

City of Clearwater

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



Meeting Agenda

Thursday, December 17, 2015

6:00 PM

Council Chambers

City Council

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then state your name and address. Persons speaking before the City Council shall be limited to three (3) minutes unless otherwise noted under Public Hearings. For other than Citizens to be heard regarding items not on the Agenda, a spokesperson for a group may speak for three (3) minutes plus an additional minute for each person in the audience that waives their right to speak, up to a maximum of ten (10) minutes. Prior to the item being presented, please obtain the needed form to designate a spokesperson from the City Clerk (right-hand side of dais). Up to thirty minutes of public comment will be allowed for an agenda item. No person shall speak more than once on the same subject unless granted permission by the City Council. The City of Clearwater strongly supports and fully complies with the Americans with Disabilities Act (ADA). Please advise us at least 48 hours prior to the meeting if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. Kindly refrain from using beepers, cellular telephones and other distracting devices during the meeting.

1. Call to Order

2. Invocation

3. Pledge of Allegiance

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.)

- 4.1 [ID#15-1924](#) Service Awards - December
- 4.2 [ID#15-1965](#) End of Session Report - The Honorable Larry Ahern, Florida House of Representatives
- 4.3 [ID#15-1990](#) TriRock - Patrick McGee, Race Director, TriRock Clearwater
- 4.4 [ID#15-1981](#) Annual Utilities "We Care Fund" Presentation - Alessandra Scorcioni, Customer Service

5. Approval of Minutes

- 5.1 [ID#15-1964](#) Approve the minutes of the December 3, 2015 City Council Meeting Minutes as submitted in written summation by the City Clerk.

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

7. Consent Agenda

The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. These items are not discussed, and may all be approved as recommended on the staff reports. Council questions on these items were answered prior to the meeting. The Mayor will provide an opportunity for a Councilmember or a member of the public to ask that an item be pulled from the Consent Agenda for discussion. Items pulled will receive separate action. All items not removed from the Consent Agenda will be approved by a single motion of the council.

- 7.1 [ID#15-1979](#) Grant consent to Ruth Eckerd Hall, Inc (REH) for the purpose of obtaining financing from Bank of America for two loans in the amount of \$5,860,000 and \$450,000 respectively and authorize the appropriately officials to execute same. (consent)
- 7.2 [ID#15-1550](#) Approve work orders to Engineers of Record Tetra Tech, Inc. of Tampa, FL in the amount of \$2,797,900 for engineering services, and Leggette, Brashears and Graham (LBG), Inc. of Tampa, FL in the amount of \$227,158 for hydrogeologic services associated with the City of Clearwater Groundwater Replenishment Project Phase 3 (15-0010-UT); approve the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) (District ID N665), which provides reimbursement of project costs up to \$14,340,000; and authorize the appropriate officials to execute same. (consent)
- 7.3 [ID#15-1960](#) Approve the conveyance of a Distribution Easement to Duke Energy for the maintenance of electrical facilities at City-owned property containing Sid Lickton Field and Reverse Osmosis Treatment Plant Number One; and authorize the appropriate officials to execute same. (consent)
- 7.4 [ID#15-1938](#) Amend the Interlocal Agreement between the Community Redevelopment Agency (CRA) and the City of Clearwater to allow funds to be utilized by the Clearwater Main Library for pre-venture, startup and small business programs and services and authorize the appropriate officials to execute same. (consent)
- 7.5 [ID#15-1995](#) Appoint Pamela Gene Benton to the Sister Cities Advisory Board as the School Board's World Language Coordinator or designee representative with term to expire December 31, 2019. (consent)
- 7.6 [ID#15-2005](#) Disband the Charter Review Committee. (consent)

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- *Presentation of issues by City staff*
- *Statement of case by applicant or representative (5 min.)*
- *Council questions*
- *Comments in support or opposition (3 min. per speaker or 10 min maximum as spokesperson for others that have waived their time)*
- *Council questions*
- *Final rebuttal by applicant or representative (5 min.)*
- *Council disposition*

- 8.1 [ID#15-1968](#) Approve the City of Clearwater's Fiscal Year 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER).
- 8.2 [8820-16](#) Approve the request from the owner of property addressed at 1827 Winwood Drive to vacate a portion of a platted drainage easement; and pass Ordinance 8820-16 on first reading (VAC2015-09).
- 8.3 [LUP2015-08002](#) Approve a Future Land Use Map Amendment from the Residential Urban (RU) category to the Residential/Office General (R/OG) category for property located at 2727 Daniel Street; and pass Ordinance 8786-16 on first reading. (LUP2015-08002)
- 8.4 [ANX2015-09024](#) Approve the annexation of an unaddressed parcel located on the west side of McMullen Booth Road approximately 1,054 feet south of East Enterprise Road, together with the abutting west half of the McMullen Booth Road right-of-way; and Pass Ordinance 8789-16 on first reading. (ANX2015-09024)
- 8.5 [ANX2015-09025](#) Approve the annexation of 2425 McMullen Booth Road, together with the abutting west half of the McMullen Booth Road right-of-way; and pass Ordinance 8790-16 on first reading. (ANX2015-09025)
- 8.6 [LUP2015-09003](#) Approve a Future Land Use Map Amendment from the Residential Low (RL) category to the Institutional (I) category for 2425 McMullen Booth Road and an unaddressed parcel on McMullen Booth Road; and pass Ordinance 8791-16 on first reading. (LUP2015-09003)
- 8.7 [ANX2015-10026](#) 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 1237 Union Street; and pass Ordinances 8793-16, 8794-16 and 8795-16 on first reading. (ANX2015-10026)

- 8.8 [ANX2015-10027](#) 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 1460 and 1467 Grove Circle Court; and pass Ordinances 8796-16, 8797-16 and 8798-16 on first reading. (ANX2015-10027)
- 8.9 [ANX2015-10028](#) 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 1764 El Trinidad Drive East; and pass Ordinances 8799-16, 8800-16 and 8801-16 on first reading. (ANX2015-10028)
- 8.10 [ANX2015-10029](#) 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 2139 and 2143 Bell Cheer Drive and 2140 Burnice Drive; and pass Ordinances 8802-16, 8803-16 and 8804-16 on first reading. (ANX2015-10029)
- 8.11 [DVA2004-0004A \(2\)](#) Approve the Termination of the Second Amended and Restated Development Agreement between 25 Countryside West, LLC, (property owner) and the City of Clearwater, as well the associated Termination and Release of Declaration of Restrictive Covenants, adopt Resolution 15-24, and authorize the appropriate officials to execute same.
- 8.12 [TA2015-08005](#) Approve amendments to the Clearwater Community Development Code regarding the establishment of funeral homes as a use; medical clinics in various districts; retail plazas in the Commercial District; microbreweries in the Downtown District; resort attached dwellings and non-residential off-street parking in the Tourist District; eliminating inconsistencies and errors in the Institutional District; modifying the requirements for outdoor cafés; clarifying the responsibility of the Development Review Committee; providing for and modifying various definitions; and pass Ordinance 8810-16 on first reading. (TA2015-08005)

9. Quasi-Judicial Public Hearings

1. Staff states its recommendation and briefly summarizes its reasons for the recommendation and submits record (minutes, staff report, and application) adduced before the Community Development Board (2 minutes).
2. Applicant presents case, including its testimony and exhibits (15 minutes).
3. Staff presents further evidence (10 minutes).
4. Public comment.
5. City Council discussion.
6. Applicant may call witnesses in rebuttal (5 minutes).
7. Conclusion by applicant (3 minutes).
8. Decision.

- 9.1 [REZ2015-08001](#) Approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR) District to the Office (O) District for property located at 2727 Daniel Street; and pass Ordinance 8787-16 on first reading. (REZ2015-08001)
- 9.2 [REZ2015-09003](#) Approve a Zoning Atlas Amendment from the Tourist (T) District to the Commercial (C) District for property located at 26508 US Highway 19 North, and pass Ordinance 8788-16 on first reading. (REZ2015-09003)
- 9.3 [REZ2015-09002](#) Approve a Zoning Atlas Amendment from the A-E Agricultural Estate Residential District (Pinellas County) to the Institutional (I) District (City) for 2425 McMullen Booth Road and an unaddressed parcel on McMullen Booth Road; and pass Ordinance 8792-16 on first reading. (REZ2015-09002)

10. City Manager Reports

- 10.1 [ID#15-1967](#) Approve a contract (purchase order) to Wannemacher Jensen Architects, Inc. (WJA), St. Petersburg, FL in the amount of \$315,596 for additional architectural services required to design and construct the Morningside Recreation Center, 2400 Harn Blvd. and authorize the appropriate officials to execute same.
- 10.2 [ID#15-1991](#) Review request submitted by Ruth Eckerd Hall, Inc. for the suspension of Reserve Fund payments required by the Capitol Theatre Operating Agreement until 2020 and provide direction.

11. City Attorney Reports

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

13. Closing Comments by Mayor

14. Adjourn