practices, including full and timely repayment of all borrowings, and achieving the lowest possible cost of capital within prudent risk parameters.

The City shall employ the use of debt to compliment the significant recurring commitments of annual appropriations for capital purposes in a way that is fair, reasonable, and equitable to each generation of taxpayers, ratepayers, users and other beneficiaries.

1. **General:**

- A. The City shall seek to maintain their high bond ratings so borrowing costs are minimized and access to credit is preserved.
- B. The City may utilize debt obligations to refinance current debt or for acquisition, construction or remodeling of capital Improvement projects that cannot be funded from current revenue sources or in such cases wherein it is more equitable to the users of the project to finance the project over its useful life.
- C. The useful life of the asset or project generally must exceed the payout schedule of any debt the City assumes.
- D. The City will analyze funding alternatives to minimize the cost impact of debt structures on the taxpayers or ratepayers.
- E. The outstanding debt will be reexamined periodically to determine whether an economical advantage exists for refinancing the outstanding debt given changes in the interest rate and bond market. As a general rule, the present value savings of a particular refunding should exceed 5% while maintaining a similar maturity schedule to the original debt.

2. **Type and Structure of Debt:**

- A. Any legally allowable debt may be used for financing capital improvements; this includes, but is not limited to, short-term and long-term debt, general obligation and revenue debt, fixed and variable rate debt, lease-backed debt, conduit issues, and taxable debt. The use of zero coupon bonds, capital appreciation bonds, deep discount bonds, and premium bonds may be considered.
- B. The City may consider the use of credit enhancements (letters of credit, bond insurance, surety bonds, etc) when such credit enhancements proves cost-effective.

Budget and Finance (contd.)

- C. When fiscally advisable and when consistent with contractual obligations, the City shall lease purchase capital equipment. Generally, equipment will have a monetary value \$25,000 or more and a minimum life expectancy of three years. The debt service on the lease purchase items shall be paid by the user department.

3. **Issuance of Obligations**

A. Selecting Service Providers:

- 1) The City may retain an independent financial advisor for advice on debt structuring, the rating review process, marketing debt issuances, sale and post-sale services and to prepare and/or review the official statement.
- 2) The City may also retain independent bond counsel and disclosure counsel for legal and procedural advice on all debt issuances.
- 3) As necessary, the City may retain other service advisors, such as trustees, underwriters, and pricing advisors.
- 4) Any process utilized to select professional service providers in connection with the City's debt program shall be in conformance with City purchasing policies, procedures and requirements.

The objectives of the process will be to:

- a) Promote competition
- b) Be as objective as possible
- c) Incorporate clear and rational selection criteria
- d) Be independent of political influence
- e) Be perceived as fair by the respondents
- f) Result in a cost-effective transaction
- g) Result in the selection of the most qualified firm
- h) Eliminate conflict of interest

B. Method of Sale

- 1) **Competitive Sale.** The City will generally seek to issue its bond obligations in a competitive sale. Other methods may be used if it is determined that such a sale method will not produce the best results for the City.
- 2) **Negotiated Sale.** The City may elect to sell its bond obligations through a negotiated sale. This method will usually be considered when the bond issue is refunding a prior issue or there is a unique or unusual component to the bond issue.
- 3) **Private Placement.** When determined appropriate, the City may elect to sell its debt obligations through a private placement or limited public offering.

C. Maturity of the debt

- 1) Bonds will generally not have more than a thirty-year duration.
- 2) Lease Purchase debt will generally not have more than a five-year duration. *Note: Policy R was revised and approved by Council 6/19/03*

Budget and Finance (contd.)

S. **Central Insurance Reserve Policy** It is a policy of the City Council to maintain a Central Insurance Fund reserve. This reserve is composed of two amounts:

- *General: An amount reserved to guard against unforeseen or uninsured costs or increases in property, workers' compensation, or liability insurance. The target minimum balance for this reserve is equal to 75% of the actuarially calculated self-insurance reserve liability.
- *Health Insurance: An amount reserved for use as a budgeting tool to offset any large increases in the City's costs to provide health insurance. The target minimum balance for this reserve is 15% of the annual city health insurance expense.

*If reserves are drawn down below the above target minimum balances, the City will develop a plan to replenish the reserves, generally within five (5) years. *Note: Policy S was revised and approved by Council 6/19/03*

T. **Clearwater Gas System Supply Hedging Policy** It is a policy of the City Council to limit the financial risk to Clearwater Gas System (CGS) of natural gas purchases by Hedging a portion of its gas supply needs with the intention of reducing price volatility for the residential, commercial, and industrial customers of CGS. Hedging amounts for a specified period of time will NOT exceed the expected average natural gas energy usage over that time period.

The City Representative shall issue a Directive to Florida Gas Utility (FGU) in the event that CGS would like FGU to take any action with respect to a Financial Product on its behalf. The General Manager of FGU shall not be authorized to enter into a Financial Product on a system-wide basis for CGS without a Directive from the City Representative.

Financial Products shall be purchased or otherwise acquired for the purpose of risk management and, to the extent possible, shall be entered into in such a manner as to meet applicable accounting standards as a "hedge" for accounting purposes; provided that the failure to obtain any particular accounting treatment with respect to a Financial Product shall not form a basis for challenging or otherwise calling into question the legality and enforceability of a Financial Product entered into pursuant to a Directive. **CGS shall not engage in any purchase or acquisition of Financial Products for Speculation.**

In the event if any inconsistency between the terms of this Policy and any existing agreement between FGU and CGS, including, without limitation, the All Requirements Gas Services Agreement, dated as of February 15, 2002 and as amended from time to time, between FGU and CGS and entered into pursuant to Resolution No. 02-02 the City of Clearwater, Florida, the terms of such agreement shall prevail.

Note – Policy T was adopted on December 2, 2004.

Budget and Finance (cont'd.)

1. City Representative – A representative of the City of Clearwater, Florida, who can authorize a Directive with respect to Financial Products, which term shall include, without limitation, any person designated as a “member representative” or “project participant representative” under an agreement between FGU and the City of Clearwater, Florida.
2. Directive – An instrument, in writing, executed and delivered by a City Representative that gives directions to FGU, or otherwise authorizes actions by FGU, with respect to Financial Products and the related Financial Instruments.
3. Financial Instruments – One or more agreements entered into with respect to Financial Products by and among the parties thereto, which may include FGU, CGS, or both, or any other third party or counterparty thereto, and such term shall expressly include, without limitation, any assignment or termination agreement related to Financial Products by FGU, CGS, or both.
4. Financial Products – Swaps, options, caps, collars, floors, forwards, futures contracts, and any other Hedging transactions, and any combination of the foregoing, whether executed “over-the-counter” pursuant to private agreement or “exchange-traded” on one or more regulated contract markets.
5. Hedge – To minimize or protect against loss by counterbalancing one transaction against another or otherwise mitigating economic risk. The term “Hedging” shall be construed accordingly.
6. Speculation – Using Financial Products in a manner not reasonably expected to reduce the risk associated with CGS business activities.

CITY COUNCIL POLICY

CITY COUNCIL



- A. **Resolutions.** An individual Councilmember may request a resolution. However, prior to preparation of the resolution, there must be a majority of the Councilmembers agreeing to do so.
- B. **Proclamations.** The City of Clearwater will consider issuing proclamations from all segments of the community without regard to gender, race, ethnicity or handicap. Proclamations will not be issued to individuals, companies, "for profit" organizations, profit making agencies, political organizations or religious organizations.
- C. **Representation on Boards.** Councilmembers are asked to serve on various regional and governmental boards. Boards/Committees may be added or deleted from time to time. These duties should be distributed equitably among the Councilmembers. Appointment of Council members to these boards shall be evaluated annually in April.

Whenever possible, a Council representative on a board or committee will receive Council input prior to taking a position regarding issues coming before that board. The representing Councilmember shall vote in accordance with the stated position of the majority of the Council. If it is not possible to obtain Council input the Councilmember is to act to the best of their ability in the city's interest and with prior Council positions in mind.

Periodic review of the actions of these boards and committees is desirable and the representing Councilmember should coordinate these reports.

- D. **Citizen Inquiries - Responses.**
 - 1. Generally responses should be in the same form as received, i.e. letter with letter. However, when deemed to be more appropriate a different form may be used.
 - 2. Inquires addressed to a specific Councilmember will be responded to by that Councilmember.
 - 3. Inquires addressed to the whole Council, whether in one letter or duplicate letters to all Council members will be answered factually by the Mayor with an introductory phrase of "On behalf of the Clearwater City Council." Policy responses shall require consultation with other Councilmembers prior to being sent. Mail will be routed to the appropriate staff to draft a response. Individual Councilmembers are not precluded from responding individually to express their opinion.

City Council (Cont.)

4. Inquiries received which are not specifically addressed to the Council or its members will be answered by the City Manager or designated staff member.
 5. Copies of correspondence received will be distributed to all Councilmembers with an indication of who will prepare a response.
 6. Copies of letter or e-mail responses to inquiries addressed to the Council or a Councilmember will be provided to all Councilmembers.
 7. Form letters or emails may be acknowledged but will not require a customized response.
- E. **Departing Councilmembers' Gifts.** Departing gifts shall be chosen in consultation with the outgoing members. The value of the gifts shall be a maximum of \$300 for one full term, \$500 for two full terms and \$600 for more than two full terms.
One full term. Plaque, nameplate, letter, pewter tray with seal, Council pictures.
Two full terms. Plaque, nameplate, letter, fax machine or City watch, Council pictures.
Three of more full terms. Plaque, nameplate, ring, collage or album, tray with seal, letter, gag gift, caricature.
- F. **Council Travel.** Payment for travel expenses shall be in keeping with the charter and the City's travel code. Specific amounts of the Council's travel budget shall be allocated to each Council member during annual budget preparations. At the end of each fiscal year Council members shall provide a report detailing that year's travel. Council approval shall be obtained prior to any member exceeding their annual allocation for travel.
Note: Policy F Revised and approved by Council 8-21-03
- G. **Fund Raisers.** It shall be at the discretion of individual Councilmembers whether or not to accept invitations to fund raising activities. Expenses incurred by acceptance are not reimbursable. City employees will not attend these functions as City representatives.
- H. **Staff Projects.** A Councilmember shall request staff research or projects only through the City Manager or City Attorney in accordance with the City charter. Any request that, in the determination of the City Manager or City Attorney, will take longer than 8 hours must be approved by a majority of the Council. The results of such research or projects, except for legal advice to an individual, will be shared with all council members.
- I. **Annual Dinners.** Newly elected Councilmembers shall be invited to the annual Phillies and advisory board dinners.

City Council (Cont.)

- J. **Televising Council Meetings.** All regular City Council meetings and work sessions will be televised on C-View. Efforts will be made to also televise specially scheduled meetings and work sessions. However, there will be times when this is not possible, or practical. No closed door attorney/client or bargaining sessions will be televised
- K. **Information Available to Public and Press.** All material prepared by the City Manager and City Attorney for the Council shall be provided to the press and to the public via the Official Records and Legislative Services Department. *Note: Policy K Revised and approved by Council 8-21-03*
- L. **Distribution of Council Mail.** All mail to the Mayor and the Councilmembers arriving at City Hall received pursuant to the law or in connection with the transaction of official business by the City of Clearwater shall be copied as follows:

Councilmembers will receive the original of items addressed to them whether anonymous or not. Copies of everything will be made for the Official Records and Legislative Services Department, the Legal Department, and the public information file. Mail will be delivered to the Council at least once per week. On days mail is not delivered, incoming mail will be faxed to each Councilmember.

Other anonymous letters and suggestions will not be distributed but will be maintained in the City Manager's Office.

Publications and lengthy agenda materials for other boards upon which the Councilmembers serve will not be copied. Only the agendas will be copied and distributed. Items of considerable length (such as petitions) will not be copied, but instead a memo will be distributed announcing the availability of the item in the office.

Mail with the words similar to "Personal", "Confidential", or "For the Addressee Only" will be delivered unopened to the addressee.

The Mayor and Councilmembers receiving individually addressed mail will be responsible for replying, asking the City Manager or City Attorney to reply, or placing the matter on the agenda for formal Council consideration.

The City Manager will be responsible for seeing that mail addressed to the Council as a whole is properly answered or placed on the agenda.

The City Manager will discuss with the Mayor malicious mail.

City Council (Cont.)

All e-mails received by the Councilmembers in their individual city email account will be forwarded to the Council Assistant for distribution, or email forwarding, in the same manner as other "hard copy" mail. The following emails will not be forwarded: SPAM/JUNK, broadcast general information or solicitation or items pertaining to scheduling.

Emails or "hard copy" mail relating to city business, sent directly to a councilmember's home or private business, or hand delivered, shall also be forwarded to the Council Assistant for distribution.

- M. **Strategic Planning.** Each year the City Council shall meet in a strategic planning session(s). The meeting(s) will review and update as necessary, the City's Mission, Values and Vision Statements. From these documents a five-year strategic plan will be developed. The five-year strategic plan will become the basis for the annual City Manager and City Attorney Objectives, and the City's annual budget process for the next fiscal year.

CITY COUNCIL POLICY

CITY EMPLOYEES



- A. **Participating in Auctions.** City employees and Councilmembers are prohibited from participating in City auctions involving the sale of property which has either been abandoned and confiscated, acquired with public funds or which has otherwise come into the possession of the City. They may attend as spectators but may not bid on or purchase items offered for sale. All actions that would lead to perceptions of participation, such as a family member bidding on items, should be avoided. It is the intent of this policy to avoid giving "insider" information or a profit motive to employees or their families in the disposal of surplus items.

- B. **Reimbursement of certain meal events.** The City Manager will determine when it is appropriate to reimburse city employees for meal costs associated with recognition, award and business related functions.

CITY COUNCIL POLICY

GENERAL ADMINISTRATION



- A. **Application Fee Waivers.** Generally, building permit, occupational license, plan review and zoning-related application fees will not be waived except for City projects and other governmental agencies. If staff believes special conditions exist, such requests may be brought to the Council for consideration. Application fee waivers for governmental agencies will include all governmental projects including those in which the governmental agency is leasing property from a third party, providing the governmental agency is the entity which applies for and obtains the permit. PACT will be considered a governmental entity when considering application fee waivers.

NOTE: The City Clerk's research regarding waiver of application fees shows the following:

Chi Chi Rodriguez Youth Foundation - no waivers

Center Foundation - waive building permit fees

Pinellas County - waived building permit fees for work done by County forces; waive fees for variance application

State of Florida - waive fees for variance applications

Clearwater Ferry - waive building permit fees

St. Petersburg Jr. College - refunded building permit fee for parking lot

None of the above includes waiving impact fees.

- B. **Sparkling Clearwater.** In order to maintain and enhance the image of Sparkling Clearwater, the Council supports staff in enhanced solid waste recycling and conservation projects, tightening and increasing enforcement of codes (i.e., fence landscaping, prohibition of banners, lot clearing, etc.). Staff is also directed to place a greater emphasis on and coordinate aesthetic consideration on site plans and other development review (i.e., placement of dumpsters, fencing of dumpsters, property landscaping and landscaping of parking lots including perimeter plantings). Litter cleanup and "adopt a street or park" programs are encouraged. Educational and incentive programs for both City staff and the public addressing this issue should be developed.
- C. **Fire Lanes.** Fire Department personnel will participate in the enforcement of parking violations pertaining to fire lanes and fire hydrants.

General Administration (contd.)

- D. **Copyright Fees.** The City shall pay the necessary copyright fees to ASCAP for those concerts in the bandshell co-sponsored by the City. The City shall provide a monthly report to ASCAP regarding activities in the bandshell and ASCAP shall be responsible for collecting the fees from bands participating in non-City sponsored programs. In addition, the City shall pay the necessary copyright fees to BMI for showing movies at various recreation centers.
- E. **Renewal.**
All renewals of agreements the City has with organizations or tenants should be presented to the Council at least sixty (60) days prior to the expiration of the original term.
- F. **Stationery.** The City shall have one form of stationery on which the City seal will be imprinted. Paper stock will be recyclable. Other forms in supply will be allowed to be used until said supply is depleted.
- Exception: The Gas Division may continue to use its logo but the City Seal must be located somewhere on the stationery.
- G. **Welcome Letters.** Upon adoption of an Annexation Ordinance staff will prepare a letter for the Mayor's signature welcoming the property owner to Clearwater.
- H. **Citizens to be Heard Response.** When appropriate, responses will be sent to those addressing the Council under Citizens to be Heard regarding Items not on the Agenda.
- I. **Special Event Street Closure Limitation.** Street closures for special events shall be limited to two (2) per calendar year requested by any one non-profit or for-profit organization. The City of Clearwater shall be exempt from this limitation. The City shall comply with any Florida Department of Transportation policies regarding street closures of state roads.

CITY COUNCIL POLICY

LAND DEVELOPMENT



- A. **Annexation Agreements.** The City Manager is authorized to approve routine annexation agreements involving one existing or proposed residences. Where a discrepancy exists regarding land use designations, right-of-way requirements, or any other circumstances, administrative approval is not authorized. A quarterly report of administrative approval is requested.
- B. **Subdivision Monuments.** New entranceway landscaping, monuments, signage, and walls shall not be allowed within the public rights-of-way of the City of Clearwater. Such special treatments are to be upon private property and in accordance with all applicable codes and regulations. The owners of all existing entranceway features occupying public property are to execute an agreement with the City of Clearwater wherein owners agree to keep all features in good repair, hold the City harmless for any liability arising from the use of the public right-of-way, and provide a \$500,000 liability insurance policy. Upon failure of the owners to execute such agreement and provide the required insurance policy after forty-five days from written notice, or by tagging the structure when owners cannot be determined, or upon failure of the owners to repair or maintain any feature of the site which has fallen in disrepair after similar notice, the Public Works Department is to remove all such materials occupying the public right-of-way.
- A wooden sign with breakaway features approved by the City Engineer may be allowed within the public right-of-way when associated with a city approved "Adopt a (fill in name)" program, and is to be limited to a size necessary to name the sponsoring agency in 3-inch letters. Such sign to be a maximum height of 18-inches.
- C. **Petitions for Annexation.** Request to be made that all contiguous parcels under the same ownership be annexed simultaneously.
- D. **Easement – U.S. 19** (*Note: Deleted by Council 8-21-03*)
- E. **Landscaping of City Roads.** Whenever possible, landscaping will be a part of City road and street improvement/construction projects.
- F. **Parks & Recreation Card to Annexing Property.** Resident Parks & Recreation cards may be obtained by petitioners for annexation upon acceptance of the application.

Land Development (Cont.)

G. **Waiver/reduction of liens.** In order to encourage (re) development of properties for enhancement of property values and living conditions in the City, the following factors will be considered for requests for waivers/reductions of lot clearing, nuisance abatement, and/or unsafe structures/demolition liens.

- ◆ Whether the violation has been brought into compliance regarding the violation cited.
- ◆ Whether extreme or undue hardship is shown regarding payment of the lien and/or regarding coming into compliance with code requirements during the required time.
- ◆ Whether there are existing code violations on other properties owned by the violator or prospective purchaser.
- ◆ Whether there is a development or redevelopment proposal regarding the property which would result in improvement or upgrade of the property.
- ◆ Whether, given such a development or redevelopment plan, it would be impractical to take the compliance action directed by the City Council.
- ◆ Whether payment would hinder a proposed sale of the property.
- ◆ Whether an appraisal of the property, submitted by the applicant, demonstrates to the City that the cost of the lien has been absorbed.
- ◆ The amount of a lien will not be reduced below the amount representing administrative costs incurred by the city regarding the case.

CITY COUNCIL POLICY

LEGAL



- A. **Case Reports.** The city attorney shall furnish to the city council a quarterly report of pending litigation, identifying each case, opposing counsel, the nature of the case, and the status of the case as of the date of the report. In addition, the city attorney shall keep the city council and city manager advised from time to time as to significant developments in each case.

CITY COUNCIL POLICY

LEISURE



- A. **Holiday Decorations.** Holiday decorations along the rights-of-way to be installed or paid for by the city will be limited to the Downtown Core, Memorial Causeway, South Gulfview north of Adams Mark, Mandalay south of Acacia and the business district on Sand Key.
- B. **Library Donor Naming Recognition.** The following guidelines govern donor recognition with regard to naming buildings, areas, rooms, collections, furnishings and equipment:
1. Library building names will have geographical or functional names only and will not be subject to availability for donor recognition. Clearwater Main Library and North Greenwood Branch meet the policy guidelines, but John Doe Main Library does not.
 2. Naming of library internal functional areas, rooms, and major collections is the prerogative of the City Council.
 3. Collections of materials, equipment or furnishings, which are accepted as gifts by the Library Director, and/or funded by individuals, corporations or foundations, may be recognized by a discrete engraved plaque mounted on or near the gift as appropriate, with the name of the donor displayed. For example "the John Doe collection of Illuminated Manuscripts" or "Computer Equipment for Research Provided and Maintained by the John Doe Corporation."
 4. All signs and plaques printed with names of donors will be of similar appearance and will be consistent with the architectural design and interior decoration of the building.