

City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, April 20, 2017

6:00 PM

Council Chambers

City Council

Roll Call

Present: 5 - Mayor George N. Cretekos, Vice Mayor Hoyt Hamilton, Councilmember Doreen Caudell, Councilmember Bob Cundiff and Councilmember Bill Jonson

Also Present: William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk and Nicole Sprague – Official Records and Legislative Services Coordinator

To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.

Unapproved

1. Call to Order – Mayor Cretekos

The meeting was called to order at 6:00 p.m. at City Hall.

2. Invocation – Bishop Brent Patera from Church of Jesus Christ of Latter-Day Saints

3. Pledge of Allegiance – Councilmember Caudell

4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.

- 4.1 Surgeon General Healthiest Weight Designation - Megan Carmichael, Florida Department of Health - Pinellas County
- 4.2 Landscape Architecture Month Proclamation, April 2017 - John DeVitto, American Society of Landscape Architecture, Tampa Chapter
- 4.3 Relay for Life Weekend Proclamation, May 5-6, 2017 – Evan McCullough, American Cancer Society

5. Approval of Minutes

- 5.1 Approve the minutes of the April 6, 2017 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Jonson moved to approve the minutes of the April 6, 2017 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

6. Citizens to be heard re items not on the agenda

Gail Patricia Greer expressed concern with vehicular traffic on the Memorial Causeway and in Downtown. She suggested syncing pedestrian crossings with the traffic lights to avoid traffic jams.

Jasmine Fordham invited all to participate in Earth Day activities at Moccasin Lake Nature Park on April 22 from 10:00 a.m. to 4:00 p.m.

Iracema Drysdale expressed her opposition to the Church of Scientology.

7. Consent Agenda – Approves as submitted.

- 7.1** Award a purchase contract to Blu Site Solutions of Southwest Florida Inc. for portalet services to be utilized for city special events and projects, in the estimated amount of \$100,000 annually, for a period of one year, with two one-year extension options at the City's discretion, and authorize the appropriate officials to execute same. (consent)
- 7.2** Award a purchase order (contract) to Capital Golf Carts Inc. for golf cart rentals and service for city special events, in the amount of \$50,000, for a period of one year, with two one-1 year extension options at the City's discretion, and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve a contract increase to Accela, Inc. or San Ramon, CA, (ST113654) in the amount of \$157,160.00 for a revised total amount of \$170,000.00 for software maintenance and professional services, and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve a one-month extension to a contract (Blanket Purchase Order) to Tracking Solutions Corporation (TSO Mobile) of Doral, Florida for an amount not to exceed \$10,000 for the Monthly Maintenance Fees for the period April 1, 2017 through April 30, 2017, per the contract dated September 1, 2015, and authorize the appropriate officials to execute the same. (consent)
- 7.5** Authorize a purchase order (contract) to Honeywell International, Inc. - Building Solutions of Chicago, IL for \$200,000 for FY 17/18 quarterly Maintenance Fees, in accordance with the 20-year and 15-year Maintenance Agreement approved by Council November 17, 2008 and April 28, 2010, and authorize the appropriate officials to execute same. (consent)
- 7.6** Reappoint Richard Porraro, W. Bruce Brock and Paul A. Doric to the Airpark Advisory Board with terms to expire April 30, 2021. (consent)

- 7.7 Reappoint Karen Cunningham and Eric Seiler to the Public Art and Design Board with terms to expire April 30, 2021. (consent)
- 7.8 Approve a five-year Legal Services Agreement with the law firm of Thompson Sizemore and Gonzalez, of Tampa, FL, for representation in employee matters for an amount not to exceed \$50,000 per calendar year, and authorize the appropriate officials to execute same. (consent)

Councilmember Caudell moved to approve the Consent Agenda as submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1 Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3115 Johns Parkway, together with certain right-of-way of Johns Parkway, and pass Ordinances 9008-17, 9009-17 and 9010-17 on first reading. (ANX2017-01001)

This voluntary annexation petition involves a 0.24-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the south side of Johns Parkway approximately 320 feet east of McMullen Booth Road. The applicant is requesting annexation in order to receive solid waste and sanitary sewer service from the City. The Development Review Committee is proposing that the 0.043 acres of certain Johns Parkway right-of-way not currently within the city limits also be annexed. The property is contiguous to existing city limits to the north, west, east and south. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Clearwater Community Development Code Section 4-604.E as follows:

- The property currently receives water service from the City. Collection of solid waste will be provided to the property by the City. The applicant has paid the sewer impact and assessment fees in full, and is aware of the additional costs to extend City sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed

annexation will not have an adverse effect on public facilities and their levels of service; and

- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.

Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.

Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.

- The proposed Residential Urban (RU) Future Land Use Map category is consistent with the current Countywide Plan designation of this property. This designation primarily permits residential uses at a density of 7.5 units per acre. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city limits to the north, west, east and south; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3115 Johns Parkway, together with certain right-of-way of Johns Parkway. The motion was duly seconded and carried unanimously.

Ordinance 9008-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9008-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

Ordinance 9009-17 was presented and read by title only.

Councilmember Jonson moved to pass Ordinance 9009-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

Ordinance 9010-17 was presented and read by title only. Councilmember Caudell moved to pass Ordinance 9010-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 8.2** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3052, 3059 and 3070 Hoyt Avenue; together with certain rights-of-way of Glen Oak Avenue North, Glen Oak Avenue East, Lake Vista Drive, Terrace View Lane, Moss Avenue, Merrill Avenue, and Hoyt Avenue; and pass Ordinances 9011-17, 9012-17 and 9013-17 on first reading. (ANX2017-02003)

These voluntary annexation petitions involve 0.558-acres of property consisting of three parcels of land occupied by three single family homes. The parcels are located generally north of Drew Street, south of SR 590, and within ¼ mile west of McMullen Booth Road. The applicants are requesting annexation in order to receive solid waste service from the City and will be connected to the city sanitary sewer as part of the Kapok Terrace Sanitary Sewer System Extension Project. The Development Review Committee is proposing that the 7.792 acres of certain rights-of-way of Glen Oak Avenue North, Glen Oak Avenue East, Lake Vista Drive, Terrace View Lane, Moss Avenue, Merrill Avenue, and Hoyt Avenue not within the city limits also be annexed.

Properties located at 3059 and 3070 Hoyt Avenue are contiguous to existing city limits along at least one property boundary. The property located at 3052 Hoyt Avenue is not contiguous to existing city boundaries; however, it is in an enclave surrounded by city property on all sides (Type A) and is eligible for annexation pursuant to the Interlocal Service Boundary Agreement with Pinellas County. It is proposed that the properties be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The Planning and Development Department determined that the proposed annexations are consistent with the provisions of Clearwater Community Development Code Section 4-604.E as follows:

- The properties currently receive water service from the City. Collection of solid waste will be provided to the properties by the City. The applicants will connect to the City's sanitary sewer service when it is

available, and are aware of the fee that must be paid in order to connect and the financial incentives available. The properties are located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to these properties by Station 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve these properties with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexations will not have an adverse effect on public facilities and their levels of service; and

- The proposed annexations are consistent with and promote the following objectives and policies of the Clearwater Comprehensive Plan:

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.

Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.

Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.

Policy A.7.2.4 Allow voluntary annexations for noncontiguous properties that are within an enclave as defined by Section 171.031(13)(a), Florida Statutes ("Type A" enclaves) and as authorized by the 2014 Interlocal Service Boundary Agreement (ISBA) between Pinellas County and municipalities, including the City of Clearwater.

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of these properties. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the properties is Low Medium Density Residential (LMDR). The use of the subject properties are consistent with the uses allowed in the District and the properties exceed the District's minimum dimensional requirements. The proposed annexations are therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The properties proposed for annexation at 3059 and 3070 Hoyt Avenue are contiguous to existing city limits along at least one property boundary; therefore, the annexations are consistent with Florida Statutes Chapter 171.044. The property proposed for annexation located at 3052 Hoyt Avenue is not contiguous to city boundaries but is located in a Type A Enclave; therefore, the annexation is consistent

with the Interlocal Service Boundary Agreement authorized by Florida Statutes Chapter 171.204.

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3052, 3059 and 3070 Hoyt Avenue; together with certain rights-of-way of Glen Oak Avenue North, Glen Oak Avenue East, Lake Vista Drive, Terrace View Lane, Moss Avenue, Merrill Avenue, and Hoyt Avenue. The motion was duly seconded and carried unanimously.

Ordinance 9011-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9011-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

Ordinance 9012-17 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 9012-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

Ordinance 9013-17 was presented and read by title only. Councilmember Caudell moved to pass Ordinance 9013-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

8.3 Approve a Future Land Use Map Amendment from Preservation (P) to the Residential Medium (RM) designation for a 0.72-acre portion of property located at 2251 Montclair Road; and pass Ordinance 8980-17 on first reading. (LUP2016-08008)

This Future Land Use Map amendment application involves a 0.72-acre portion of property located along the south side of Montclair Road approximately 770 feet west of North Belcher Road, addressed as 2251 Montclair Road. The property is owned by Montclair Lake Townhomes, LLC. The applicant is requesting to change the Future Land Use Map designation of the proposed amendment area from Preservation (P) to Residential Medium (RM). The applicant has also submitted a rezoning request from Preservation (P) District

to the Medium High Density Residential (MHDR) District (see concurrent case REZ2016-08005).

In 2013, the proposed amendment area, in combination with surrounding parcels totaling 23.75 acres, was annexed into the City and designated as Residential Medium (RM), Preservation (P), and Water on the Future Land Use Map, and Medium High Density Residential (MHDR) and Preservation (P) Districts on the Zoning Atlas (LUP2013-04002, REZ2013-04002). In 2016, the applicant applied for and received a permit from the Southwest Florida Water Management District (SWFWMD) to permanently fill 0.72 acres of land currently designated as Preservation (P). The proposed amendment area is consistent with the area approved for impacts through the SWFWMD permit. The Planning & Development Department has determined that the proposed Future Land Use Map amendment is consistent with the Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

In accordance with the Countywide Plan Rules, this land use plan amendment is subject to the approval of Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority. The application is a small-scale amendment so review and approval by the Florida Department of Economic Opportunity is not required.

The Community Development Board reviewed this application at its March 21, 2017 public hearing and unanimously recommended approval.

Councilmember Cundiff moved to approve a Future Land Use Map Amendment from Preservation (P) to the Residential Medium (RM) designation for a 0.72-acre portion of property located at 2251 Montclair Road. The motion was duly seconded and carried unanimously.

Ordinance 8980-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 8980-17 on first reading.

The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

9. Quasi-Judicial Public Hearings

- 9.1** Approve a Zoning Atlas Amendment from Preservation (P) District to the Medium High Density Residential (MHDR) District for a 0.72-acre portion of property located at 2251 Montclair Road; and pass Ordinance 8981-17 on first reading. (REZ2016-08005)

This Zoning Atlas amendment application involves a 0.72-acre portion of property located along the south side of Montclair Road approximately 770 feet west of North Belcher Road, addressed as 2251 Montclair Road. The property is owned by Montclair Lake Townhomes, LLC. The applicant is requesting to rezone the property from the Preservation (P) District to the Medium High Density Residential (MHDR) District. The applicant is also requesting to amend the Future Land Use designation from Preservation (P) to Residential Medium (RM) (see concurrent case LUP2016-08008).

In 2013, the proposed amendment area, in combination with surrounding parcels totaling 23.75 acres, was annexed into the City and designated as Residential Medium (RM), Preservation (P), and Water on the Future Land Use Map, and Medium High Density Residential (MHDR) and Preservation (P) Districts on the Zoning Atlas (LUP2013-04002, REZ2013-04002). In 2016, the applicant applied for and received a permit from the Southwest Florida Water Management District (SWFWMD) to permanently fill 0.72 acres of land currently zoned as Preservation (P). The proposed amendment area is consistent with the area approved for impacts through the SWFWMD permit.

The Planning & Development Department has determined that the proposed Zoning Atlas amendment is consistent with the Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- The available uses in the Medium High Density Residential (MHDR) District are compatible with the surrounding area.
- The proposed amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.
- The proposed Medium High Density Residential (MHDR) District

boundary is appropriately drawn in regard to location and classification of streets, ownership lines, existing improvements, and the natural environment.

The Community Development Board reviewed this application at its March 21, 2017 public hearing and unanimously recommended approval.

Councilmember Jonson moved to approve a Zoning Atlas Amendment from Preservation (P) District to the Medium High Density Residential (MHDR) District for a 0.72-acre portion of

property located at 2251 Montclair Road. The motion was duly seconded and carried unanimously.

Ordinance 8981-17 was presented and read by title only. Councilmember Caudell moved to pass Ordinance 8981-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

10. Second Readings - Public Hearing

10.1 Adopt Ordinance 9004-17 on second reading, vacating a portion of public Right-of-Way described as that certain portion of Sedeeva Circle South Right-of-Way lying in the Northeast $\frac{1}{4}$ of Section 3, Township 29 South, Range 15 East, Pinellas County, Florida subject to a Sidewalk and Drainage and Utility Easement which is to be retained over the Northwest 10 feet thereof.

Ordinance 9004-17 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9004-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

10.2 Adopt Ordinance 9015-17 on second reading, amending the Operating Budget for the Fiscal Year ending September 30, 2017 to reflect increases and decreases in revenues and expenditures for the General Fund, Special Development Fund, Special Program Fund, Solid Waste and Recycling Fund, Parking Fund, General Services Fund, and Administrative Services Fund.

Ordinance 9015-17 was presented and read by title only. Vice

Mayor Hamilton moved to adopt Ordinance 9015-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

10.3 Adopt Ordinance 9016-17 on second reading, amending the Capital Improvement Budget for the Fiscal Year ending September 30, 2017, to reflect a net increase of \$4,212,990.

Ordinance 9016-17 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 9016-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

10.4 Adopt Ordinance 9017-17 on second reading, vacating public Right-of-Way described as that certain portion of Rogers Street Right-of-Way lying in the Southeast ¼ of Section 17, Township 29 South, Range 16 East, Pinellas County, Florida.

Ordinance 9017-17 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 9017-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

10.5 Adopt Ordinance 9018-17 on second reading, vacating the North 6 feet of a 10 foot Utility Easement along the south line of Lot 67 of Woodgate of Countryside - Unit Three, recorded in Plat Book 72, Pages 96 and 97, of the Public Records of Pinellas County, Florida.

Ordinance 9018-17 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9018-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

11. City Manager Reports

11.1 Ratify and confirm the City Manager's approval to provide additional funding in the amount of \$46,500 to complete the construction and installation of scoreboards at Carpenter Complex and Jack Russell Stadium, to be funded from available funds in existing Capital Improvement projects.

On Dec. 3, 2015, the City Council approved the purchase order for the construction of scoreboards and decorative signs at Carpenter Complex and Jack Russell Stadium to Omega Sign Service Corporation of Odessa Florida in the amount of \$163,225.

This purchase order was for the replacement and installation of scoreboard and signs at Carpenter Complex (Richie Ashburn Field and Robin Roberts Field) and Jack Russell Stadium. The new scoreboards replaced non-functioning and insufficient scoreboards at Carpenter Complex and Jack Russell Stadium.

Omega Sign Service Corporation (OSSC) was the lowest most responsive bid of the three bids that were received. The second lowest bid was \$257,053.00. OSSC was unable to complete the project and the purchase order was canceled.

Parks and Recreation staff took over the management and construction of the scoreboards and they were completed and installed prior to this spring season. The additional cost over and above the original purchase order for the City to complete this project was \$46,500.

In order to complete the scoreboards prior to this spring season the City Manager approved the additional expenditure of funds needed.

APPROPRIATION CODE AND AMOUNT:

There are sufficient funds in the original CIP codes used for this project; 315-93203, Carpenter Complex and 315-93649, Jack Russell Stadium for this project.

One individual questioned if the facility could be used for an outdoor festival and suggested the facility would preclude the City from building a large amphitheater at Coachman Park.

Vice Mayor Hamilton moved to ratify and confirm the City Manager's approval to provide additional funding in the amount of \$46,500 to complete the construction and installation of scoreboards at Carpenter Complex and Jack Russell Stadium, to be funded from available funds in existing Capital Improvement projects. The motion was duly seconded and carried unanimously.

11.2 Ratify and confirm an increase to the original contract (purchase order) ST113251 to Municipal Code Corporation, Inc., Tallahassee, FL in the amount of \$95,423.30 for a revised authorization of \$113,621.20 for software upgrades, maintenance fees and professional services of the City's document imaging system, and authorize appropriate officials to execute same.

The original purchase order in the amount of \$18,197.90 for annual maintenance of the City's Laserfiche Document Management System, was approved in October 2016. In December 2016, a quote was received for licensing, maintenance and professional services associated with upgrading Laserfiche to the current release and add a forms routing function in the amount of \$86,748.45.

The project quote included \$33,853.45 for the maintenance, and was not included in the calculation for appropriate signature authority, under the assumption that a portion of the maintenance had already been paid for the current period (i.e., \$18,197.90 paid in October 2016).

This revision takes into account the current maintenance paid, as well as the maintenance to be paid in October of 2017, and professional services associated with the system upgrade.

The revised authorization amount will provide funds for this year's maintenance (\$18,197.90), maintenance to be paid in October 2017 (\$33,853.45) and all licensing and professional services expenses necessary for upgrades to the system (\$61,569.85) to be performed over the next 4 months.

APPROPRIATION CODE AND AMOUNT:

09864-530300	\$72,598.30
09862-530100	\$22,825.00

Councilmember Jonson moved to ratify and confirm an increase to the original contract (purchase order) ST113251 to Municipal Code Corporation, Inc., Tallahassee, FL in the amount of \$95,423.30 for a revised authorization of \$113,621.20 for software upgrades, maintenance fees and professional services of the City's document imaging system, and authorize appropriate officials to execute same. The motion was duly seconded and carried unanimously.

11.3 Ratify and confirm an increase to the original contract (purchase order) BR510822 to Vision Internet, Santa Monica, CA in the amount of \$34,508.50 for a revised authorization of \$180,550.00 for upgrades, modifications and maintenance of the City's website.

The Council approved the original purchase order in the amount of \$146,041.50 for website design during the May 21, 2015 council meeting. The project commenced in January 2016 and the new website was launched in December 2016. During the final design phase of the project functional modifications were made to the site's design to accommodate functional requirements.

Expenses associated with implementing these final design features increased the annual maintenance obligations and consumed the available contingency within the project.

The revised authorization amount will provide funds for maintenance (\$23,600) and a small contingency for billable modifications and professional services over the next 12 months.

APPROPRIATION CODE AND AMOUNT:

09864-530300	\$23,600.00
09862-530100	\$10,908.50

Councilmember Caudell moved to ratify and confirm an increase to the original contract (purchase order) BR510822 to Vision Internet, Santa Monica, CA in the amount of \$34,508.50 for a revised authorization of \$180,550.00 for upgrades, modifications and maintenance of the City's website. The motion was duly seconded and carried unanimously.

11.4 Establish a city-wide Economic Development Incentive Policy under which certain factors shall be considered with respect to economic development incentives and adopt Resolution 17-14.

The Economic Development Incentive Policy is a city-wide policy that establishes the framework under which economic development incentives may be created and used.

The Policy identifies the Economic Development and Housing Department as the lead department for the development, evaluation, negotiation, measurement and reporting of city-wide economic development incentives as well as the following:

- General Purpose and Objectives - The transparent creation of incentives and the principles that should be considered when making determinations;

- Incentive Types - The programs and tools that may provide financial and non-financial inducement;
- The process by which incentive programs and tools may be created or established;
- Funding sources which may be considered for the payment of incentives; and
- Definitions of certain terms that may be used from time to time in the creation or evaluation of incentives.

Under separate action, the Economic Development Incentive Policy is to be incorporated into Council Policies - General Administration (27M).

Councilmember Cundiff moved to establish a city-wide Economic Development Incentive Policy under which certain factors shall be considered with respect to economic development incentives. The motion was duly seconded and carried unanimously.

Resolution 17-14 was presented and read by title only. Vice Mayor Hamilton moved to adopt Resolution 17-14. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

11.5 Approve a Contract for Purchase of Real Property with the Clearwater Marine Aquarium for 301 Pierce Street in the amount of \$4,250,000.00 and total expenditures not to exceed \$4,265,000; approve a lease agreement for the same real property to the Clearwater Marine Aquarium commencing April 2017; and authorize the appropriate officials to execute all documents necessary to complete the transactions and adopt Resolution 17-15.

The Clearwater Marine Aquarium (CMA) currently owns the property at 301 Pierce Street, which it purchased in anticipation of building a new facility on that property and the property currently occupied by City Hall.

CMA ultimately decided to make improvements on its current facility at 249 Windward Passage instead of constructing a new facility.

The property is located atop the Clearwater bluff and is vacant with a total land area of 60,325 square feet (1.38 acres). The City currently owns the adjacent land to the west fronting Clearwater Harbor. This acquisition will result in a contiguous city-owned tract of 91,705 square feet (2.1 acres). If acquired, the City will own all property fronting the north and south sides of Pierce Street between Osceola Avenue and the waterfront. This is a unique opportunity as this property is the only significant, developable land along the bluff that is

available for purchase.

The Imagine Clearwater Master Plan identifies this property as one that the City should ensure contributes to Downtown activation by incorporating uses that attract residents and visitors to the area, as well as supporting the long-term growth of the Downtown tax-base, including critical funds to support CRA activities and potentially park operations.

The City would now like to purchase the property to facilitate redevelopment of downtown. CMA would like to lease the parking lot section of the property back for \$1.00 per month, commencing upon closing, which is anticipated to be no later than April 28, 2017, on a month to month basis to use as a parking facility during the construction of its improvements at its current facility, specifically the Parking Garage as approved by the Community Development Board on January 19, 2016.

Two independent appraisals were performed on the property. James Millspaugh and Associates, Inc. valued the property at \$4,365,000 with a valuation date of March 23, 2015. This appraisal was updated on March 8, 2017 and the property was valued at \$4,500,000.00. Hupp Realty Advisors, Inc. valued the property at \$2,910,000 with a valuation date of April 2, 2015. This appraisal was updated by Stephan, Cole & Associates on March 10, 2017 and the property was valued at \$4,660,000.00.

Acquisition Costs:

Purchase Price	\$4,250,000	
<u>Closing Costs</u>	<u>\$15,000</u>	
TOTAL		\$4,265,000

APPROPRIATION CODE AND AMOUNT:

A mid-year budget amendment will increase cost code 010-07000-560100 (Land Purchase City Use) by \$4,265,000 to be funded with an allocation of General Fund reserves.

USE OF RESERVE FUNDS:

Funding will be provided by a mid-year budget amendment allocating General Fund reserves in the amount of \$4,265,000 to fund this land purchase. Inclusive of this item if approved, a net total of \$6,610,031 of General Fund reserves has been appropriated by Council to fund expenditures in the 2016/17 operating budget. The remaining balance in General Fund reserves is approximately \$26.6 million, or 20.2% of the current General Fund operating budget.

Planning and Development Director Michael Delk said Imagine

Clearwater identified the following key strategies for a successful waterfront: 1) a dynamic new open space, 2) access to the site should incorporate various modes of travel, 3) an improved Osceola Avenue that compliments Cleveland Street and 4) Coachman Park needs an active edge. The City should ensure privately owned property sites usage meet the community's vision and economically contribute to Downtown. The acquisition of this property site maximizes the future opportunities Council may have to integrate it successfully with Imagine Clearwater.

Economic Development and Housing Director Denise Sanderson said economic development policy is defined as the efforts that seek to improve the economic well being and quality of life for an entire community. The acquisition and preservation of property for a desired use is an appropriate and widely used economic development strategy. Based on the policies and strategies that drive economic growth in Clearwater, staff recommends acquiring and preserving this site, and when appropriate, make it available for desired development that meets the community's economic development objectives.

CRA Executive Director Seth Taylor said this is an opportunity to acquire a signature parcel on the waterfront, which makes Downtown Clearwater special and unique. There is tremendous opportunity in Downtown along the main street and waterfront to build and attract new business and diversify the economic base and the community's cultural base. Private sector interest will come once the ground is broken for Imagine Clearwater, a plan generated by community input. Developing this parcel to the City's desired use is integral for generating TIF revenue that can be reinvested into the maintenance, programming and beautification for a revitalized Coachman Park.

In response to questions, the City Attorney said the property went back on the tax roll when Opus purchased the property from Calvary Baptist Church. At that time, the taxable value for the site was \$ 5,500,000. In 2013, the property came off the tax roll when the Clearwater Marine Aquarium purchased the site. The City Attorney said a referendum regarding the use of the property site is not required. The city charter provision that would require a referendum for city-owned property ends at Pierce Street. Mr. Delk said the Imagine Clearwater Plan provided a range of general uses for the CMA-owned site; the Plan did not prescribe a specific use for the site.

Eighteen individuals spoke in support.

Three individuals spoke in opposition.

One individual apologized for their involvement in covert operations for the Church of Scientology.

One individual supported the property purchase if the property remained city-owned.

One individual supported the Church of Scientology purchasing the property if it creates more retail space.

One individual questioned if the city code requirement to landscape the property site would be enforced.

One individual expressed concerns regarding past downtown redevelopment efforts and suggested the Church of Scientology would purchase downtown property sites if they do not purchase this site.

The City Attorney said the purchase price is \$4.25 million; with possible expenses a total of \$4.265 million.

Councilmember Jonson moved to approve a Contract for Purchase of Real Property with the Clearwater Marine Aquarium for 301 Pierce Street in the amount of \$4,250,000.00 and total expenditures not to exceed \$4,265,000; approve a lease agreement for the same real property to the Clearwater Marine Aquarium commencing April 2017; and authorize the appropriate officials to execute all documents necessary to complete the transactions. The motion was duly seconded and carried unanimously.

Discussion ensued with support expressed to acquire and preserve the property to determine the best desired use that would accomplish what Imagine Clearwater envisions.

Resolution 17-15 was presented and read by title only. Councilmember Caudell moved to adopt Resolution 17-15. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

12. City Attorney Reports – None.

13. Closing comments by Councilmembers (limited to 3 minutes)

Councilmember Jonson said he enjoyed Neighborhoods Day and recognized staff at Countryside Recreation Center for organizing the Easter Egg Hunt. He said he received reports that the free trolley

ridership is up and the communication issue regarding fares had been resolved. He attended the Pinellas County Economic Leadership Symposium this morning, the presentations were wonderful and the symposium was taped and is available online. He thanked the Mayor for responding to all the correspondence Council received regarding the purchase of the downtown property.

Councilmember Cundiff said yesterday was Patriots Day and because we won the Revolutionary War we have our constitution and bill of rights and the freedom to meet like we did this evening.

Councilmember Caudell thanked the public for attending the meeting and asked them to stay engaged and involved.

14. Closing Comments by Mayor

Mayor Cretokos reviewed recent and upcoming events and congratulated Officer Lenshawn Price for receiving the School Resource Officer of the Year Award.

15. Adjourn

The meeting adjourned at 8:24 p.m.

Attest

Mayor
City of Clearwater

City Clerk