

City of Clearwater

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



Meeting Minutes

Thursday, August 2, 2018

6:00 PM

Council Chambers

City Council

Roll Call

Present: 5 - Mayor George N. Cretekos, Vice Mayor Doreen Caudell (Arrived – 6:34 p.m.), Councilmember Hoyt Hamilton, Councilmember Bob Cundiff and Councilmember David Allbritton

Also Present: William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, Micah Maxwell – 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 – Mayor Cretekos

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

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 Imagine Clearwater Plan

Stantec Consulting representatives Hamid Sahebkar and Kyle Steele provided a PowerPoint presentation.

In response to questions, Assistant City Manager Micah Maxwell said the 15% plan identifies those elements of the park with physical and environmental challenges or opportunities (i.e., utilities, setbacks, floodplain management, etc.) to determine what can and can not be placed in the park. Two public meetings have been scheduled: August 21 at 6:00 p.m. at the Main Library and August 22 at 6:00 p.m. at the Countryside Library. Staff anticipates additional meetings. He said meetings with the stakeholders, such the Clearwater Downtown Partnership and the Downtown Neighborhood Association, are being confirmed. A new civic engagement portal will be used to engage

individuals who are unable to attend the public meetings. He anticipates the conservancy recommendation be explored during the next two months as the park elements are determined. Mr. Steele said the lake perspective slide included space for small events or weddings as a new option to activate the area. Mr. Maxwell said staff is focusing on maintaining present crowd sizes for special events. Mr. Steele said staff is engaging local artists for public art. Mr. Maxwell said staff will return to Council in October for updates.

5. Approval of Minutes

- 5.1 Approve the minutes of the July 19, 2018 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Allbritton moved to approve the minutes of the July 19, 2018 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

Jana Wiggins supported the City's Ocean Friendly Business Program and questioned how the City is implementing the program within city programs and departments.

Martin Hughes contrasted and compared comments cited in a recent article related to employee theft by the City Manager and Parks and Recreation Director Kevin Dunbar.

Colleen Tuttle, a realtor, requested a lien reduction for a foreclosed property with city code violations, located at 3172 Wessex Way.

Mike Riordon thanked staff for their efforts on the Drew Street Complete Streets public meetings.

Lisa Lanza expressed a concern that the Downtown Development Board requires members to be business owners in Downtown Clearwater. She suggested increasing the membership for a resident representative.

7. Consent Agenda – Approved as submitted.

- 7.1 Approve an increase to Contract 900078 with JW Harris Contractors, Inc., of Zephyrhills, FL, in the amount of \$2,000,000, for the installation of natural gas mains and service lines and authorize the appropriate officials to execute same. (consent)
- 7.2 Approve the Second Amendment to License Agreement between the City of Clearwater and Pinellas County for period August 1, 2018 through July 31, 2023 and authorize the appropriate officials to execute same. (consent)
- 7.3 Accept a Natural Gas Easement over, under, across and through a portion of property conveyed by Dwayne Hawkins, whose principal address is 6001 34th St N, St Petersburg, FL, given in consideration of receipt of \$1.00 and the benefits to be derived therefrom. (consent)
- 7.4 Approve acceptance of Department of Justice, Bureau of Justice Assistance (DOJ/BJA) Edward Byrne Memorial Justice Assistance Grant award in the amount of \$46,977, for purchase of speed lasers and Stop Sticks (tire-deflating devices) and authorize the appropriate officials to execute same. (consent)
- 7.5 Authorize an increase in contract number 900098 to Enforcement One, Inc. of Oldsmar, FL, by \$80,000 in Fiscal Year 17/18 for Police Vehicle Up-Fitting Services, to an amended annual total contract award of \$295,000, and authorize the appropriate officials to execute same. (consent)

Councilmember Cundiff 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 City of Clearwater's Fiscal Year 2018/2019 Annual Action Plan, which is the 3rd Action Plan of the Fiscal Year 2016/2017 - Fiscal Year 2019/2020 Four-Year Consolidated Plan, to implement the goals and objectives set forth in the Consolidated Plan and authorize the City to enter into agreements with HUD and organizations approved for funding.

On July 21, 2016, City Council approved the 2016/2017 - 2019/2020 Consolidated Plan (Consolidated Plan) identifying the city's goals and objectives with respect to the city's administration of HOME and Community Development Block Grant (CDBG) Program funds. Under the Consolidated Plan, the City is

required by US Department of Housing and Urban Development (HUD) to create and implement a plan each year to identify the sources and uses of these funds for housing, community programs, and economic development. This plan, referred to as the Annual Action Plan, provides HUD with the City's housing budget and proposed expenditures based on the entitlement funds and estimated program income that the City will receive in the upcoming fiscal year to meet the goals and objectives established in the Consolidated Plan. Funds are used to develop viable communities and sustain existing ones. In addition, the funds will be used to provide safe, decent and affordable housing to assist extremely low- to moderate-income households. This year's Annual Action Plan allocates federal funds to provide housing opportunities to extremely low- to moderate-income households for new and existing homes, construction and/or renovation of public facilities, and to fund public services programs. In Fiscal Year 2019, the City will receive \$740,943 in entitlement funds for the CDBG Program and \$383,146 in entitlement funds for the HOME Program. The City is reprogramming \$678,611 in HOME funds and budgeted \$475,000 in CDBG Revolving Loan Program funds, \$109,200 in CDBG Program Income funds and \$1,148,593 in HOME Program Income funds for new activities. Funds provided through the CDBG Program may be used for housing, community and economic development, public services and facilities, acquisition, relocation and administration. Funds provided through the HOME Program are limited to housing-related activities and administration.

The City partners with several non-profit agencies to implement the goals and objectives established in the Consolidated Plan. To obtain these partners, the City annually publishes in February a Notice of Funding Availability in the local newspaper and on its website. This notice informs the public of the resources the City will make available and the eligible uses of these resources. It also informs them of the application period for requesting funds. The applications were due on March 23, 2018 with the City receiving 27 applications; 20 applicants received an allocation of funding.

A Technical Review Committee (TRC) comprised of professionals in the social service and grants community, a member of the City's Neighborhood and Affordable Housing Advisory Board (NAHAB), the City Clerk and Planning Department staff member, reviewed and ranked the applications. Applicants were given an opportunity to present their proposed projects at the April 10 NAHAB meeting. City Housing staff also reviewed each application to ensure it met HUD's baseline requirements. The NAHAB met on May 8, 2018, and approved the recommended allocations contained in the FY 2018/2019 Annual Action Plan.

Each year the City may allocate up to 15% of its CDBG funds for Public

Services activities. This year the City received eleven requests for funding of public services in the amount \$284,642, however based on HUD's formula and eligibility, \$111,141 was available to fund seven organizations. The NAHAB endorsed a funding matrix for Public Services applicants that dictate the funding ratios based on the ranking. Utilizing the funding matrix ensures all eligible applicants are funded a percentage of request based on rankings.

At its meeting on July 10, the NAHAB passed a motion recommending City Council approval of the Fiscal Year 2018/2019 Annual Action Plan.

The Fiscal Year 2018/2019 Annual Action Plan is due to HUD on August 15, 2018. All organizations that will be receiving an allocation will have agreements prepared and executed by October 1, 2018. Staff will perform compliance monitoring with funded organizations on an annual basis.

Housing Coordinator Kim DuPont provided a PowerPoint presentation.

In response to questions, Ms. DuPont said the current consolidated plan does not include a strategy to keep individuals in their homes who are on the verge of becoming homeless. In order to include a strategy in the Annual Action Plan, it must be identified in the consolidated plan. Economic Development and Housing Assistant Director Chuck Lane said staff can consider adding the strategy to the consolidated plan during its next amendment. The City contributes \$235,000 in general revenue funds for homelessness. The City Manager said the funds are provided to not-for-profit organizations in the community that are serving those needs. Ms. DuPont said 15% of the City's entitlement can only go to services; this year's \$111,000 allocation was awarded to Directions for Mental Health, Religious Community Services, and housing and counseling education. The Pinellas Opportunity Council, an elderly chore services program, receives funding under the non-homeless special needs category. The City Manager said decreased SHIP funding was due to the Legislature raiding the fund to support the school resources officers.

Councilmember Hamilton moved to approve the City of Clearwater's Fiscal Year 2018/2019 Annual Action Plan, which is the 3rd Action Plan of the Fiscal Year 2016/2017 - Fiscal Year 2019/2020 Four-Year Consolidated Plan, to implement the goals and objectives set forth in the Consolidated Plan and authorize the City to enter into agreements with HUD and organizations approved for funding. The motion was duly seconded and carried unanimously.

9. Second Readings - Public Hearing

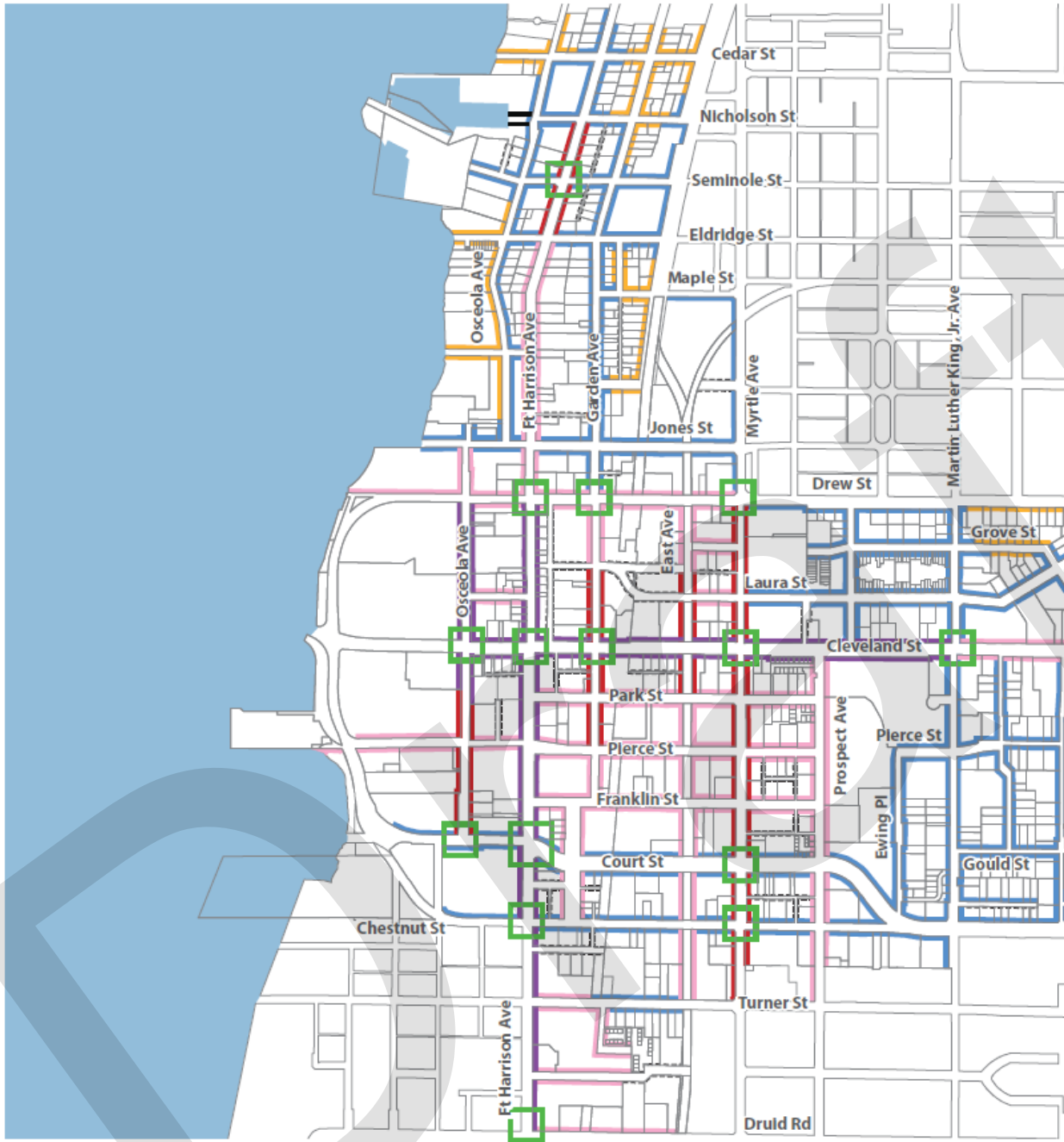
- 9.1** Adopt Ordinance 9149-18 on second reading, amending the Community Development Code by amending Article 2 and Article 3 relating to downtown development standards and creating a new Appendix C.

Ordinance 9149-18 was presented and read by title only.

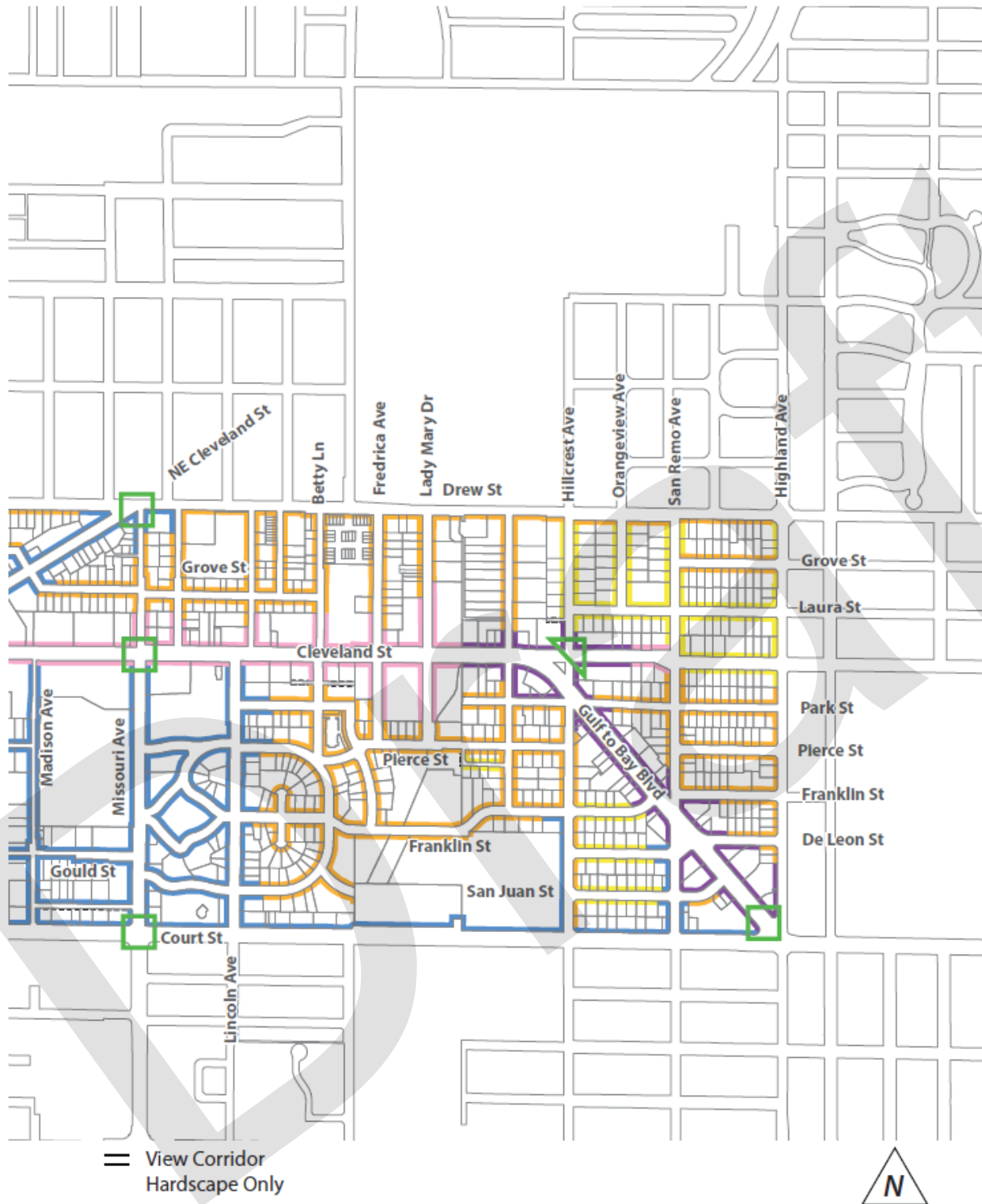
Councilmember Allbritton moved to amend Ordinance 9149-18 as follows:

On pages 32 and 33 of the ordinance, Figure 2. Regulating Plan – Street Types and Key Corners is amended as depicted on Figure 2 included herein and generally described as follows:

1. Change the Street Type designation applied on certain properties from Type E to Type D:
 - a. Certain corner properties on Cedar, Seminole, Eldridge and Nicholson Streets and on Garden Avenue;
 - b. The west side of Blanche B. Littlejohn between Eldridge and Nicholson Streets
 - c. The west side of Garden Avenue between Eldridge and Nicholson Streets;
 - d. The east side of Osceola Avenue between Eldridge and Nicholson Streets
 - e. The north and south sides of Jones Street between Garden and Myrtle Avenues and certain corners of Jones Street
 - f. Certain corners at the NE Cleveland Street, Drew Street and Missouri Avenue intersection;
 - g. The north and south sides of Grove Street between Knights Alley and Martin Luther King, Jr. Avenue;
 - h. The east side and certain corners of Lincoln Avenue between Court and Cleveland Streets; and
 - i. The west side of Hillcrest Avenue between Franklin and Court Streets and the southwest corner of Franklin Street and Hillcrest Avenue.
2. Change the Street Type designation applied on certain properties from Type A to Type B:
 - a. Ft. Harrison Avenue between Eldridge and Nicholson Streets; and
 - b. The west and east side of Osceola Avenue north of Pierce Street.
3. Change the Street Type designation applied to Osceola Avenue between Drew and Jones Streets from Type E to Type C.
4. Change the Street Type designation applied to certain corners on Cleveland Street from Type E to Type B
5. Change the Street Type designation applied to Drew Street between Myrtle and Martin Luther King, Jr. Avenues from Type B and Type E to Type D.
6. Add additional street labels.



- Street Type A
- Street Type B
- Street Type C
- Street Type D
- Street Type E
- Street Type F
- Service Streets
- Key Corners
- Key Corners, Festival Area



On page 28 of the ordinance, Section C-104 is amended to read as follows to update a code reference, to add language to clarify intent of exemptions, and to delete subsection C:
B) Exemptions

The following types of development are exempt from all or a portion of the Development Standards as follows:

1. Change of Use. Projects involving only a change in use are exempt from the Development Standards in Appendix C, Divisions 4, 5 and 6 and bicycle parking requirements in Section C-303.~~BC~~ of these standards.

* * * * *

3. Improvement or Remodel. Building improvement and remodel projects, including projects with up to 7.5 percent or 5,000 square feet of additional floor area, whichever is less, excluding detached dwellings, shall be exempt from the Development Standards as follows.

a. Building improvement or remodel projects valued at less than 25 percent of the total assessed building value as reflected in the Property Appraiser's current records at the time of application or as established by a qualified independent appraiser using a recognized appraisal method are exempt from the Development Standards in Appendix C, Divisions 4, 5 and 6, except that the location of any new floor area, including accessory structures, shall be compliant with all setback requirements in Division 4 of these standards.

b. Building improvement or remodel projects valued at 25 percent or more of the total assess building value as reflected in the Property Appraiser's current records at the time of application or as established by a qualified independent appraiser using a recognized appraisal method are exempt from all but Sections C-502.A, C-503.C, C-504, and C-506 of these standards. Additionally, the location of any new floor area, including accessory structures, shall be compliant with all setback requirements in Division 4 of these standards.

* * * * *

C) Not Applicable GDC Sections

The landscaping standards set forth in Sections ~~3-1202.A.2 and 3-1202.A.3~~, and the parking standards set forth in Sections ~~3-1401.B.2 and 3-1401.B.3~~ shall not apply.

On page 34 of the ordinance, a new subsection 2 is being added to Section C-301.A to add language regarding the Public Amenities Incentive Pool and subsequent subsection is renumbered:

A) Maximum Development Potential

* * * * *

2. The Public Amenities Incentive Pool and the Pool allocation process is established in the Clearwater Downtown Redevelopment Plan. The Pool allows for density and/or intensity increases for projects in excess of the allowable maximum development potential established for a parcel. The Community Development Board may approve allocations of density and/or intensity from the Pool for projects that incorporate one or more improvements and/or fees in-lieu of certain improvements that provide a direct benefit to Downtown revitalization, consistent with the eligible amenities list in the Clearwater Downtown Redevelopment Plan. Increases to height may also be approved by the Community Development Board if the developer of a site plan application provides a major public amenity as defined in the Community Development Code, and provided the increase in height does not exceed 20% of the maximum permitted height or a minimum of ten feet.

23. Residential density on parcels proposed for development within the Downtown Gateway Character District which have frontage along Street Type F shall be limited to no more than two dwelling units.

On page 42 of the ordinance, Section C-303.B is amended to read as follows to clarify that overnight accommodations (bed and breakfast) uses are allowed on certain Frontages, where permitted:

* * * * *

B) Residential and Overnight Accommodation (Bed & Breakfast) Use Restrictions

Only residential and overnight accommodations (bed and breakfast) uses, where permitted, are permitted allowed in the Urban Residential 2, Neighborhood Infill, and Neighborhood Conservation Frontages as defined in Appendix C, Division 4 except as provided for in Division 8. Flexibility.

On page 51 of the ordinance, Table 3. Frontages and Street Types is amended as follows to add additional language relating to bed and breakfast uses are permitted on certain Frontages:

Frontages	General Character	Front Setback	Parking Location	Street Types					
				A	B	C	D	E	F
Storefront 1	Traditional "Main Street" conditions with continuous storefronts with high levels of storefront transparency.	3' max.	Rear yard parking. No parking along street frontages.	●	●	●			
Storefront 2	Traditional "Main Street" conditions with moderate levels of storefront transparency and allowance for side yard parking.	3' max.	Rear yard and limited side parking permitted.			●			
Workshop/ Flex	Flexible frontages with modest setbacks, discontinuous frontage and moderate transparency.	5' min. - 10' max.	Rear yard and limited side parking permitted.				●		
Urban Residential 1	Urban townhouse and apartments with individual entires and front stoops.	3' min. - 5' max.	Rear yard parking. No parking along street frontages.		●	●			
Residential* and Overnight Accommodation (Bed & Breakfast) Uses Only									
Urban Residential 2	Urban townhouse and apartments with modest landscaped setbacks and allowance for front porches and shared entries	8' min. - 15' max.	Rear yard parking. No parking along street frontages.				●		
Neighborhood Infill	Single family houses, duplexes, townhouses, and small apartments with modest landscaped setbacks.	8' min. - 15' max.	Parking behind units accessed from side streets or shared drives.					●	
Neighborhood Conservation	Single family houses and duplexes with traditional front yards.	20' min.	Parking behind front facades accessed from private driveways.						●

* Except as provided for in Division 8. Flexibility.

On page 81 of the ordinance, Section C-803.E.2 is amended to read as follows to clarify vehicular use area location is set back from primary street frontages:

E) Frontage Standards – Parking

* * * * *

2. Flexibility to allow surface or ground floor parking and other vehicular use areas, including vehicular loading/unloading areas and passenger drop off areas, may be approved along

secondary street frontages. If approved, such areas shall be ~~located to the rear of the property,~~ set back from ~~front building corners~~ primary street frontages 20 feet minimum, and include architectural and landscape screening and other treatments that contribute to the creation of safe and comfortable pedestrian environments along pedestrian walkways and public sidewalks. Curb cuts from secondary street frontage to access such locations shall be minimized.

* * * * *

On page 81 of the ordinance, Section C-803.K is amended to read as follows to add additional language allowing office uses on Street Type D if a project includes individual units with entries, and to add streets for which flexibility may be allowed:

K) Character District Standards – Residential Use Restrictions

Flexibility in the application of residential use restrictions for projects along Street Type D or limited segments of frontage designated Street Type E may be approved to permit office use where the applicant demonstrates that the hours of operation, parking demand, and other use related impacts are minimized, primary entries to individual ground floor units are provided, and the office use and architectural character are consistent with the character of the surrounding area. Flexibility on frontage designated Street Type E shall only be permitted on: Drew Street between Martin Luther King, Jr. Avenue and Missouri Avenue; Grove Street between Martin Luther King, Jr. Avenue and Missouri Avenue; and on Garden Avenue north of Eldridge Seminole Street.

On page 82 of the ordinance, Section C-903.A is amended to read as follows to increase the length for which street type designations may be adjusted, to clarify the process by which such an adjustment may be made, and to add language that such adjustments advance the goals and objectives of the Clearwater Downtown Redevelopment Plan:

A) Minor Street Type Adjustments

The street type designation along front property lines may be adjusted up to 4200 feet administratively by the Community Development Coordinator through a Level 1 Flexible Standard Development application, provided that such adjustments do not negatively affect the project's pedestrian- and transit- orientation, and advance the goals and objectives of the Clearwater Downtown Redevelopment Plan.

The motion was duly seconded and carried unanimously.

Councilmember Allbritton moved to adopt Ordinance 9149-18 on second and final reading, as amended. The motion was duly seconded and upon roll call, the vote was:

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

9.2 Adopt Ordinance 9178-18 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to change the land use designation for certain real property whose post office address is 1000 Court Street, Clearwater, Florida 33756 from

Commercial General (CG) to Central Business District (CBD).

Ordinance 9178-18 was presented and read by title only. Vice Mayor Caudell moved to adopt Ordinance 9178-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretokos, Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.3** Adopt Ordinance 9169-18 on second reading, amending the Clearwater Downtown Redevelopment Plan by repealing and replacing Chapter 4 of the plan related to plan implementation, updating the list of Capital Improvement Projects, work programs, incentives and TIF projections.

Ordinance 9169-18 was presented and read by title only.

Councilmember Hamilton moved to amend Ordinance 9169-18 as follows:

The following amendments to Exhibit A of Ordinance No. 9169-18 are proposed to provide clarity on the City's role in the areas of funding, transportation projects, sports tourism and public utilities.

1. On page 130, of the Funding Sources chapter, the first paragraph is amended to read as follows:

The planned improvements in the Downtown will require multiple funding sources. Each project has an identified source of funding, unless To Be Determined (TBD) is listed. Capital improvements and programs that are funded through the City's General Fund are verified and updated each year through the annual budget process. Community Redevelopment Agency funds are verified and updated each year through an annual budget adopted by the CRA Trustees. Grant programs, like SHIP, CDBG and HOME, are contingent on state and federal allocations on a yearly basis. Private investment includes the use of Public/Private partnerships, including P3 projects, that are used to share the cost of new or upgraded infrastructure between public and private entities. The City will continue to explore a variety of funding sources to offset the cost of redevelopment projects.

2. On page 133, of the Incentives chapter, add the first paragraph is amended to read as follows:

The CRA can participate in land acquisition, the payment of impact fees, façade improvement grants and the extension or provision of infrastructure for public utilities. Additional public

infrastructure projects include streetscape improvements, public art, park improvements and parking garages.

3. On page 134, of the Incentives chapter, add the following bullet point to the list of incentive questions for the CRA to consider is amended to read as follows:
 - Is the proposed incentive compliant with federal, state and local laws?
 - Is the proposed incentive aligned with the Vision and Goals of the 2018 Downtown Redevelopment Plan?
 - Has the private sector attempted to implement this project without an incentive?
 - What is the expected return on investment from a financial and public benefit perspective?
 - Does the site/building under consideration have adequate access to the required public infrastructure and/or public utilities to support the proposed use?

4. On page 136, amend Table 4.4 Downtown Redevelopment Area, under “Policy Implementation: Transportation,” on page 137, amend “Policy Implementation: Economic Development,” and on page 138, amend “Policy Implementation: Infrastructure” to read as follows:

Action	Project Lead	Total Cost	Funding Source	
Coordinate with all transportation service providers on infrastructure and program improvements including the water taxi, trolley, bus system, rail, <u>elevated transit, bike share</u> and others (Accessibility Goal O.2C)	Planning; CRA; Engineering; PSTA; Forward Pinellas; CSX; Clearwater Ferry; <u>TBARTA</u>	N/A	CRA	
Action	Project Lead	Total Cost	Funding Source	
Research how to connect with <u>all types of</u> sports tourism audiences to bring them Downtown	CRA; Parks and Recreation	N/A	N/A	
Action	Project Lead	Total Cost	Funding Source	
Coordinate with Forward Pinellas to establish a Cultural Trail connecting	CRA; Parks and Recreation;	\$25,000	CRA	

<p><u>Clearwater with other cities in the County</u> <u>Establish a bike/ped/transit Cultural Trail in coordination with all 24 cities in Pinellas County and the larger region</u></p>	<p><u>Forward Pinellas;</u> <u>Creative Pinellas</u></p>			
<p><u>Action</u></p>	<p><u>Project Lead</u></p>	<p><u>Total Cost</u></p>	<p><u>Funding Source</u></p>	<p><u>2019</u></p>
<p><u>Provide an assessment of the existing public utility infrastructure in Downtown and the system's ability to support a variety of land uses</u></p>	<p><u>Public Utilities; CRA</u></p>	<p><u>N/A</u></p>	<p><u>N/A</u></p>	<p><u>X</u></p>

The motion was duly seconded and carried unanimously.

Councilmember Cundiff moved to adopt Ordinance 9169-18 on second and final reading, as amended. The motion was duly seconded and upon roll call, the vote was:

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

10. City Manager Reports

10.1 Approve amendments to the charter providing for a mayor-council form of government and eliminating the council -manager form; approve the ballot question; authorize the City Clerk to arrange for a special city referendum election in conjunction with the regular federal, state and county election on November 6, 2018 and pass Ordinance 9179-18 on first reading.

A group of citizens approached the City Council requesting City Council to prepare and place a charter amendment on the November 6, 2018 ballot to change the city's form of government from Council-Manager to a Mayor-Council form. The City Council determined that it was appropriate to prepare and present charter amendments to the voters of Clearwater to determine whether they want to adopt a strong mayor-council form of government and established a joint task force to draft the charter amendments required to effect a Mayor-Council form of government.

Members of the last two Charter Review Committees were approached and invited to be members of the Strong Mayor Task Force, which held joint meetings with the City Council once a week for eight consecutive weeks, each meeting lasting approximately three hours.

The Joint Task Force approved proposed amendments to the City Charter. The City Attorney drafted the proposed amendments to the charter, an ordinance amending the charter, and a referendum question to be presented to the City Council for approval and submittal to the city electors at a special city referendum election to be held in conjunction with the regularly scheduled Federal, State and County election on November 6, 2018.

Ordinance 9179-18 proposes amendments to multiple Articles of the City Charter for the purpose of changing the Clearwater form of government from a council- manager form of government to a mayor- council form of government and establishing the appropriate checks and balances. The changes will vest executive and administrative powers in the mayor and remove the mayor from the city Council. With some exceptions, the mayor will have the executive and administrative powers and duties formerly held by the city manager. The city manager position will be eliminated. The council will remain five members but will not include the mayor.

The mayor shall be elected by majority vote of the electorate as opposed to plurality vote as currently provided. Because of this change it is necessary to provide for runoff elections for the mayor's seat. Because the mayor's office is a new position not on city council, with power, duties and authority not previously possessed by the office, term limits for that office commence with the 2020 election.

The mayor's compensation will be established by Council with a minimum salary outlined in the charter of no less than \$120,000. The mayor will have the authority to hire staff and will be required to hire a city administrator who must be confirmed by the city Council. In addition to the duties assigned by the mayor, the city administrator serves as acting mayor in the event the mayor is absent, disabled or otherwise unable to serve. While the mayor appoints most employees, certain employees are subject to confirmation by the city council, specifically: the city administrator, fire chief, police chief, city clerk and city attorney.

The mayor is responsible for budget preparation and submittal to the council. Council may make modifications and adopt the budget as submitted or as modified. The mayor may approve or veto all or a part of the budget as approved by Council. Council may override the veto with a vote of majority plus 1. The mayor also has veto power with the council override for any ordinance adopted by Council.

The ordinance also provides for an internal auditor to be hired by and responsible the Council and provides for an audit committee which includes representation from the mayor.

Six individuals spoke in support.

Three individuals spoke in opposition.

One individual supported single-member districts.

Vice Mayor Caudell departed Chambers at 7:20 p.m. and returned at 7:22 p.m.

Discussion ensued with comments made that the proposed ballot question allows the residents to choose what form of government they want. Concerns were expressed that referendum petition process was not followed by the individuals seeking to change the form of government and that the proposed form of government does not include a professional credentialed manager.

The Council recessed from 7:59 p.m. to 8:05 p.m.

Vice Mayor Caudell moved to approve amendments to the charter providing for a mayor-council form of government and eliminating the council -manager form; approve the ballot question; authorize the City Clerk to arrange for a special city referendum election in conjunction with the regular federal, state and county election on November 6, 2018. The motion was duly seconded and carried with the following vote:

Ayes: 3 - Vice Mayor Caudell, Councilmember Cundiff and Councilmember Allbritton

Nays: 2 - Mayor Cretelos and Councilmember Hamilton

Ordinance 9179-18 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9179-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Vice Mayor Caudell, Councilmember Cundiff and Councilmember Allbritton

Nays: 2 - Mayor Cretelos and Councilmember Hamilton

Motion carried.

10.2 Approve a five-year lease for One Clearwater Tower - Bank of America Building and authorize the appropriate officials to execute same.

This property is located at 600 Cleveland Street on the 6th floor. It will serve as administrative offices for department currently housed in City Hall. The lease is for five years with an option for an additional five years. Funding for this lease is available in the budget currently allocated to the maintenance and operation of the current city hall facility. Adjustments needed to reallocate funding will be fiscal year 2018/2019 budget amendments at 1st quarter.

Assistant City Manager Micah Maxwell said the sixth floor as well as the building is ADA accessible; the landlord is responsible for maintaining the building and office space as ADA compliant. The City will be exempt from sales tax on the lease.

In response to questions, Mr. Maxwell said staff does not yet have the dais piece cost for the new chambers in the main library. Deputy City Manager Jill Silverboard said the computerized pieces of the dais are designed to move, but not the actual dais piece.

Three individuals spoke in opposition.

One individual spoke in support.

One individual asked if there was existing ADA parking and if there was ADA accessibility from a vehicle into the building.

Discussion ensued regarding the use of the City Hall property for Imagine Clearwater. A concern was expressed that City Hall was moving into a bank building and staff did not put the lease out to RFP.

Vice Mayor Caudell moved to approve a five-year lease for One Clearwater Tower - Bank of America Building and authorize the appropriate officials to execute same. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Vice Mayor Caudell, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Mayor Cretekos

11. City Attorney Reports – None.

12. Other Council Action

12.1 Provide direction on the creation of a Residential Parking Permit Program for residential areas of Clearwater Beach.

A neighborhood representative has requested limiting parking in certain residential areas of Clearwater Beach. A similar request was discussed at the December 12, 2016 work session. At that meeting the Council expressed concern regarding individuals visiting or doing business with the beach residents and parking for social gatherings on the beach. Subsequently, staff has had a discussion with the neighborhood representative that assisted in addressing some of the previous issues.

The provisions of the currently proposed ordinance are as follows:

1. The establishment of a residential parking area would require petition(s) signed by 65% of the property owners in a neighborhood or along a street at one vote per household.
2. Each property would qualify for two residential permits to affix to their vehicles and three guest permits (hang tags) for visitors.
3. The fee for administration and enforcement of the program would be \$40 per year per household.
4. The ordinance is written so that any neighborhood in the city could request establishment of a program in their area.

Enforcement for the beach areas currently requesting the program would, at a minimum, be on Saturday and Sunday, from Spring Break through Labor Day and during special events, on holidays and in response to requests.

In response to questions, Engineering Director Scott Rice said parking fines is not being considered as part of the operational costs for the program. Deputy City Manager Jill Silverboard said programs are not normally funded based on a fine revenue; permitting would offset the cost. Mr. Rice said the maximum fine amount is \$30 per citation. He said a parking permit program is not unique to the area, St. Pete Beach and Pass-a-Grille instituted a paid residential parking permit program.

Six individuals supported the creation of a Residential Parking Program but opposed the proposed fee and petition requirement.

Two individuals spoke in support.

One individual opposed allowing dogs on this portion of the beach.

In response to a question, Ms. Silverboard said enforcement of the program will be a challenge no matter how it is established. To clarify, she said the parking meters on Somerset St. is a separate issue from a residential parking program

Vice Mayor Caudell departed at 9:17 p.m.

The City Manager said staff does not want to impose a program on a neighborhood without the residents taking a vote. He said he discussed the issue with the Clearwater Beach Association President and said Council has never established a program without a neighborhood voting on it. He explained if Council does not want residents to pay for the program, staff will have to figure out what it will cost to administer. Ms. Silverboard said staff has talked through various issues and reminded Council there are legal short-term rental properties in that area.

There was council consensus to not require a petition and to include a nominal fee for the permit. Staff was directed to draft a policy for council consideration.

13. Closing comments by Councilmembers (limited to 3 minutes) – None.

14. Closing Comments by Mayor

Mayor Cretokos reviewed recent and upcoming events.

15. Adjourn

The meeting adjourned at 9:52 p.m.

Attest

Mayor
City of Clearwater

City Clerk