

City of Clearwater

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



Meeting Minutes

Thursday, November 6, 2014

6:00 PM

Council Chambers

City Council

Roll Call

Present: 5 - Mayor George N. Cretekos, Vice Mayor Doreen Hock-DiPolito, Councilmember Bill Jonson, Councilmember Hoyt Hamilton and Councilmember Jay E. Polglaze

Also Present: William B. Horne II - City Manager, Jill S. Silverboard - Assistant City Manager, Rod Irwin, Assistant 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

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

2. Invocation – Mayor Cretekos

3. Pledge of Allegiance – Councilmember Polglaze

4. Special recognitions and awards (Proclamations, service awards, or other special recognitions) – Given.

4.1 Mayor's Challenger Game Jersey Pass Off - Dunedin Mayor Eggers

Dunedin Mayor-elect Julie Bujalski and Pinellas County Commissioner-elect Dave Eggers returned the Phillies Jersey to Mayor Cretekos. The Phillies won this year's game against the Blue Jays, 6-3. Mayor of the defeated team must wear the winning team's jersey at a commission meeting.

4.2 Introduction of Nagano Teacher

Mr. Kazuki Koizumi thanked the City, host family and Council for their support during his visit and congratulated Clearwater for its upcoming centennial celebration.

4.3 Pancreatic Cancer Awareness Month Proclamation, November 2014 – Jennifer Rorek and Suzanne Bordeaux

4.4 Jazz Holiday – Gary Hallas, Executive Director

Mr. Hallas and Foundation Chair Jenny Mitchell thanked the City for their

support at this year's event, and presented Council with a commemorative poster signed by participating artists.

- 4.5 Suncoast Jazz Classic Weekend Proclamation, November 21-23, 2014 – Joan Dragon, Executive Director and Board Chair; Jim and Mary Schalow, Board Members; Kirk and Bev Merrett, Jazz Classic Event Directors; Steve Lightburn, Advisor to the Board of Directors; and David Fanning, Suncoast Dixieland Jazz Society representative.

5. Approval of Minutes

- 5.1 Approve the minutes of the October 15, 2014 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Jonson move to approve the minutes of the October 15, 2014 City Council Meeting, as amended (page 15, line 10): "Councilmembers gave positive evaluations and constructive suggestions to the City Attorney and City Manager." The motion was duly seconded and carried unanimously.

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

Mark Bunker expressed concerns regarding a recent newspaper article about the Church of Scientology's position on the Clearwater Marine Aquarium's relocation to Downtown.

7. Consent Agenda – Approved as submitted.

- 7.1 Approve payment to reimburse Water and Sewer Enterprise Fund for emergency repairs made to the East Wastewater Pollution Control Plant in the amount of \$37,386.42, per Claim 14000327, and authorize the appropriate officials to execute same. (consent)
- 7.2 Approve an agreement between the City of Clearwater and the School Board of Pinellas County, Florida providing for the continuation of the School Resource Officer (SRO) program at Clearwater High School, Countryside High School and Oak Grove Middle School for a one-year period commencing July 1, 2014 through June 30, 2015 and authorize the appropriate officials to execute same. (consent)
- 7.3 Approve acceptance of Florida Department of Transportation (FDOT) High Visibility Enforcement (HVE) for Pedestrian and Bicycle Safety Grant Award in the amount of \$94,230 for police overtime and related fringe benefits and authorize the appropriate officials to execute same. (consent)

- 7.4 Approve Change Order 1 to Rowland, Inc. of Pinellas Park, Florida for the Smallwood Circle Drainage and Edgewood Avenue Sanitary Sewer Improvements projects (11-0057-EN and 10-0027-EN) in the amount of \$148,718.00, for a new contract total of \$2,493,860.97, approve a time extension of 95 days for completion of additional work and unforeseen field conditions, and authorize the appropriate officials to execute same. (consent)
- 7.5 Accept a Sewer Utility Easement conveyed by 520HC, LLC over property located at 520 Howard Court, Clearwater. (consent)
- 7.6 Award a Contract (Blanket Purchase Order) to Harris Corporation of Lynchburg, VA for an amount not to exceed \$550,000 for quarterly payments during the period November 1, 2014 through October 31, 2016 toward the 20-Year Maintenance Agreement for the City's radio system approved by Council on June 20, 2002 and authorize the appropriate officials to execute the same. (consent)
- 7.7 Appoint Rosemarie Kibitlewski to the Library Board to fill the remainder of an unexpired term through June 30, 2017. (consent)
- 7.8 Appoint Jamie Blackstone and Debra Swisher for the resident representatives category and appoint Katie See for the Agency or Government representative category to the Brownfields Advisory Board with terms to expire November 30, 2018. (consent)
- 7.9 Authorize settlement of Alvarez v. City of Clearwater, Case No. 12-004212-CI-021, for payment by City of \$45,000.00 in exchange for a full release from plaintiff and dismissal of action with prejudice. (consent)
- 7.10 Approve the acquisition of real property located at 421 McMullen Booth Road through a public auction conducted by the Pinellas County Clerk of the Circuit Court; approve a not-to-exceed amount of \$215,000 for bidding purposes with total expenditures not to exceed \$235,000; establish a new CIP entitled Park Land Acquisition (CIP315-93133), in the amount of \$235,000; transfer funds from Recreation Land impact fees at first quarter to cover this purchase; and authorize appropriate officials to execute instruments required to affect closing. (consent)

Vice Mayor Hock-DiPolito 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 Provide direction on the proposed Development Agreement between Bayway Hotel

Holdings, LLC. (the property owner) and the City of Clearwater, providing for the allocation of 15 units from the Hotel Density Reserve under Beach by Design and confirm a second public hearing in City Council Chambers before City Council on November 20, 2014 at 6:30 p.m., or as soon thereafter as may be heard. (HDA2014-08006; 706 Bayway Boulevard)

Site Location and Existing Conditions:

The 0.35-acre site is located on the north side of Bayway Boulevard generally at the northern terminus of Parkway Drive. The subject property is comprised of two parcels with a frontage of approximately 200 feet along Bayway Boulevard and 120 feet of frontage along the water. The site is vacant. The subject property is zoned Tourist (T) District with an underlying Future Land Use Plan (FLUP) category of Resort Facilities High (RFH). The subject property is also located within the South Beach/Clearwater Pass District of *Beach by Design*.

The larger area is characterized by a variety of uses including overnight accommodation, retail, outdoor recreation and entertainment, restaurant and attached dwelling uses with heights ranging from one to 15 stories. The immediate area is characterized by one to nine story buildings consisting mostly of retail, overnight accommodations and attached dwellings. A two-story police substation is located to the west and two-story attached dwellings are located to the east.

Development Proposal:

The owners propose to utilize the otherwise permitted density of 50 units per acre or 17 units and incorporate an additional 15 units from the Hotel Density Reserve through *Beach by Design* resulting in a total of 32 units (92 units per acre).

The building will be 75 feet (from Base Flood Elevation) to the roof slab and 94 feet three inches (from Base Flood Elevation) to the highest architectural feature with the parking on the first two levels. It should be noted that the provided maximum height of just over 94 feet is measured to include a variety of architectural features including a mansard roof, finials, and structures to house and conceal mechanical equipment. The proposal includes a Mediterranean Revival architecture, which is consistent with and complements the tropical vernacular envisioned in *Beach by Design*.

The site will be accessed via a single two-way driveway centrally located along Bayway Boulevard which will provide access to the parking garage component of the development as well as two surface handicap spaces. The remaining floors will include a lobby, back of house uses and hotel rooms.

A swimming pool will be located at grade at the northeast corner of the site. This service would be limited to guests of the hotel. As noted, the first two floors of the building will contain a parking garage. The lobby is located on the 3rd floor. Amenities will be limited to a small meeting space/business center, exercise room, kitchen and miscellaneous back of house uses all of which will be located on 3rd floor. Hotel rooms are provided on the 3rd through 8th

floors. The applicant is contemplating the possibility of providing a small roof-top terrace with limited food and beverage service such as a breakfast buffet. Please note that Article 8 of the CDC provides that structures permanently affixed to the roof that accommodate rooftop occupancy shall only be permitted if within the maximum allowable height where the maximum height specified is 94 feet three inches. No retail, ballrooms or other like amenities are proposed.

A sidewalk five feet in width is located along Bayway Boulevard. It should be noted that the proposed sidewalk will match the sidewalk width to the east and west of the site. A bike rack is located near the primary entrance to the hotel.

Consistency with the Community Development Code (CDC):

Minimum Lot Area and Width:

Pursuant to CDC Table 2-802, the minimum required lot area and width for an overnight accommodation use is 20,000 square feet and between 100 and 150 feet, respectively. The subject property is 15,246 square feet in area and approximately 200 feet wide. The site is consistent with these Code provisions.

Minimum Setbacks:

The conceptual site plan depicts setbacks of 10 feet along the front (south) to parking and 35 feet to building along Bayway Boulevard; six feet to building along the side (west), six feet to ramp and 30 feet to building along the side (east); and six feet to building, 10 feet to pool and zero feet to patio along the rear (north). The proposed setbacks may be approved as part of a Level Two (FLD) application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Maximum Height:

Section B of the Design Guidelines within *Beach by Design* specifically addresses height and is delineated in three subsections. Sections B.1 and 2 impact development with heights between 100 and 150 feet. The proposal provides for a building 94 feet three inches (from Base Flood Elevation) to top of the highest architectural feature where a height of up to 100 feet is permitted as prescribed by the CDC (subject to meeting the applicable flexibility criteria of the CDC and as approved as part of a Level II Flexible Development application) and limited by *Beach by Design*. Therefore, these two sections are not applicable to the proposal.

Section B.3 provides that the floorplate of any portion of a building that exceeds 45 feet in height is limited as follows:

- a) Between 45 feet and 100 feet the floorplate will be no greater than 25,000 square feet except for parking structures open to the public; and
- b) Between 100 feet and 150 feet, the floorplate will be no greater than 10,000 square feet; and
- c) Deviations to the above floorplate requirements may be approved provided the mass and scale of the design creates a tiered effect and complies with the maximum building envelop allowance above 45 feet as described in Section C. 1.4 of the Design Guidelines.

The proposal meets this provision in that the floorplate above 45 feet is less

than 25,000 square feet and there is no floorplate over 100 feet. Therefore, this section is supported by the proposal.

The height of the proposed building is consistent with the guidelines of *Beach by Design*.

Minimum Off-Street Parking:

The 32-room overnight accommodation use requires a minimum of 38 off-street parking spaces. A parking garage located on the first two levels of the building will provide 38 spaces. This is consistent with the applicable Sections of the CDC.

Landscaping:

While a formal landscape plan is not required to be submitted for review at this time, the conceptual landscape areas depicted on the site plan show that adequate spaces for foundation landscaping will be provided along all sides of the building. Since no perimeter landscape buffers are required in the Tourist (T) District, the proposed landscape areas meet or exceed what is required. It is noted, however, that flexibility may be requested/necessary as part of a Comprehensive Landscape Program which would be reviewed at time of formal site plan approval.

Consistency with Beach by Design:

Design Guidelines:

A review of the provided architectural elevations and massing study was conducted and the proposed building does appear to be generally consistent with the applicable Design Guidelines established in *Beach by Design*. It is noted, however, that a more formal review of these Guidelines will need to be conducted as part of the final site plan approval process.

Hotel Density Reserve:

The project has been reviewed for compliance with those criteria established within *Beach by Design* concerning the allocation of hotel rooms from the Reserve. The project appears to be generally consistent with those criteria, including that the development comply with the Metropolitan Planning Organization's (MPO) countywide approach to the application of traffic concurrency management for transportation facilities. The submitted Traffic Impact Study concludes that traffic operations at nearby intersections and on adjacent roadways would continue at acceptable levels of service.

Standards for Development Agreements:

The proposal is in compliance with the standards for development agreements, is consistent with the Comprehensive Plan and furthers the vision of beach redevelopment set forth in *Beach by Design*. The proposed Development Agreement will be in effect for a period not to exceed ten years, meets the criteria for the allocation of rooms from the Hotel Density Reserve under *Beach by Design* and includes the following main provisions:

- Provides for the allocation of up to 15 units from the Hotel Density Reserve or a maximum density of 92 units per acre;
- Requires the developer to obtain building permits and certificates of

occupancy in accordance with Community Development Code (CDC) Section 4-407;

- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- For units allocated from the Hotel Density Reserve, prohibits the conversion of any hotel unit to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

Changes to Development Agreements:

Pursuant to Section 4-606.I., CDC, a Development Agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Section 4-206 are followed. Revisions to conceptual site plans and/or architectural elevations attached as exhibits to this Development Agreement shall be governed by the provisions of Section 4-406, CDC. Minor revisions to such plans may be approved by the Community Development Coordinator. Other revisions not specified as minor shall require an amendment to this Development Agreement.

Applicant representative Katie Cole reviewed the request.

In response to questions, Ms. Cole said the subject property, Coconut Cove Waterside, is across the street from the Applicant's other development, Coconut Cove. The police substation is adjacent to the subject property.

One individual spoke in opposition.

In response to questions, the City Attorney said the item before Council does not include a variance. The item before Council is a development agreement that grants an additional fifteen density units. Planner Mark Parry said the proposed project is within the permissible height. The Community Development Board will review the site plan. The subject property is located in a character district that encourages overnight accommodations. Ms. Cole said parking will be located below the hotel structure and the entrance ramp is adjacent to the townhomes. The hotel structure is intentionally setback closer to the police substation.

Councilmember Polglaze moved to confirm a second public hearing in City Council Chambers before City Council on November 20, 2014 at 6:30 p.m., or as soon thereafter as may be heard. The motion was duly seconded and carried unanimously.

- 8.2** Provide direction on the proposed Development Agreement between Elias Anastasopoulos and Anastasios Anastasopoulos (the property owners), Captain Bligh's Landing, Inc. (the Developer) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design and confirm a second public hearing in City Council Chambers before City Council on November 20, 2014 at 6:30 p.m., or as soon thereafter as may be heard. (HDA2014-08007; 630 South Gulfview Boulevard)

Site Location and Existing Conditions:

The 1.192-acre site is a double frontage lot bound by South Gulfview Boulevard on the south and Bayway Boulevard on the north approximately 240 feet east of the intersection of South Gulfview Boulevard and Bayway Boulevard. The subject property is comprised of two parcels with a frontage of approximately 286 feet along South Gulfview Boulevard and 280 feet along Bayway Boulevard. The site is occupied by an outdoor recreation and entertainment use (miniature golf) and a retail sales service use. The subject property is zoned Tourist (T) District with an underlying Future Land Use Plan (FLUP) category of Resort Facilities High (RFH). The subject property is also located within the South Beach/Clearwater Pass District of *Beach by Design*.

The larger area is characterized by a variety of uses including overnight accommodation, retail, outdoor recreation and entertainment, restaurant and attached dwelling uses with heights ranging from one to 15 stories. The immediate area is characterized by one to 11 story buildings consisting mostly of retail, restaurant, overnight accommodations and attached dwellings.

Development Proposal:

The owners propose to utilize the otherwise permitted density of 50 units per acre or 59 units and incorporate an additional 100 units from the Hotel Density Reserve through *Beach by Design* resulting in a total of 159 units (134 units per acre).

The building will be 100 feet (from Base Flood Elevation) to flat roof with the parking on the first four levels. The proposal includes a Contemporary Tropical architecture, which is consistent with and complements the tropical vernacular envisioned in *Beach by Design*.

The site will be accessed via a single one-way driveway located at the southeast corner of the building along South Gulfview Boulevard and an ingress-only driveway at the northwest corner of the site and egress-only driveway at the northeast corner of the building along Bayway Boulevard. These three driveways will provide access to the parking garage component of the development.

A swimming pool will located on the 10th floor at the northwest corner of the building. Various other outdoor patios are located on the north and south sides of the building at the 5th floor. Retail, restaurant or other like amenities are proposed totaling 18,000 square feet (approximately 12 percent of the total floor area of the building). The retail uses will be located along South Gulfview

Boulevard with the retail spaces at the southwest corner of the building accessible through an elevated sidewalk, located entirely on the subject property, three feet above grade. The ground floor will also include parking, lobby and assorted back of house uses. Floors two through four will include just parking. The remaining floors will include all 159 hotel units.

Eight and five foot sidewalks exist along South Gulfview Boulevard and Bayway Boulevard, respectively. These sidewalks continue to the east and west of the subject property. They will be repaired/replaced as needed and will match the existing sidewalk with regard to width. Materials, fit, finish and installation methodology will be coordinated with City Staff. Bike racks are proposed along South Gulfview Boulevard and likewise, the materials, fit, finish and installation methodology will be coordinated with city staff.

Consistency with the Community Development Code (CDC):

Minimum Lot Area and Width:

Pursuant to CDC Table 2-802, the minimum required lot area and width for an overnight accommodation use is 20,000 square feet and between 100 and 150 feet, respectively. The subject property is 51,862 square feet in area and approximately 280 feet wide. The site is consistent with these Code provisions.

Minimum Setbacks:

The conceptual site plan depicts setbacks of between zero and 15 feet along the front (south) to building and zero feet along the front (north) to building; 12 feet to building along the sides (east and west). The proposed setbacks may be approved as part of a Level Two (FLD) application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Maximum Height:

Section B of the Design Guidelines within *Beach by Design* specifically addresses height and is delineated in three subsections. Sections B.1 and 2 impact development with heights between 100 and 150 feet. The proposal provides for a building 100 feet in height as measured from BFE where a height of up to 100 feet is permitted as prescribed by the CDC (subject to meeting the applicable flexibility criteria of the CDC and as approved as part of a Level II Flexible Development application) and limited by *Beach by Design*. Therefore, these two sections are not applicable to the proposal.

Section B.3 provides that the floorplate of any portion of a building that exceeds 45 feet in height is limited as follows:

- a) Between 45 feet and 100 feet the floorplate will be no greater than 25,000 square feet except for parking structures open to the public; and
- b) Between 100 feet and 150 feet, the floorplate will be no greater than 10,000 square feet; and
- c) Deviations to the above floorplate requirements may be approved provided the mass and scale of the design creates a tiered effect and complies with the maximum building envelop allowance above 45 feet as described in Section C. 1.4 of the Design Guidelines.

The proposal meets this provision in that the floorplate above 45 feet is 23,070

square feet and there is no floorplate over 100 feet. Therefore, this section is supported by the proposal.

The height of the proposed building is consistent with the guidelines of *Beach by Design*.

Minimum Off-Street Parking:

The 159-room overnight accommodation use requires a minimum of 191 off-street parking spaces. A parking garage located on the first four levels of the building will provide 243 spaces. This is consistent with the applicable Sections of the CDC.

Landscaping:

While a formal landscape plan is not required to be submitted for review at this time, the conceptual landscape areas depicted on the site plan show that adequate spaces for foundation landscaping will be provided along all sides of the building. Since no perimeter landscape buffers are required in the Tourist (T) District, the proposed landscape areas meet or exceed what is required. It is noted, however, that flexibility may be requested/necessary as part of a Comprehensive Landscape Program, which would be reviewed at time of formal site plan approval.

Consistency with Beach by Design:

Design Guidelines:

A review of the provided architectural elevations and massing study was conducted and the proposed building does appear to be generally consistent with the applicable Design Guidelines established in *Beach by Design*. It is noted, however, that a more formal review of these Guidelines will need to be conducted as part of the final site plan approval process.

Hotel Density Reserve:

The project has been reviewed for compliance with those criteria established within *Beach by Design* concerning the allocation of hotel rooms from the Reserve. The project appears to be generally consistent with those criteria, including that the development comply with the Metropolitan Planning Organization's (MPO) countywide approach to the application of traffic concurrency management for transportation facilities. The submitted Traffic Impact Study concludes that traffic operations at nearby intersections and on adjacent roadways would continue to operate at acceptable levels of service.

Standards for Development Agreements:

The proposal is in compliance with the standards for development agreements, is consistent with the Comprehensive Plan and furthers the vision of beach redevelopment set forth in *Beach by Design*. The proposed Development Agreement will be in effect for a period not to exceed ten years, meets the criteria for the allocation of rooms from the Hotel Density Reserve under *Beach by Design* and includes the following main provisions:

- Provides for the allocation of up to 100 units from the Hotel Density Reserve or a maximum density of 134 units per acre;

- Requires the developer to obtain building permits and certificates of occupancy in accordance with Community Development Code (CDC) Section 4-407;
- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- For units allocated from the Hotel Density Reserve, prohibits the conversion of any hotel unit to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

Changes to Development Agreements:

Pursuant to Section 4-606.I., CDC, a Development Agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Section 4-206 are followed. Revisions to conceptual site plans and/or architectural elevations attached as exhibits to this Development Agreement shall be governed by the provisions of Section 4-406, CDC. Minor revisions to such plans may be approved by the Community Development Coordinator. Other revisions not specified as minor shall require an amendment to this Development Agreement.

Applicant representative Brian Aungst reviewed the request.

In response to a question, Mr. Aungst said the highest use will not exceed 100 ft. from the base flood elevation.

Councilmember Hamilton moved to confirm a second public hearing in City Council Chambers before City Council on November 20, 2014 at 6:30 p.m., or as soon thereafter as may be heard. The motion was duly seconded and carried unanimously.

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 8593-14 on second reading, annexing certain real property whose post office addresses are 1250 Palm Street and 1325 Idlewild Drive, together with the abutting right-of-way of Idlewild Drive, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8593-14 was presented and read by title only.

Councilmember Jonson moved to adopt Ordinance 8593-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember

Jonson, Councilmember Hamilton and Councilmember Polglaze

- 9.2** Adopt Ordinance 8594-14 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate certain real property whose post office addresses are 1250 Palm Street and 1325 Idlewild Drive, together with the abutting right-of-way of Idlewild Drive, upon annexation into the City of Clearwater, as Residential Urban (RU).

Ordinance 8594-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Ordinance 8594-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 9.3** Adopt Ordinance 8595-14 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office addresses are 1250 Palm Street and 1325 Idlewild Drive, together with the abutting right-of-way of Idlewild Drive, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR) and Medium Density Residential (MDR).

Ordinance 8595-14 was presented and read by title only. Councilmember Polglaze moved to adopt Ordinance 8595-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 9.4** Adopt Ordinance 8596-14 on second reading, annexing certain real property whose post office addresses are 1452 Grove Circle Court, 1473 Grove Circle Court, and 1479 Grove Circle Court, all in Clearwater, Florida, 33755 into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8596-14 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8596-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 9.5** Adopt Ordinance 8597-14 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate certain real property whose post office addresses are 1452 Grove Circle Court, 1473 Grove Circle Court, and 1479 Grove Circle Court, all in Clearwater, Florida, 33755, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 8597-14 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8597-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 9.6** Adopt Ordinance 8598-14 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office addresses are 1452 Grove Circle Court, 1473 Grove Circle Court, and 1479 Grove Circle Court, all in Clearwater, Florida, 33755, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8598-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Ordinance 8598-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

10. Presentations (by government agencies or groups providing formal updates to Council)

10.1 City Grant Strategic Plan - Mike Langton, Langton & Assoc.

Mr. Langton reviewed findings of the City's grants needs assessment. The assessment provides staff with guidance for grants that are not currently being pursued but could be considered by the City.

In response to questions, Mr. Langton said some the recommended grant programs have varying deadlines for application submittals. The City is eligible for the new HUD Resiliency program for post disasters; funds are available for planning and implementation grants. Funding levels for each recommended grant program varies. Mr. Langton said the firm does have clients who pursue the same grant programs but application information is not shared with clients.

11. City Manager Reports

11.1 Amend Ordinances 3674-84 and 6915-01, providing changes to Reserve Requirements for future Water and Sewer revenue bonds and other updates to the ordinances; and pass Ordinance 8620-14 on first reading.

The City's Bond Counsel and Financial Advisor have recommended changes to the City's 1984 and 2001 ordinances governing Water and Sewer revenue bond issuances, in order to allow the flexibility to meet market requirements for future issuances.

Currently Ordinances 3674-84 and 6915-01 include Reserve Requirements for a debt service reserve fund equal to the maximum annual debt service on all outstanding Water and Sewer bonds (currently \$13.8 million in reserve), and consent from two-thirds of the outstanding bondholders to make any significant revisions to the bond covenants.

Current markets often do not require debt service funds on Water and Sewer debt with similar credit ratings to those of the City. These amendments would allow the City to decide whether debt service reserve funds are necessary for future bond issuances on a series-by-series basis, potentially allowing the City to significantly reduce or even eliminate the current \$13.8 million reserve over time.

Additional changes recommended by the City's financial advisor provide more flexibility as it relates to Balloon Bonds (often seen as part of a bank loan) and Variable Rate Bonds in the future if warranted. If the City were to consider these alternative bond types in the future, it would come back to Council for approval.

These amendments are considered significant and consequently would not become effective until cumulative bondholders under this new ordinance represent two-thirds of all outstanding bondholders.

Councilmember Hamilton moved to amend Ordinances 3674-84 and 6915-01, providing changes to Reserve Requirements for future Water and Sewer revenue bonds and other updates to the ordinances. The motion was duly seconded and carried unanimously.

Ordinance 8620-14 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 8620-14 on first reading. The motion was duly seconded and upon roll call, the vote

was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

11.2 Appoint two members to the Marine Advisory Board, one to fill the remainder of an unexpired term through March 31, 2015 and one to fill the remainder of an unexpired term through March 31, 2017.

Councilmember Hamilton moved to appoint two members to the Marine Advisory Board: Nino Accetta to fill the remainder of unexpired term through March 31, 2015 and Michael C. Grohman to fill the remainder of an unexpired term through March 31, 2017. The motion was duly seconded and carried unanimously.

11.3 Downtown Subcommittee Meetings

The City Manager said staff has been requested to extend the Downtown Subcommittee meetings. Staff seeks council guidance on the matter.

Councilmember Polglaze said there is no need to continue the meetings as he shared all the relevant information he has from the business community. The next step should include the entire council. He did not support extending the subcommittee.

Councilmember Jonson said the subcommittee reviewed the 2009 Streetsense Report and agreed that some of the recommendations in the report would be given to Planning for comments, and thought it would be helpful to have one more meeting to review Planning's comments.

No action taken.

12. City Attorney Reports – None.

13. Other Council Action

13.1 Approve a 3% base salary merit increase for the City Manager and City Attorney to be effective with the pay period beginning November 15, 2014.

The City Council reviewed the City Manager and City Attorney salary data provided by comparative agencies. The City Council directed that the City Manager and City Attorney be granted a 3% merit increase to be effective November 15, 2014.

USE OF RESERVE FUNDS:

Funding for this merit pay increase will be provided by a first quarter budget amendment allocating General Fund reserves in the amount of \$5401.83 for the City Manager and \$4986.30 for the City Attorney.

Councilmember Hamilton moved to approve a 3% base salary merit increase for the City Manager and City Attorney to be effective with the pay period beginning November 15, 2014. The motion was duly seconded and carried unanimously.

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

Councilmember Jonson congratulated State Senator Jack Latvala, State Representatives Larry Ahern, Chris Latvala and Chris Sprowls on their recent election. He reported that a billboard was removed last week, the final billboard will be removed next year. He suggested that public comments be allowed after staff presentation during the upcoming ULI special work session.

Councilmember Hamilton thanked all the candidates listed on the ballot and thanked staff for their efforts in the Windsurfing Championships.

15. Closing Comments by Mayor

Mayor Cretokos reviewed recent and upcoming events, thanked Frank Chivas for his assistance in the Windsurfing Championship, and thanked all candidates for their sacrifices during the campaigns.

16. Adjourn

The meeting adjourned at 7:45 p.m.

Attest

Mayor
City of Clearwater

City Clerk