

City of Clearwater

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



Meeting Minutes

Thursday, November 16, 2017

6:00 PM

Council Chambers

City Council

Roll Call

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

Also Present: William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, 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 pm at City Hall.

2. Invocation – Dr. John R. Thompson from Countryside Christian Center

3. Pledge of Allegiance – Councilmember Caudell

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

4.1 November Service Awards

One service award was presented to a city employee.

4.2 End of Session Report - The Honorable Chris Latvala, Florida House of Representatives

4.3 2017 Citizens Academy Graduates

Certificates were presented to Susan Baylis, Teresa Bennett, Lisa Burley, Myra Cooley, Sahar Daher, Charles "Daniel" Engel, Robert (Bruce) Farrer, David Fiorino, Miriam Hill, Johanna Kossifidis, Mary Ann Lane, Kristin Langley, JoAnne Larsen, Michael Mannino, Fred Pollack, Patrick Raftery, Lauren Smalls, Diane Stephens, Meg Taylor, Judy Warrick and Betsy Wood.

4.4 Jazz Holiday Presentation – Steven Weinberger, Clearwater Jazz Holiday, President

Mr. Steven Weinberger thanked Council and staff for their continued support and efforts throughout the years and presented an autographed commemorative poster.

5. Approval of Minutes

- 5.1 Approve the minutes of the November 2, 2017 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Jonson moved to approve the minutes of the November 2, 2017 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

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

Diane Stephens requested donations for the Joseph L. Carwise Scholarship Fund.

David Lillesand thanked Council for efforts on the passage of the referendum and moving Imagine Clearwater forward. He suggested it was a good time to move forward with the conservancy efforts now to maintain momentum.

7. Consent Agenda – Approved as submitted.

- 7.1 Approve a contract with Independent Financial Partners c/o Montgomery Retirement Plan Advisors, Inc., in the amount of \$200,000, for advisor/consultant services for the City's 457 Deferred Compensation Plans and 401(a) Money Purchase Pension Plan and authorize the appropriate officials to execute same. (consent)
- 7.2 Award a construction contract to Castco Construction, Inc. of Clearwater, Florida, for the Clearwater Pass South Seawall Project (17-0044-EN) in the amount of \$829,098.73, which is the lowest responsible bid received in accordance with plans and specifications of the project and authorize the appropriate officials to execute same. (consent)
- 7.3 Approve the conveyance of two Right-of-Way, Sidewalk, Drainage and Utility Easements to Pinellas County over portions of Coachman Ridge Park and Northeast Coachman Park, and authorize the appropriate officials to execute same. (consent)
- 7.4 Approve a Utility Easement over 130 Island Way, conveyed to the City by the Property Owner. (consent)
- 7.5 Approve the final plat for Montclair Lake Townhomes Phase 2, whose physical address is 2251 Montclair Road, located on the South-Westerly corner of Montclair Road and Belcher Road. (consent)

- 7.6** Award a contract (purchase order) to Motorola, Inc, St. Petersburg Florida, in an amount not to exceed \$1,155,000 for the purchase of replacement radios in accordance with Sec. 2.564(b), Code of Ordinances - sole source exemption to bid, and authorize the appropriate officials to execute same. (consent)
- 7.7** Award a contract (purchase order) to Fisher Scientific, Atlanta, Georgia, in an amount not to exceed \$ 460,642.80 for the purchase of self-contained breathing apparatus (SCBA) repair parts and air bottles, personal protective equipment (PPE), and departmental operating supplies in accordance with Sec. 2.564(b), Code of Ordinances - Other governmental bid, and authorize the appropriate officials to execute same. (consent)
- 7.8** Award a Purchase Order to Evoqua Water Technologies Inc. of Pittsburgh, PA in the annual amount of \$88,000.00, with the option for two, one-year term extensions, for the purchase of bulk media and authorize the appropriate officials to execute same. (consent)
- 7.9** Award a Purchase Order to Ferguson Waterworks of Tampa, FL in the annual amount of \$400,000.00 with the option for two, one-year term extensions for the purchase of Ductile Pipes, Fittings, Joints, and Tubing (ITB 29-17), effective November 17, 2017, and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve a Purchase Order increase to Clearwater Towing Service, Inc., of Clearwater, FL, increasing the current annual term amount by \$2,500, and an annual increase from \$45,000 to \$60,000 for the two remaining renewal terms, to accommodate towing services for all city-wide equipment, and authorize the appropriate officials to execute same. (consent)
- 7.11** Declare as surplus, obsolete gas appliances and repair parts to the needs of the City, authorize disposition through sale to the highest bidder through open market and authorize the appropriate officials to execute same. (consent)
- 7.12** Approve a Purchase Order with DevTech of Avon Park, FL, in the annual amount of \$300,000, with the option for two 12-month term extensions, for the purchase of Itron Automated Meter Reading endpoints and authorize the appropriate officials to execute same. (consent)

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

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1** Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 921 Berkley Place, together with certain Palmetto Street and Berkley Place rights-of-way, and pass Ordinances 9066-17, 9067-17 and 9068-17 on first reading. (ANX2017-06014)

This voluntary annexation petition involves a 0.265-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the east side of Berkley Place approximately 500 feet north of NE Coachman Road. The applicant is requesting annexation in order to receive solid waste and sanitary sewer service from the City. The property is located within an enclave and is contiguous to existing City limits to the west. The Development Review Committee is proposing that the 0.546 acres of certain Palmetto Street and Berkley Place rights-of-way not within the city limits also be annexed. It is proposed that the property be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from Pinellas County. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the adjacent Berkley Place right-of-way. The applicant understands that the sewer impact and assessment fees must be paid in full prior to connection and is aware of the additional costs to extend city sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 North McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 48 located at 1700 North Belcher Road. Water service will continue to be provided by Pinellas County. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

- The proposed Residential Urban (RU) Future Land Use Map category is consistent with the current Countywide Plan designation of this property.

This designation primarily permits residential uses at a density of 7.5 units per acre. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and

- The property proposed for annexation is contiguous to existing city limits to the west; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 921 Berkley Place, together with certain Palmetto Street and Berkley Place rights-of-way. The motion was duly seconded and carried unanimously.

Ordinance 9066-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9066-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9067-17 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 9067-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9068-17 was presented and read by title only. Councilmember Caudell moved to pass Ordinance 9068-17 on first reading. The motion was duly seconded and upon roll call, the vote

was:

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

8.2 Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and Drainage Feature Overlay and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1712 Evans Drive; and pass Ordinances 9080-17, 9081-17 and 9082-17 on first reading. (ANX2017-08017)

This voluntary annexation petition involves a 0.194-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the west side of Evans Drive approximately 260 feet north of SR 590. The applicants are requesting annexation in order to receive solid waste and sanitary sewer service from the City. The property is located within an enclave and is contiguous to existing city limits to the north, south and east. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and Drainage Feature Overlay and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from Pinellas County. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the adjacent Evans Drive right-of-way. The applicants understand that the sewer impact and assessment fees must be paid in full prior to connection and are aware of the additional costs to extend City sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 North McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 48 located at 1700 North Belcher Road. Water service will continue to be provided by Pinellas County. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of this property. This designation primarily permits residential uses at a density of 5 units per acre. The Drainage Feature Overlay proposed to be applied to the

property will recognize the existing drainage easement on the property. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and

- The property proposed for annexation is contiguous to existing city limits to the north, south and east; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and Drainage Feature Overlay and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1712 Evans Drive. The motion was duly seconded and carried unanimously.

Ordinance 9080-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9080-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9081-17 was presented and read by title only.

Councilmember Jonson moved to pass Ordinance 9081-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9082-17 was presented and read by title only.

Councilmember Caudell moved to pass Ordinance 9082-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.3** Approve amendments to the Clearwater Community Development Code establishing criteria pertaining to medical marijuana treatment center dispensing facilities (retail sales and service use) and medical marijuana treatment center processing and cultivating facilities (urban farm use) to recognize statutory requirements, and revising notice requirements for Level Three cases; and pass Ordinance 9042-17 on first reading. (TA2017-01001)

Florida Constitutional Amendment 2, which became effective January 3, 2017, established that marijuana could be used for medical purposes by individuals with debilitating medical conditions as determined by a licensed Florida physician. The State Legislature during their special session enacted Senate Bill 8-A (SB 8-A) addressing medical marijuana, which was approved by Governor Scott on June 23, 2017.

SB 8-A establishes that all matters regarding the regulation of the cultivation, processing, and delivery of medical marijuana is preempted to the State. Medical marijuana treatment center dispensing facilities shall not be restricted more than pharmacies; however, the Bill establishes that neither a medical marijuana treatment center processing and cultivating facility nor a medical marijuana treatment center dispensing facility may be within 500 feet of a school, unless approved through a public hearing process.

Staff is proposing the following amendments to the Community Development Code:

- **Definitions:** Medical marijuana treatment center dispensing facility is proposed to be added to the definition of retail sales and services, and medical marijuana treatment center processing and cultivating facility is proposed to be added to the definition of urban farms.
- **Level I Minimum Standard uses (BCP):** Where retail sales and service, retail plaza, and/or urban farm uses are allowed as minimum standard use, footnotes are proposed that state any medical marijuana treatment center related use shall comply with statutory requirements. This applies to the Commercial (C) and Industrial, Research and Technology (IRT) Districts.
- **Level I Flexible Standard Development uses (FLS):** A new flexibility criterion is proposed for retail plazas and retail sales and service uses stating that medical marijuana treatment center dispensing facilities shall comply with statutory requirements. This applies to the Commercial (C), Tourist (T), Downtown (D), Institutional (I), and US 19 Districts.
- **Level II Flexible Development uses (FLD):** A new flexibility criterion is

proposed for retail plazas and retail sales and service uses stating that medical marijuana treatment center dispensing facilities shall comply with statutory requirements, along with an additional criterion which allows the Community Development Board to allow a dispensing facility to be located within 500 feet from a school. This applies to the Commercial (C), Tourist (T), Downtown (D), and US 19 Districts. In the Institutional (I) District, retail sales and service use is proposed to be added as a Level II Flexible Standard use and to include the same criteria related to medical marijuana treatment center dispensing facilities.

In addition to proposed amendments addressing medical marijuana, staff is proposing an amendment to the public notice requirements for Level Three cases, as described below.

- Notice requirements: Exemptions for Level Three applications regarding posting notice signs are proposed to be modified to exempt an application from posting requirements if it includes 25 or more contiguous parcels or is more than ten acres cumulatively in size, whereas currently an application must include 25 or more contiguous parcels and be more than ten acres in size.

The Planning & Development Department has determined that the proposed text amendments to the Community Development Code are consistent with and further the goals, objectives and policies of the Comprehensive Plan and the Community Development Code as outlined in the staff report. The Community Development Board (CDB) unanimously approved the proposed amendments at its regularly scheduled meeting on October 17, 2017.

In response to a question, Planning and Development Director Michael Delk said the State of Florida issues licenses for marijuana cultivation and growth. Staff has included the cultivation of medical marijuana in the City's zoning code under urban farms; if licensed by the state, it would be permissible in the City's IRT district only. Assistant City Attorney Camilo Soto said the Florida Department of Health can issue a limited number of licenses. Only licensees may process, cultivate and dispense medical marijuana.

One individual spoke in support.

Councilmember Cundiff moved to approve amendments to the Clearwater Community Development Code establishing criteria pertaining to medical marijuana treatment center dispensing facilities (retail sales and service use) and medical marijuana treatment center processing and cultivating facilities (urban farm use) to recognize statutory requirements, and revising notice

requirements for Level Three cases. The motion was duly seconded and carried unanimously.

Ordinance 9042-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9042-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.4** 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 1758 Lucas Drive and pass Ordinances 9086-17, 9087-17 and 9088-17 on first reading. (ANX2017-09019)

This voluntary annexation petition involves a 0.193-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the west side of Lucas Drive approximately 965 feet north of SR 590. The applicant is requesting annexation in order to receive solid waste and sanitary sewer service from the City. The property is located within an enclave and is contiguous to existing city limits to the west, south and east. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from Pinellas County. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the adjacent Lucas Drive right-of-way. The applicant understands that the sewer impact and assessment fees must be paid in full prior to connection and are aware of the additional costs to extend City sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 North McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 48 located at 1700 North Belcher Road. Water service will continue to be provided by Pinellas County. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of this property. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city limits to the west, south and east; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Jonson moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1758 Lucas Drive. The motion was duly seconded and carried unanimously.

Ordinance 9086-17 was presented and read by title only.

Councilmember Caudell moved to pass Ordinance 9086-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9087-17 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 9087-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell,

Councilmember Cundiff and Councilmember Jonson

Ordinance 9088-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9088-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.5** 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 1302 South Duncan Avenue, together with certain right-of-way of South Duncan Avenue, and pass Ordinances 9089-17, 9090-17 and 9091-17 on first reading. (ATA2017-09002)

The City is bringing this property into its jurisdiction in compliance with the Agreement to Annex (ATA), signed by Joel W. and Karen S. Gray on November 1, 2004, at the request of the current property owner. This voluntary annexation petition involves a 0.213-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the west side of South Duncan Avenue approximately 135 feet south of Lakeview Road. The property is located within an enclave and is contiguous to existing city limits to the north. The Development Review Committee is proposing that the 0.171 acres of certain South Duncan Avenue right-of-way not within the city limits also be annexed. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives solid waste and water service from the City. The closest sanitary sewer line is located in the Lakeview Road right-of-way to the north. The applicants have paid the sewer impact and assessment fees in full, and are aware of the additional costs to extend City sewer service to this property. The property is located within Police District II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and emergency medical services will be provided to this property by Station 47 located at 1460 Lakeview Road. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

Policy A.7.1.3 Invoke agreements to annex where properties located within enclaves meet the contiguity requirements of Florida Statutes Chapter 171.

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of this property. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city limits to the north; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Jonson moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1302 South Duncan Avenue, together with certain right-of-way of South Duncan Avenue. The motion was duly seconded and carried unanimously.

Ordinance 9089-17 was presented and read by title only.

Councilmember Caudell moved to pass Ordinance 9089-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9090-17 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 9090-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell,

Councilmember Cundiff and Councilmember Jonson

Ordinance 9091-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9091-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.6** 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 901, 911, and 917 Glen Oak Avenue East, 3025 and 3061 Glen Oak Avenue North, 3026 Grand View Avenue, 3046 and 3053 Hoyt Avenue, 3065 and 3071 Merrill Avenue, and 911 Moss Avenue, and the annexation, initial Future Land Use Map designation of Residential Low (RL) and Water/Drainage Feature Overlay, and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for two unaddressed parcels better known as Lake Louise and Lake Carol; and pass Ordinances 9069-17, 9070-17 and 9071-17 on first reading. (ANX2017-07015, ANX2017-08016, ANX2017-08018)

These voluntary annexation petitions involve thirteen parcels of land totaling 4.917 acres consisting of eleven single family homes and two stormwater ponds. The parcels are located generally north of Drew Street, south of SR 590, and within ¼ mile west of McMullen Booth Road. The applicants are requesting annexation in order to receive solid waste service from the City and will be connected to the city sanitary sewer as part of the Kapok Terrace Sanitary Sewer System Extension Project. The properties are contiguous to existing city limits along at least one property boundary. It is proposed that the properties be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR). It is also proposed that the two stormwater ponds also be assigned a Future Land Use Map designation of Water/Drainage Feature Overlay.

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

- The properties currently receive water service from the City. Collection of solid waste will be provided to the properties by the City. The applicants will connect to the City's sanitary sewer service when it is available, and are aware of the fee that must be paid in order to connect and the financial incentives available. The properties are located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and

emergency medical services will be provided to these properties by Station 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve these properties with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexations will not have an adverse effect on public facilities and their levels of service; and

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

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

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

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

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of these properties. This designation primarily permits residential uses at a density of 5 units per acre. The Water/Drainage Feature Overlay proposed to be applied to two properties (Lake Louise and Lake Carol) recognizes the existing drainage features on the parcels. The proposed zoning district to be assigned to all properties is Low Medium Density Residential (LMDR). The use of the subject properties are consistent with the uses allowed in the District and the properties exceed the District's minimum dimensional requirements. The proposed annexations are therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The properties proposed for annexation are contiguous to existing city limits along at least one property boundary. Therefore, the annexations are consistent with Florida Statutes Chapter 171.044.

Councilmember Jonson moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 901, 911, and 917 Glen Oak Avenue East, 3025

and 3061 Glen Oak Avenue North, 3026 Grand View Avenue, 3046 and 3053 Hoyt Avenue, 3065 and 3071 Merrill Avenue, and 911 Moss Avenue, and the annexation, initial Future Land Use Map designation of Residential Low (RL) and Water/Drainage Feature Overlay, and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for two unaddressed parcels better known as Lake Louise and Lake Carol. The motion was duly seconded and carried unanimously.

Ordinance 9069-17 was presented and read by title only. Councilmember Caudell moved to pass Ordinance 9069-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9070-17 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 9070-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9071-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9071-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.7** 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 900 Glen Oak Avenue East, 3024, 3030, 3031, and 3055 Glen Oak Avenue North, 3058 Grand View Avenue, 3013 Lake Vista Drive, 701, 708, and 906 Moss Avenue, and 3063 and 3069 Terrace View Lane; and pass Ordinances 9083-17, 9084-17 and 9085-17 on first reading. (ATA2017-08001)

The City of Clearwater Public Utilities Department is expanding sewer service into the Kapok Terrace neighborhood located generally north of Drew Street, south of SR 590, and within ¼ mile west of McMullen Booth Road. This application includes 12 parcels of land in the expansion area which are occupied by 12 single family homes totaling 2.673 acres. These properties are subject to Agreements to Annex that were recorded between 2009 and 2017. All

12 properties are contiguous to existing city limits along at least one property boundary and are eligible for annexation. It is proposed that the properties be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The properties currently receive water service from the City. Collection of solid waste will be provided to the properties by the City. The applicants will be connected to the City's sanitary sewer service when it is available, and are aware of the fee that must be paid in order to connect and the financial incentives available. The properties are located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to these properties by Station 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve these properties with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexations will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexations are consistent with and promote the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

Policy A.7.1.3 Invoke agreements to annex where properties located within enclaves meet the contiguity requirements of Florida Statutes Chapter 171.

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of these properties. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the properties is Low Medium Density Residential (LMDR). The use

of the subject properties are consistent with the uses allowed in the District and the properties exceed the District's minimum dimensional requirements. The proposed annexations are therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and

- The properties proposed for annexation are contiguous to existing city limits along at least one property boundary. Therefore, the annexations are consistent with Florida Statutes Chapter 171.044.

Planning and Development Director Michael Delk said he spoke with a property owner who understood his property (3018 Glenn Oak) was included in the annexation; staff will incorporate the property in a future annexation.

Councilmember Jonson moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 900 Glen Oak Avenue East, 3024, 3030, 3031, and 3055 Glen Oak Avenue North, 3058 Grand View Avenue, 3013 Lake Vista Drive, 701, 708, and 906 Moss Avenue, and 3063 and 3069 Terrace View Lane. The motion was duly seconded and carried unanimously.

Ordinance 9083-17 was presented and read by title only.

Councilmember Caudell moved to pass Ordinance 9083-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9084-17 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 9084-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9085-17 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9085-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell,

Councilmember Cundiff and Councilmember Jonson

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 9055-17 on second reading, annexing certain real property whose post office address is 1715 Lakeview Road, Clearwater, Florida 33756, together with all abutting Right-of Way of Lakeview Road and South Duncan Avenue, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9055-17 was presented and read by title only.
Councilmember Jonson moved to adopt Ordinance 9055-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

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

- 9.2** Adopt Ordinance 9056-17 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1715 Lakeview Road, Clearwater, Florida 33756, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 9056-17 was presented and read by title only.
Councilmember Caudell moved to adopt Ordinance 9056-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

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

- 9.3** Adopt Ordinance 9057-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1715 Lakeview Road, Clearwater, Florida 33756, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9057-17 was presented and read by title only.
Councilmember Cundiff moved to adopt Ordinance 9057-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell,

Councilmember Cundiff and Councilmember Jonson

- 9.4** Adopt Ordinance 9058-17 on second reading, annexing certain real properties whose post office addresses are 809, 907, and 915 Hoyt Avenue, 3040 and 3077 Merrill Avenue, 3136 San Joes Street, 3080 Terrace View Lane, and 3127 Wolfe Road, all within Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9058-17 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9058-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.5** Adopt Ordinance 9059-17 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 809, 907, and 915 Hoyt Avenue, 3040 and 3077 Merrill Avenue, 3136 San Joes Street, 3080 Terrace View Lane, and 3127 Wolfe Road, all within Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL) and Residential Urban (RU).

Ordinance 9059-17 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 9059-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.6** Adopt Ordinance 9060-17 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 809, 907, and 915 Hoyt Avenue, 3040 and 3077 Merrill Avenue, 3136 San Joes Street, 3080 Terrace View Lane, and 3127 Wolfe Road, all within Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9060-17 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 9060-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell,

Councilmember Cundiff and Councilmember Jonson

10. City Manager Reports

- 10.1** Approve a Supplemental Work Order to Engineer of Record King Engineering Associates, Inc., of Tampa Florida, for engineering services during construction and rezoning efforts for the new Solid Waste Transfer Station (15-0007-SW), in the amount of \$796,685; approve the guaranteed maximum price (GMP) of \$17,832,010 to Kokolakis Contracting of Tarpon Springs, Florida, to construct the solid waste transfer station project (15-0007-SW); establish a total CIP budget of \$20.5 million for the Transfer Station project; approve a \$3.5 million loan from the Central Insurance Fund to the Solid Waste/Recycling Fund; and authorize the appropriate officials to execute same.

On June 4, 2015, City Council approved the initial design work order to King Engineering Associates in the amount of \$840,472. This Supplemental Work Order includes engineering services during construction, and efforts for rezoning and a future land use amendment. The total work order for design and construction administration is \$1,637,157.

Council approved the selection of Kokolakis Contracting as the project Construction Manager (CM) at Risk firm in October 2015. Kokolakis Contracting provided pre-construction services under a Purchase Order including design review and construction cost estimating. Final construction documents are complete, as previously indicated, and staff is presenting the guaranteed maximum price (GMP) contract to construct the transfer station to Council for approval. Engineering will manage the CM at Risk construction contract for this project.

The current solid waste transfer station, located off of Old Coachman Road north of the Phillies Spring Training complex, was constructed in the late 1960s and uses hydraulic push-pit technology. Due to the age and condition of the facility, and the desire to provide more efficient operations, the facility will be upgraded. The project includes complete replacement of the transfer station facility including a new scale house, administration building and top loading transfer station building. The facility will have a compressed natural gas (CNG) filling station, leachate recovery system, and backup generator. The project includes wetland and floodplain mitigation at Coachman Ridge Park with a new perimeter trail and pedestrian bridge connecting the Long Center with the newly constructed playground.

Construction is anticipated to begin in January 2018 and be completed within 22 months, by November 2019. The first phase of construction will consist of clearing a portion of the transfer station site and placing soil in order to preload

or consolidate the ground for 6 to 8 months prior to building structures. The transfer station will remain operational during this phase. Concurrent to the preloading activity, work will commence at Coachman Ridge Park. Upon completion of preloading, the transfer station will close operation for approximately 12 months for construction of the facility.

The new transfer station will be operated and maintained by the Solid Waste Department.

APPROPRIATION CODE AND AMOUNT:

Total recommended funding for this project is \$20,500,000 as follows:

- \$1,000,000 was funded in FY14/15 for pre-construction phase work on project 315-96447 Solid Waste Transfer Station Replacement
- \$16,000,000 for this project will be provided by a first quarter budget amendment allocating Solid Waste/Recycling Fund reserves to project 315-96447 Solid Waste Transfer Station Replacement
- \$3,500,000 for this project will be provided from an internal city loan from the Central Insurance Fund to the Solid Waste/Recycling Fund for project 315-96447 Solid Waste Transfer Station Replacement

USE OF RESERVE FUNDS:

- \$16mm of funding will be provided by a first quarter budget amendment allocating Solid Waste/Recycling Fund reserves. If this item is approved, the remaining balance in Solid Waste/Recycling reserves, after the 50% minimum reserve requirement, is approximately \$6.4 million.
- \$3.5 million of funding will be provided by a cash loan from Central Insurance Fund cash reserves. If the loan is approved, the remaining Central Insurance fund unrestricted and undesignated cash reserves will total approximately \$20 million.

In response to a question, Solid Waste and General Services Director Earl Gloster said since the project is located in a flood zone, the whole site will be built up from the current location.

Councilmember Cundiff moved to approve a Supplemental Work Order to Engineer of Record King Engineering Associates, Inc., of Tampa Florida, for engineering services during construction and rezoning efforts for the new Solid Waste Transfer Station (15-0007-SW), in the amount of \$796,685; approve the guaranteed maximum price (GMP) of \$17,832,010 to Kokolakis Contracting of Tarpon Springs, Florida, to construct the solid waste transfer station project (15-0007-SW); establish a total CIP budget of \$20.5

million for the Transfer Station project; approve a \$3.5 million loan from the Central Insurance Fund to the Solid Waste/Recycling Fund; and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

11. City Attorney Reports – None.

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

Vice Mayor Hamilton and Councilmembers Jonson, Caudell and Cundiff wished everyone a Happy Thanksgiving.

Councilmember Jonson thanked the Mayor for his comments regarding the passage of the referendum. He said he attended an autonomous vehicle summit and he learned that the clock speed of the hardware and software development need to happen at the same time to get a product that you would expect. He saw a presentation about autonomous vehicles being designed in New York City; that city was chosen due to its large pedestrian community, it was noted that New York City is a healthier city because more people walk there.

13. Closing Comments by Mayor

Mayor Cretokos reviewed recent and upcoming events, wished all a Happy Thanksgiving Day, thanked all who voted on November 7 and offered condolences to family members of Roy Halladay.

14. Adjourn

The meeting adjourned at 7:36 p.m.

Attest

Mayor
City of Clearwater

City Clerk