

City of Clearwater

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



Meeting Minutes

Thursday, February 2, 2017

6:00 PM

Council Chambers

City Council

Roll Call

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

Also Present: 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 – Rev. Dr. John R. Thompson of Countryside Christian Center Church

3. Pledge of Allegiance – Vice Mayor Jonson

4. Approval of Minutes

- 4.1 Approve the minutes of the January 19, 2017 City Council Meeting as submitted in written summation by the City Clerk.

Vice Mayor Jonson moved to approve the minutes of the January 19, 2017 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

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

Scott Hinrichs said Caladesi Construction submitted a proposal for the City's Material Recovery Facility (MRF) RFP and questioned the status of the RFP.

Solid Waste and General Services Director Earl Gloster said the project has been placed on hold; staff was informed yesterday that Pinellas County is considering building an MRF, which may be 2 to 3 times bigger than the City's. The County's planning and feasibility process should be completed within 8-12 months.

Tom Nocera reviewed the Wade Trim Bluff to Beach Guideway Reconnaissance Study and said Beach Tran is still negotiating with Sky Tran to be a preliminary study.

Daniel Haluba opposed the minimum reclaimed water usage fee imposed by the City and shared a positive experience he and his neighbors recently had with the Pinellas County Sheriff's Department.

6. Consent Agenda – Approved as submitted less Item 6.9

- 6.1** Approve a change order increase to Blanket Purchase Order (Requisition No. 126699) to Smith Fence Company, Clearwater, FL, from \$98,000 to \$250,000, for the purchase of labor, materials and equipment to install and remove temporary as well as permanent fencing for special events, recreation facilities including tennis courts, ballfields, basketball courts, perimeter fencing and construction projects, and authorize the appropriate officials to execute same. (consent)
- 6.2** Approve increasing Blanket Purchase Order (BPO BR511958) to Ruth Eckerd Hall, Inc. (REH) by \$450,000, from \$419,400 to \$869,400, to reimburse REH for entertainment for concerts in Coachman Park, and authorize the appropriate officials to execute same. (consent)
- 6.3** Approve receiving funds awarded to the City from Senior Citizens Services, Inc. in the amount of \$6,000 to fund educational, cultural and recreational day trips for older adults and establish a special program (181-98607), Senior Citizens Services - Trips, for these funds at first quarter. (consent)
- 6.4** Approve the Florida Recreation Development Assistance Program (FRDAP) project grant agreement for Henry L. McMullen Tennis Complex, in the amount of \$100,000, between the State of Florida Department of Environmental Protection and the City of Clearwater and authorize the appropriate officials to execute same. (consent)
- 6.5** Approve the Florida Recreation Development Assistance Program (FRDAP) project grant agreement for Countryside Sports Complex, in the amount of \$100,000, between the State of Florida Department of Environmental Protection and the City of Clearwater and authorize the appropriate officials to execute same. (consent)
- 6.6** Approve the Restrictive Covenant required by the State of Florida for a Cultural Facilities Grant awarded to Ruth Eckerd Hall, Inc. and authorize the appropriate officials to execute same. (consent)
- 6.7** Approve an Agreement between the City and Alexandra of Clearwater Beach, Inc. (Alexandra), Clearwater, Florida for the operation and maintenance of the Pier 60 Concessions located at 10 Pier 60 Drive from March 1, 2017 through February 28,

2022, and authorize the appropriate officials to execute same. (consent)

6.8 Approve the agreement between Phillies Florida LLC and the City of Clearwater Fire and Rescue Department to provide emergency medical services at Spectrum Field for 2017 baseball events as outlined in the agreement, and authorize the Fire Chief of Clearwater Fire and Rescue to execute same. (consent)

6.9 Approve a funding agreement between the City of Clearwater and the Pinellas Suncoast Transit Authority (PSTA) to provide enhanced Jolley Trolley service during the Spring Break period of February 24 through April 30, 2017, with the City contributing a lump sum not to exceed \$50,000, and authorize the appropriate officials to execute same. (consent)

See below.

6.10 Approve the Conditional Assignment of Lease for Room 8 in the Clearwater Beach Marina at 25 Causeway Blvd., Clearwater, FL from the current lessee, Anthony Ferrandino d/b/a Dockside Dino's, LLC, to Frank Chivas d/b/a Marina Cantina, LLC with no changes in the existing lease and authorize the appropriate officials to execute same. (consent)

6.11 Approve the first amendment to the Recycling Services Agreement with Waste Management/Recycle America, L.L.C. (WM/RA); establish a blanket purchase order (contract) in the amount of \$100,000 for the processing of the City's single stream recycling commodity at the processing contractor's facility in Tampa, FL through December 15, 2017, as provided in the City's Code of Ordinances, Section 2.564(1) (e) Exceptions to Bid (impractical to bid) and authorize the appropriate officials to execute same. (consent)

6.12 Approve an annual increase of \$50,000 to the purchase agreement (blanket purchase order) with Wastequip LLC of Statesville, NC (from \$175,000 to \$225,000) for the purchase of compactors and compactor parts for the remaining agreement term and authorize the appropriate officials to execute same. (consent)

6.13 Reappoint Ricardo Ortega to the Parks and Recreation Board with term to expire January 31, 2021. (consent)

6.14 Appoint Jennifer Barbaro to the Public Art and Design Board as the Clearwater Arts Alliance, Inc. representative to fill the remainder of an unexpired term through March 31, 2018. (consent)

6.15 Request for authority to institute a civil action on behalf of the City against MJK Consulting Services, Inc. to recover \$743.08 for damages to city property. (consent)

6.16 Request for authority to institute a civil action on behalf of the City against Global

Asset Solutions to recover \$668.81 for damages to city property. (consent)

- 6.17** Request for authority to institute a civil action on behalf of the City against Drain Pro to recover \$677.58 for damages to city property. (consent)
- 6.18** Request for authority to institute a civil action on behalf of the City against Groundscapes, Inc. to recover \$847.08 for damages to city property. (consent)
- 6.19** Request for authority to institute a civil action on behalf of the City against William Patrick McKnight to recover \$10,000.00 for a promissory note. (consent)
- 6.20** Request for authority to institute a civil action on behalf of the City against David Alan DeCoursey to recover \$988.92 for damages to city property. (consent)
- 6.21** Request for authority to institute a civil action on behalf of the City against Challenger Irrigation, Inc. to recover \$806.64 for damages to city property. (consent)
- 6.22** Request for authority to institute a civil action on behalf of the City against Dallas 1 Corporation f/k/a Dallas 1 Construction and Development, Inc. to recover \$948.43 for damages to city property. (consent)

Councilmember Caudell moved to approve the Consent Agenda as submitted, less Item 6.9, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.9** Approve a funding agreement between the City of Clearwater and the Pinellas Suncoast Transit Authority (PSTA) to provide enhanced Jolley Trolley service during the Spring Break period of February 24 through April 30, 2017, with the City contributing a lump sum not to exceed \$50,000, and authorize the appropriate officials to execute same.

In order to provide additional alternatives for traveling to Clearwater Beach during the 2017 Spring Break season, the City, PSTA and the Clearwater Regional Chamber of Commerce propose utilizing the Coachman Park parking lots as Park and Ride lot for the a 66-day period commencing February 24, 2017 through April 30, 2017. Users would have the option of taking the Clearwater Ferry Taxi Service or the Jolley Trolley to and from the beach, instead of driving.

PSTA currently has an agreement with the Jolley Trolley to operate the Clearwater Beach Route, and intends to engage with the Jolley Trolley for this expanded service. The proposed agreement sets forth the City's commitment

to contribute a lump sum not to exceed \$50,000 towards PSTA's enhanced financial obligations under PSTA's agreement with the Jolley Trolley to provide the Clearwater Beach Route during the Spring Break season.

APPROPRIATION CODE AND AMOUNT:

A first quarter budget amendment will increase cost code 435-01333-581000, Payment to Agencies, by \$50,000 to fund this contract. This increase will be funded with available Parking Fund operating revenues.

USE OF RESERVE FUNDS: N/A

In response to questions, Deputy City Manager Jill Silverboard said the City's contract for trolley services is with the PSTA, but it does not preclude the efforts staff is making to ensure the Park and Ride program for Spring Break includes the ferry service. Public Communications Director Joelle Castelli has met with PSTA, Clearwater Ferry and the Chamber of Commerce regarding the marketing piece, which will be comprehensive and support any transit alternative and available parking during Spring Break. The agreement before Council is to pay for 1/2 of the incremental cost for adding in a trolley and additional stops during Spring Break to hopefully move the people who chose to park Downtown to the beach. The fare is being extended by PSTA and not part of this agenda item. Ms. Silverboard said PSTA is providing the fare piece from within their resources.

Councilmember Cundiff moved to approve a funding agreement between the City of Clearwater and the Pinellas Suncoast Transit Authority (PSTA) to provide enhanced Jolley Trolley service during the Spring Break period of February 24 through April 30, 2017, with the City contributing a lump sum not to exceed \$50,000, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

7. Second Readings - Public Hearing

- 7.1** Adopt Ordinance 8986-17 on second reading, vacating a portion of a 45 foot drainage and utility easement that lies on the North boundary of Lot 148 of Coachman Ridge - Tract A-1, according to the map or plat thereof recorded in Plat Book 83, Pages 62, 63, and 64 of the Public Records of Pinellas County, Florida.

**Ordinance 8986-17 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 8986-17on**

second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.2** Adopt Ordinance 8989-17 on second reading, annexing certain real property whose post office address is 3071 Hoyt Avenue, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8989-17 was presented and read by title only. Vice Mayor Jonson moved to adopt Ordinance 8989-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.3** Adopt Ordinance 8990-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 3071 Hoyt Avenue, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 8990-17 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 8990-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.4** Adopt Ordinance 8991-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 3071 Hoyt Avenue, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8991-17 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 8991-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.5** Adopt Ordinance 8988-17 on second reading, amending the Clearwater Community Development Code to establish the US 19 Corridor (US 19) District with new development standards and a regulating plan for properties located along US Highway 19 and along cross streets, allowing telecommunications towers as a minimum standard use, creating standards for bicycle parking, and making other amendments associated with the new US 19 Corridor District.

One individual requested future consideration be given to allow flexibility for smaller parcels.

Ordinance 8988-17 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8988-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.6** Adopt Ordinance 8987-17 on second reading, amending the Zoning Atlas of the city by rezoning 4,036 properties that are generally located on the East and West sides of U.S. Highway 19 between Belleair Road and Curlew Road, including properties east and west of US 19 along cross streets from 12 different categories to the US 19 (US 19) and Preservation (P) Districts.

Ordinance 8987-17 was presented and read by title only. Vice Mayor Jonson moved to adopt Ordinance 8987-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.7** Adopt Ordinance 8992-17 on second reading, annexing certain real property whose post office address is 1720 Thomas Drive, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8992-17 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 8992-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.8** Adopt Ordinance 8993-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1720 Thomas Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 8993-17 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 8993-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.9** Adopt Ordinance 8994-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1720 Thomas Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8994-17 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8994-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.10** Adopt Ordinance 8995-17 on second reading, imposing a temporary moratorium on the operation of any additional Dispensing Organizations that dispense Low-THC Cannabis or Medical Cannabis or on the operation of Medical Marijuana Treatment Centers within the city for a period of six months.

Ordinance 8995-17 was presented and read by title only. Vice Mayor Jonson moved to adopt Ordinance 8995-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

8. City Manager Reports

- 8.1** Accept Imagine Clearwater A Community Vision for the Downtown Clearwater

Waterfront.

The creation of a master plan for the Downtown waterfront/bluff area was identified as a priority project by the Urban Land Institute (ULI) Advisory Services Panel during their study of Downtown Clearwater. In April 2016, City Council awarded a contract to HR&A Advisors, Inc. to prepare such plan.

Imagine Clearwater was a six month planning process focused on developing strategies to:

- better connect the waterfront with Downtown;
- draw residents and visitors to the waterfront; and
- catalyze greater activity and investment Downtown.

Due to the importance of the Downtown waterfront to the residents of Clearwater, an extensive public engagement process was employed that involved stakeholder interviews, stakeholder coalition meetings, seven community workshops, a project website, and Facebook page. Residents from numerous Clearwater neighborhoods participated in this process and together developed a vision and guiding principles for the project. They also provided feedback and guidance as the plan evolved.

The Plan is centered on the implementation of four key strategies.

- The waterfront must be anchored by a dynamic new open space.
- Coachman Park needs an active edge.
- An improved Osceola Ave. should complement Cleveland Street.
- Access to the site should incorporate all modes of transportation.

Imagine Clearwater envisions an enlarged and redesigned park that includes five distinct areas - the Civic Gateway, Bluff Walk, the Green, Coachman Garden, and the Estuary. These areas provide a variety of spatial experiences with opportunities for active and passive use. This variety, along with additional programming, is intended to accommodate people of all ages and interests, which will help draw people to the park. In addition to creating a unique and exciting waterfront, a central element of *Imagine Clearwater* is to activate the bluff. Framing the park with active uses, such as residential, hotel, dining and cultural uses will increase activity and safety within the park and attract people to the area. An active bluff will also better connect the waterfront with Downtown and leverage city investments, and create physical connections to attract people from Downtown to the waterfront and vice versa. Improved connectivity and access to the waterfront through a variety of modes is also central to the success of the Downtown waterfront/bluff area, therefore, *Imagine Clearwater* also includes a multi-modal strategy that includes a variety of pedestrian routes, shared bicycles lanes, a Jolley Trolley route, the

Clearwater Ferry and parking dispersed throughout the park.

Imagine Clearwater includes an implementation strategy which sets forth phasing, governance, funding, and key next steps. Due to the size and complexity of the project, the improvements are proposed to be implemented in two phases over a 10 year period. Due to the elevated level of programming envisioned for the park, the Plan also recommends the formation of a public-private partnership to share the responsibilities of programming, maintenance, capital projects and even advocacy for the plan vision and passage of the referendum.

In response to the presentation of several options for an aerial transit system that would link Downtown Clearwater to Clearwater Beach, City Council authorized the expansion of the *Imagine Clearwater* scope to evaluate possible downtown terminus locations. After an initial period of review, and further assessment of the direction of the master plan and other city actions, staff directed that the consultant discontinue further analysis. The reasons include but are not limited to the following. First, at one point it was determined that the park master plan would not accommodate infrastructure for a transit component in its final draft recommendation. Secondly, the City initiated an agreement for a coordinated approach with PSTA for conceptualized design for a bus transfer station and facility on property currently owned by the City. Lastly, limited analysis and other supporting documentation that could be provided by specific transit alternatives limited the level of detailed review that would be able to provide substantive and meaningful direction at this time.

This is not to imply or suggest in any way that additional consideration should not be given to increasing the number of transit options to provide improved service from the mainland to Clearwater Beach. Rather, it is staff's belief that a more deliberate and comprehensive approach would better advance the level of serious discussion needed to determine that next appropriate steps in transportation planning options. A more timely engagement of the City's transportation planner, traffic operations, and coordination with PSTA and Forward Pinellas can better position the City to advance transportation options.

The Planning and Development Department recommends that City Council accept *Imagine Clearwater A community Vision For the Downtown Clearwater Waterfront*.

HR&A representative Cary Hirschstein and Sasaki Urban Designer Martin Zogran provided a PowerPoint presentation.

Planning and Development Director Michael Delk said there is no perfect plan but changes to the proposed plan are expected. He recommended that changes be approached judiciously; if not, the City runs the risk of not being able to fully pursue the plan as the citizen

initiated effort final draft represents. The proposed plan is the most important ingredient in creating a sense of place, community and establishing Downtown Clearwater as an urban neighborhood. Imagine Clearwater, coupled with the redesign of Cleveland Street as a Complete Street, the implementation of the North Marina Master Plan and the lighting of the Memorial Causeway, will create value and build on the current momentum and provide a renewed sense of ownership for our citizens in Downtown. Mr. Delk said the Stakeholders Committee unanimously recommended this afternoon that Council accept the proposed plan.

Deputy City Manager Jill Silverboard said staff requests council consideration to schedule a meeting for Council to discuss the proposed plan and provide direction. The City Clerk has placed a hold for Tuesday, February 21, any time after 4:00 p.m., on Council's calendars. Accepting the plan tonight ends the public engagement component by the consultant. Mr. Delk said the next step would be defining how to implement the plan.

Discussion ensued with comments made that accepting the proposed plan tonight would not commit the City to anything mentioned in the plan.

In response to questions, Cary said during the sessions the team heard people wanted greater connectivity at the waterfront; the team was cognizant of safety issues and worked with city staff to create a plan to achieve that goal. The community also expressed a desire for a plan that focused on the natural elements of the area; the trend in parks and open spaces across the country is implementing a flexible landscape that supports different program elements. Martin said the proposed estuary is suggestive and addresses stormwater treatment coming from the park; not a legally defined estuary. Ms. Silverboard said Council is not bound to any item included in the plan.

Eight individuals spoke in support, with one individual stressing the need to include transportation as part of the planning process.

One individual spoke in support and suggested that referendum language not utilize the word "downtown," as the area belongs to all Clearwater citizens.

One individual opposed the proposed retention pond included in the plan and expressed disappointment that aerial transit was not included in the plan.

One individual said the ULI study stressed the importance of active

destination nodes at the water's edge, such as a restaurant and cautioned against too much green space as it will attract only day time use.

In response to questions, Mr. Delk said the final bill related to the elevated transit study expended only a fraction of the approved budget. It was determined early in the process that the park developed in conjunction with the public was not going to accommodate the infrastructure for transit operations. Mr. Delk said that the City also entered into an agreement with PSTA for the multimodal bus transfer facility on a city-owned site. It was also determined by staff and the consultants that analysis was lacking for any of the transit groups offering options in order to make expenditure of the money productive, as it relates to the development of this plan. Mr. Delk said the remaining funds will be returned to the General Fund. He anticipates future council discussion on reinitiating efforts for multi modal options.

Councilmember Hamilton moved to Accept Imagine Clearwater A Community Vision for the Downtown Clearwater Waterfront. The motion was duly seconded and carried unanimously.

9. City Attorney Reports – None.

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

Vice Mayor Jonson wished his wife a Happy 15th Anniversary. He said he attended a Scenic Florida meeting in Miramar Beach which is a new development area; a conservancy group was created for their project called the Scenic Corridor Foundation, which raised money for undergrounding utilities and landscaping. He complimented the Mayor on his representation of Clearwater at the Tiger Bay meeting.

Councilmember Caudell thanked the Mayor for his representation at the Tiger Bay meeting. She thanked the Bluff Masterplan consultants for their work and said work will continue on transportation issues.

Councilmember Cundiff said Skytran is an elevated personal rapid transit system that was invented by NASA engineers in conjunction with the Israeli aerospace industry and a system was being installed in Dubai. He said Skytram has at least 20 advantages over other systems, it is solar powered with a small footprint. Skytram is privately funded and does not want to use

public dollars. He discussed a high speed county and state wide system that would have the ability to travel from here to Orlando in 30 minutes

Councilmember Hamilton congratulated the Mayor on his representation at the Tiger Bay meeting. He said the Phillies catchers and pitchers will be here in 10 days. He urged all to prepare for the influx of visitors for the high spring season.

11. Closing Comments by Mayor

Mayor Cretokos reviewed recent and upcoming events.

12. Adjourn

The meeting adjourned at 8:12 p.m.

Attest

Mayor
City of Clearwater

City Clerk