

# City of Clearwater

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



## Meeting Minutes

**Thursday, November 20, 2014**

**6:30 PM**

**Council Chambers**

**City Council**

## Roll Call

**Present:** 4 - Mayor George N. Cretekos, Vice Mayor Doreen Hock-DiPolito, Councilmember Bill Jonson and Councilmember Hoyt Hamilton

**Absent:** 1 - Councilmember Jay E. Polglaze

**Also Present:** William B. Horne II - City Manager, Rod Irwin - Assistant City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk, 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 6:30 p.m. at City Hall.*

#### 2. Invocation – Father Dermont Dunne, St. Cecilia Roman Catholic Church

#### 3. Pledge of Allegiance

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

##### 4.1 Service Awards

*One service award was presented to a city employee.*

*The November/December 2014 Bimonthly Team Award was presented to the Drowning Zone 3 Team: Officers Daniel Loder, Chris England, Christian Zarra, and Michael Leonardo.*

##### 4.2 Citizens Academy Graduates

*Mayor recognized the graduates and thanked them for their participation: Robert Beeson, Patty Campbell, Stephen Cerniglia, Heather Commons, Karen Cunningham, Brian Dennington, Donna Dennis, Andrea E. Dort, Aaron Freeman, Leanne M. Grayston, Sarah Heller, Charles Johnston, Steven Kessler, Catherine Mills, Barbara Rice, Ruth Rymal, Tracey Short, Suzan Steyer, and Michelle Thomann-Ramirez.*

##### 4.3 TriRock - Nick Lynch, Race Director

*Mr. Lynch provided a PowerPoint presentation regarding event activities and demographics. Thanked the City for its continued support.*

**4.4** Giving Tuesday Proclamation, December 2, 2014 - Anna Rodriguez and Liz Gustafson of the Florida Coalition Against Human Trafficking

**4.5** Volunteer Check Presentation - Krystie Epperson, Volunteer Specialist

*Ms. Epperson presented Council with a ceremonial check for \$1,021,831.00, representing the value of volunteer hours provided during the year. More than 4,000 volunteers contributed over 45,314 hours to supporting several of the Department's service programs.*

## **5. Approval of Minutes**

**5.1** Approve the minutes of the November 6, 2014 City Council Meeting as submitted in written summation by the City Clerk.

**Councilmember Jonson moved to approve the minutes of the November 6, 2014 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**

**Kim Seyer** expressed concerns with anticipated way-finding signs along US Highway 19 and offered assistance for establishing a pilot program that will assist drivers how to route around the area when traffic improvements are implemented in December.

**Corina Morrison** said the Martin Luther King, Jr. Coalition is dedicated to restoring the MLK Neighborhood Family Center. She reviewed renovation and programming plans and invited all to attend weekly meetings at the Center, every Tuesday at 7:00 p.m.

**Stephen Colbert** expressed concerns regarding the doctors that Cigna said were in the Local Plus Network for the 2015 employee health plan when the City signed with Cigna as the health insurance carrier. He said as of recently, there are 1197 doctors not on the list of providers who were on list when Cigna was chosen.

**Joseph Corvino** thanked Council and staff for their work with the Urban Land Institute (ULI) report and expressed concerns regarding the lack of a Master Plan that ULI indicated as a critical component of the process.

**7. Consent Agenda – Approved as submitted.**

- 7.1 Declare list of vehicles and equipment surplus to the needs of the City; authorize disposal through sale to the highest bidder at the Tampa Machinery Auction, Tampa, Florida; and authorize the appropriate officials to execute same. (consent)
- 7.2 Approve a proposal from Construction Manager at Risk Keystone Excavators Inc, of Oldsmar, Florida in the amount of \$672,210.00 for the construction of Corona Avenue Gabions, and authorize the appropriate officials to execute same. (consent)
- 7.3 Award a purchase order (contract) to Stonelight of Naples, Florida in the amount of \$132,600 for the construction and delivery of concrete light bollards designed specifically for use on Beach Walk and other Beach sites including Pier 60 Park and Papaya Street Plaza and authorize the appropriate officials to execute same. (consent)
- 7.4 Approve an Agreement between the City and Fields, Inc. of Clearwater, Florida for the operation and maintenance of the Barefoot Beach House, located at 332 S. Gulfview Blvd., from January 1, 2015 to December 31, 2019, and authorize the appropriate officials to execute same. (consent)
- 7.5 Amend City Council Policies 23A, 24F, and 28B and add policy L26. (consent)
- 7.6 Authorize settlement of Szelechta, et al., d/b/a Tropical Sky Ranch Hotel v. City of Clearwater, Case No. 08-16343-C-15, and City v. Atkins North America, Inc. f/k/a/ Post, Buckley, Schuh and Jernigan, Inc., Case No. 09-21391-CI-015. (consent)
- 7.7 Authorize stipulation at trial of Smith v. City of Clearwater, Case No. 12-009291-CI-021, for payment by City of an amount corresponding to its percentage of negligence as arrived at in the jury's verdict. (consent)
- 7.8 Authorize settlement of Gordon v. City of Clearwater, Case No. 14-001258-CI, for payment by City of \$50,000.00 in exchange for a full release from plaintiff and dismissal of action with prejudice. (consent)
- 7.9 Authorize use of City Seal for commemorative Centennial coins and other Centennial products. (consent)

**Vice Mayor Hock-DiPolito moved to approve the Consent Agenda as submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**Public Hearings - Not before 6:00 PM****8. Administrative Public Hearings**

- 8.1** 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 1601 Long Street (Highland Pines 1st Addition, Block 6, Lot 1 in Section 11, Township 29 South, Range 15 East) together with all abutting right-of-way of Long Street; and pass Ordinances 8604-14, 8605-14 and 8606-14 on first reading. (ANX2014-09015)

This voluntary annexation petition involves a 0.167-acre property consisting of one parcel of land occupied by a single-family dwelling. It is located along the south side of Long Street approximately 300 feet west of Ridge Avenue. The applicant is requesting annexation in order to receive solid waste service from the City. The Development Review Committee is proposing that the 0.096-acres of abutting Long Street right-of way not currently within the city limits also be annexed. The property is located within an enclave and is contiguous to existing City boundaries to the west. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a zoning category 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 the City. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is approximately 100 feet west of the subject property. Due to the distance of this line, sewer service is not readily available to the applicant's 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 the property by Station 51 located at 1720 Overbrook Avenue. The City has adequate capacity to serve the 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 the Low Medium Density Residential (LMDR) District. 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 boundaries along the west of the property boundary; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

**Councilmember Hamilton 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 1601 Long Street (Highland Pines 1st Addition, Block 6, Lot 1 in Section 11, Township 29 South, Range 15 East) together with all abutting right-of-way of Long Street. The motion was duly seconded and carried unanimously.**

**Ordinance 8604-14 was presented and read by title only.**

**Councilmember Jonson moved to pass Ordinance 8604-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:4 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton**

**Ordinance 8605-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8605-14 on first reading. The motion was duly seconded and upon roll call, the vote**

**was:**

**Ayes:**4 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8606-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8606-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

- 8.2** 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 1215 Union Street (Cleardun Block A, Lot 10 in Section 3, Township 29 South, Range 15 East), 1244 Palm Street (Cleardun Block A, Lot 28 in Section 3, Township 29 South, Range 15 East), and 1301 Idlewild Drive (Brooklawn Block K, Lot 1 in Section 3, Township 29 South, Range 15 East) together with certain abutting right-of-way of Idlewild Drive and Union Street; and pass Ordinances 8608-14, 8609-14 and 8610-14 on first reading. (ANX2014-09016)

These voluntary annexation petitions involve three parcels of land totaling 0.397 acres. The parcels are occupied by single-family dwellings. The three lots are located generally south of Union Street, east of Douglas Avenue, north of Sunset Point Road (State Route 576), and west of Kings Highway. The applicants are requesting annexation in order to receive solid waste service from the City, and will connect to city sewer when made available from the City's Idlewild/The Mall Septic-to-Sewer program. The properties are contiguous to existing City boundaries along at least one property boundary. The Development Review Committee is proposing that the 0.18-acres of abutting right-of-way of Idlewild Drive and Union Street not currently within the City limits also be annexed. It is proposed that the properties be assigned a Future Land Use Map designation of Residential Urban (RU) and a zoning category 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 connect to the City's sanitary sewer service when made 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 II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and emergency medical services will be provided to these properties by Station 51 located at 1720 Overbrook Avenue. 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 Urban (RU) 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 7.5 units per acre. The proposed zoning district to be assigned to the properties is the Low Medium Density Residential (LMDR) District. The uses 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 boundaries along at least one property boundary; 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 Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1215 Union Street (Cleardun Block A, Lot 10 in Section 3, Township 29 South, Range 15 East), 1244 Palm Street**

(Cleardun Block A, Lot 28 in Section 3, Township 29 South, Range 15 East), and 1301 Idlewild Drive (Brooklawn Block K, Lot 1 in Section 3, Township 29 South, Range 15 East) together with certain abutting right-of-way of Idlewild Drive and Union Street. The motion was duly seconded and carried unanimously.

**Ordinance 8608-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8608-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:4** - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8609-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8609-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:4** - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8610-14 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 8610-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 4** - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

- 8.3** 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 815 Woodruff Avenue (Oak Acres Block A, Lot 11 in Section 14, Township 29 South, Range 15 East) together with all abutting right-of-way of Woodruff Avenue; and pass Ordinances 8613-14, 8614-14 and 8615-14 on first reading. (ANX2014-09018)

This voluntary annexation petition involves a 0.323-acre property consisting of one parcel of land occupied by a single-family dwelling. It is located along the east side of Woodruff Avenue approximately 300 feet south of Druid Road. The applicant is requesting annexation in order to receive solid waste service from the City. The Development Review Committee is proposing that the 0.138-acres of abutting Woodruff Avenue right-of-way not currently within the City limits also be annexed. The property is located within an enclave and is

contiguous to existing City boundaries to the north. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a zoning category 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 the City. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is approximately 320 feet north of the subject property in the Druid Road right-of-way. Due to the distance of this line, sewer service is not readily available to the applicant's 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 the property by Station 47 located at 1460 Lakeview Road. The City has adequate capacity to serve the property with 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 the Low Medium Density Residential (LMDR) District. 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 boundaries to the north; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

**Councilmember Hamilton 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 815 Woodruff Avenue (Oak Acres Block A, Lot 11 in Section 14, Township 29 South, Range 15 East) together with all abutting right-of-way of Woodruff Avenue. The motion was duly seconded and carried unanimously.**

**Ordinance 8613-14 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 8613-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:4** - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8614-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8614-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:4** - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8615-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8615-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 4** - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

- 8.4** Approve a Zoning Atlas Amendment from the Low Density Residential (LDR) District to the Low Medium Density Residential (LMDR) District for property located at 2854 Sunstream Lane (consisting of a portion of the north  $\frac{1}{2}$  of southwest  $\frac{1}{4}$  of northeast  $\frac{1}{4}$  of Section 32, Township 28 South, Range 16 East), and pass Ordinance 8603-14 on first reading. (REZ2014-08003)

This rezoning application involves an 11.462-acre property owned by Sunstream Lane Development, LLC. It is located on the south side of Sunstream Lane, approximately 160 feet west of Parkstream Avenue, south of Saber Drive, and north of Lake Chautauqua Park. This property has a Future Land Use Map classification of Residential Low (RL) and a Zoning Atlas designation of Low Density Residential (LDR). The request is to amend the Zoning Atlas designation from Low Density Residential (LDR) to Low Medium Density Residential (LMDR), which is also consistent with the underlying Future Land Use Map classification of Residential Low (RL).

The subject property is primarily vacant land with Sunstream Lane running east to west along the northern boundary of the property. A portion of the western boundary of the parcel abuts Lake Chautauqua and is zoned Preservation (P). The applicant has submitted a Preliminary Plat for a 28-lot subdivision to be processed if this rezoning is approved.

The Planning and Development Department has determined that the proposed Zoning Atlas amendment is consistent with the Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code;
- The proposed amendment is compatible with the surrounding property and character of the neighborhood;
- The available uses in the Low Medium Density Residential (LMDR) District are compatible with the surrounding area;
- The proposed amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner; and
- The proposed Low Medium Density Residential (LMDR) District boundaries are appropriately drawn in regard to location and classifications of streets, ownership lines, existing improvements and the natural environment.

The Community Development Board reviewed this application at its public hearing on October 21, 2014 and unanimously recommended approval of the Zoning Atlas Amendment.

*Planning and Development Director Michael Delk said the subject property is a former orange grove that has been abandoned for a number of years.*

*In response to a question, the City Attorney said the property is already in the City; the land use plan is consistent with the use requested.*

**Councilmember Jonson moved to approve a Zoning Atlas Amendment from the Low Density Residential (LDR) District to the Low Medium Density Residential (LMDR) District for property located at 2854 Sunstream Lane (consisting of a portion of the north ½ of southwest ¼ of northeast ¼ of Section 32, Township 28 South, Range 16 East). The motion was duly seconded and carried unanimously.**

**Ordinance 8603-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8603-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

- 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 2107 Bell Cheer Drive (Lots 1 and 2, Pleasant Ridge Estates, in Section 24, Township 29 South, Range 15 East); and pass Ordinances 8616-14, 8617-14 and 8618-14 on first reading. (ANX2014-09017)

This voluntary annexation petition involves a 0.454-acre property consisting of one parcel of land occupied by a single-family dwelling. It is located on the south side of Bell Cheer Drive, approximately 1,200 feet west of South Belcher Road. The applicant is requesting annexation in order to receive solid waste service from the City, and will connect to City sewer when it is available in the future, as part of the City's Belcher Area Sanitary Sewer System Extension Project Area. The property is contiguous to the existing City boundary to the south. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a zoning category 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 applicant will connect to the City's sanitary sewer service when it is available, and is aware of the fee that must be paid in order to connect and the financial incentives available. The property is located within Police District II 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 49 located at 565 Sky Harbor Drive. 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 five units per acre. The proposed zoning district to be assigned to the property is the Low Medium Density Residential (LMDR) District. The use of the subject property is consistent with the uses allowed in the District and the property complies with 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 the existing City boundary to the south; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

*In response to a question, Planning and Development Director Michael Delk said the proposed development is 5 units per acre and reason for the RL category. Staff is unaware of future development plans. The site is less than ½ acre and may be split into three lots, at the most.*

**Councilmember Hamilton 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 2107 Bell Cheer Drive (Lots 1 and 2, Pleasant Ridge Estates, in Section 24, Township 29 South, Range 15 East). The motion was duly seconded and carried unanimously.**

**Ordinance 8616-14 was presented and read by title only.  
Councilmember Jonson moved to pass Ordinance 8616-14 on first**

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

**Ayes:**4 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8617-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8617-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:**4 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

**Ordinance 8618-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8618-14 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

- 8.6** Approve a Development Agreement between Bayway Hotel Holdings, LLC. (the property owner) and the City of Clearwater, providing for the allocation of 15 units from the Hotel Density Reserve under Beach by Design; adopt Resolution 14-35, and authorize the appropriate officials to execute same. (HDA2014-08006)

**Development Proposal:**

No changes have been made to the Development Proposal presented at the November 6, 2014 Council meeting.

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

**Consistency with the Community Development Code:**

No changes have been made to the Conceptual Site Plan presented at the November 6, 2014 Council meeting. The Conceptual Site Plan continues to appear to be consistent with the CDC with regard to:

- Minimum Lot Area and Width
- Minimum Setbacks
- Maximum Height
- Minimum Off-Street Parking

- Landscaping

**Consistency with Beach by Design:**

No changes have been made to the Conceptual Site Plan presented at the November 6, 2014 Council meeting. The Conceptual Site Plan continues to appear to be consistent with the Beach by Design with regard to:

- Design Guidelines
- Hotel Density Reserve

**Standards for Development Agreements:**

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

- Provides for the allocation of up to 15 units from the Hotel Density Reserve or a maximum density of 92 units per acre;
- Requires the developer to obtain building permits and certificates of occupancy in accordance with (CDC) Section 4-407;
- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- For units allocated from the Hotel Density Reserve, prohibits the conversion of any hotel unit to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

**Changes to Development Agreements:**

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

The Planning and Development Department is recommending approval of this Development Agreement for the allocation of up to 15 units from the Hotel Density Reserve under *Beach by Design*.

**Councilmember Jonson moved to approve a Development Agreement between Bayway Hotel Holdings, LLC. (the property owner) and the City of Clearwater, providing for the allocation of 15 units from the Hotel Density Reserve under Beach by Design and**

**authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**Resolution 14-35 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Resolution 14-35. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

- 8.7** Approve a Development Agreement between Elias Anastasopoulos and Anastasios Anastasopoulos (the property owners), Captain Bligh's Landing, Inc. (the Developer) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design; adopt Resolution 14-36, and authorize the appropriate officials to execute same. (HDA2014-08007)

**Development Proposal:**

No changes have been made to the Development Proposal presented at the November 6, 2014 Council meeting.

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

**Consistency with the Community Development Code:**

No changes have been made to the Conceptual Site Plan presented at the November 6, 2014 Council meeting. The Conceptual Site Plan continues to appear to be consistent with the CDC with regard to:

- Minimum Lot Area and Width
- Minimum Setbacks
- Maximum Height
- Minimum Off-Street Parking
- Landscaping

**Consistency with Beach by Design:**

No changes have been made to the Conceptual Site Plan presented at the November 6, 2014 Council meeting. The Conceptual Site Plan continues to appear to be consistent with the Beach by Design with regard to:

- Design Guidelines
- Hotel Density Reserve

**Standards for Development Agreements:**

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

by *Design* and includes the following main provisions:

- Provides for the allocation of up to 100 units from the Hotel Density Reserve or a maximum density of 134 units per acre;
- Requires the developer to obtain building permits and certificates of occupancy in accordance with (CDC) Section 4-407;
- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- For units allocated from the Hotel Density Reserve, prohibits the conversion of any hotel unit to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

#### **Changes to Development Agreements:**

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

The Planning and Development Department is recommending approval of this Development Agreement for the allocation of up to 100 units from the Hotel Density Reserve under *Beach by Design*.

**Councilmember Hamilton moved to approve a Development Agreement between Elias Anastasopoulos and Anastasios Anastasopoulos (the property owners), Captain Bligh's Landing, Inc. (the Developer) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**Resolution 14-36 was presented and read by title only. Councilmember Jonson moved to adopt Resolution 14-36. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson and Councilmember Hamilton

## **9. Presentations (by government agencies or groups providing formal updates**

**to Council)****9.1 Library Advisory Board Annual Report - Judy McSwine, Chair**

*Ms. McSwine reviewed recent accomplishments and upcoming projects and thanked Council for their continued support. The Clearwater Library Foundation has pledged a \$200,000 funding effort for the new Countryside library that includes naming opportunities on furniture and fixtures. Ms. McSwine thanked Council for funding additional operating hours at the Clearwater Beach location.*

**10. City Manager Reports****10.1 Consider request from the Homeless Emergency Project, Inc. (HEP) for an increase in the amount of \$50,000 for operations, capital improvements, and staffing needs, as part of the city's homeless initiative.**

In an effort to address the root causes of homelessness, the City of Clearwater (City) established its homeless initiative program in the summer of 2012. In order to accomplish its mission and provide homeless individuals and families with access to comprehensive services, the City partnered with several local social service providers. One of those valued providers is HEP, located at 1120 N. Betty Lane, Clearwater.

The mission of HEP is to provide homeless individuals and families with housing, food, clothing, and support services necessary to obtain self-sufficiency and improved quality of life. HEP assists 400 men, women and children each day. In 2013, they helped 1,398 adults and 76 families (127 children), including 508 veterans; they served 95,091 meals; and the HEP Dental Clinic performed 3,993 free procedures for their residents, valued at over \$525,000.

The City has allocated \$50,000 to HEP for Fiscal Year 2014-2015 from General Funds in the Economic Development and Housing Department budget. These funds can be used to support several primary types of activities, including but not limited to housing of homeless individuals and families, delivery of case management, transportation services to veterans to the Bay Pines VA, and operations costs.

On October 15, 2014, HEP requested an additional \$50,000, bringing the grand total to \$100,000 for the current fiscal year. The budgetary reasons for this request are:

- More homeless people accessed the Emergency Shelter than the

previous year;

- Emergency Shelter bathroom upgrades and floor replacement;
- Increased staffing and personnel needs.

Between October 1, 2013 and May 31, 2014, HEP assisted 553 homeless individuals and 14 families from Clearwater, and they accepted 44 referrals from the Clearwater Homeless Street Outreach Team. Based on the number of homeless people that they assisted and the program needs, staff recommends that the City Council consider an increased funding commitment for fiscal year 2014-2015, the level of which is to be determined by the City Council. Depending on the increased level of funding, a budget amendment will be brought forward as part of first quarter budget amendments.

**APPROPRIATION CODE AND AMOUNT:**

010-09216-581000-552-000-0000 - up to \$50,000

**USE OF RESERVE FUNDS:**

If approved, funding for this contract will be provided by a first quarter budget amendment allocating General Fund reserves in the amount approved up to \$50,000 to Economic Development cost code 010-09216-581000-552. The balance in General Fund reserves is approximately \$17.9 million, or 15.3% of the 2014/15 General Fund operating budget. A total of \$1,101,214 of General Fund reserves has been used to date to fund expenditures in the 2014/15 operating budget.

*Mayor Cretkos said he received a letter from St. Petersburg Mayor Rick Kriseman regarding sending a letter to all city councils/commissions in Pinellas County requesting that they increase their contributions to Pinellas Safe Harbor and look at how they address homelessness in their community and how they provide funding for the social service agencies. The letter is expected to be distributed soon. Mayor Cretkos requested consideration to continue Item 10.1 to the next work session as an increased contribution to these social service agencies would use general fund reserves.*

*There was no consensus to continue discussion of Item 10.1.*

*In response to questions, Community Development Manager Ekaterini Gerakios Siren said HEP serves all segments of the homeless population: veterans, homeless families with children, and individual men and women.*

*Concerns were expressed regarding the use of general fund reserves for an out of cycle funding request.*

*HEP President and CEO Terrance McAbee said there has been an increase in the number of individuals being served by the shelter, which has impacted budgeted costs. It was recently discovered that 8 units have flooring and termite damage, which will cost approximately \$50,000 to repair. Mr. McAbee said an additional case manager was hired to address overnight monitoring due to the increased population. The shelter's comprehensive program services includes shelter, food, case management, mental and dental care services, and housing services that transitions the individuals to independent living. The shelter serves 110 veterans, many of whom are chronically homeless.*

**Vice Mayor Hock-DiPolito moved to approve request from the Homeless Emergency Project, Inc. (HEP) for an increase in the amount of \$50,000 for operations, capital improvements, and staffing needs, as part of the city's homeless initiative. The motion was duly seconded and carried unanimously.**

**10.2** Consider the request from Religious Community Services (RCS) for an increase in the amount of \$25,000 for operations and staffing needs of RCS Grace House, as part of the city's homeless initiative.

In an effort to address the root causes of homelessness, the City of Clearwater (City) established its homeless initiative program in the summer of 2012. In order to accomplish its mission and provide homeless individuals and families with access to comprehensive services, the City partnered with several local social service providers. One of those valued providers is RCS, located at 503 S. Martin Luther King Jr., Clearwater.

The mission of RCS is to direct resources to people facing hunger, homelessness, domestic violence and basic needs. RCS Grace House is an emergency shelter for homeless families with children. The program works one-on-one with families through case management and residents can stay there for up to two months. The facility consists of 14 fully-furnished apartments.

The City has allocated \$25,000 to RCS for Fiscal Year 2014-2015 from General Funds in the Economic Development and Housing Department budget. These funds can be used to support several primary types of activities, including but not limited to transitional housing of homeless families, delivery of case management, and operational costs.

On October 29, 2014, RCS requested an additional \$25,000, bringing the grand total to \$50,000 for the current fiscal year. The budgetary reasons for this request are:

- Homeless families with children are the fastest growing subset of homeless populations in Pinellas County; and
- Expansion of RCS Grace House services.

During Fiscal Year 2013-2014, RCS Grace House assisted 82 homeless/at risk individuals (25 families) from Clearwater. Based on the program needs and the overall countywide efforts to reduce homelessness among families with minor children, staff recommends that the City Council consider an increased funding commitment for fiscal year 2014-2015, the level of which is to be determined by the City Council. Depending on the increased level of funding, a budget amendment will be brought forward as part of first quarter budget amendments.

**APPROPRIATION CODE AND AMOUNT:**

0010-09216-581000-552-000-0000 - \$25,000

**USE OF RESERVE FUNDS:**

If approved, funding for this contract will be provided by a first quarter budget amendment allocating General Fund reserves in the amount approved up to \$25,000 to Economic Development cost code 010-09216-581000-552. The balance in General Fund reserves is approximately \$17.9 million, or 15.3% of the 2014/15 General Fund operating budget. A total of \$1,151,214 of General Fund reserves has been used to date to fund expenditures in the 2014/15 operating budget.

*In response to questions, RCS President/CEO Caitlin Higgins-Joy said homeless families are the fastest growing segment in the homeless population. A recent United Way study showed a huge percentage of our population lives in poverty or is one incident away from being homeless. RCS is actively exploring the possibility of starting a Grace House 2 and engaging potential funders for operating and capital support. Ms. Higgins-Joy said RCS is experiencing increased costs to provide services (i.e., pest control, bus passes, utilities). The bus passes are needed to ensure individuals have transportation ability. Ms. Higgins-Joy said the requested funds would provide staff more time to actively explore Grace House 2, rather than fundraising for unfunded operating needs.*

*It was suggested that RCS return with a funding request once plans for Grace House 2 have been defined.*

**Councilmember Hamilton moved to approve the request from Religious Community Services (RCS) for an increase in the amount**

**of \$25,000 for operations and staffing needs of RCS Grace House, as part of the city's homeless initiative.  
Motion failed for lack of a second.**

### **10.3 Approve 2015 Council Meeting Schedule.**

Generally, City Council meetings are at 6:00 p.m. on the first and third Thursday of each month. The accompanying work sessions are at 1:00 p.m. on the preceding Monday, unless the Monday is a holiday, in which case the work session is on Tuesday.

Per Council Rules, no meetings are held the first Thursday in January or in July.

The County's Budget calendar for 2015 is not known at this time. Once the Budget Manager receives this information, adjustment of the September meetings will be requested if needed.

Please note the following exceptions:

- The February 16 work session has been moved to Tuesday, February 17 due to Presidents' Day.
- The June 4 council meeting has been moved to Wednesday, June 3 due to Clearwater High School Graduation.
- The October 15 council meeting has been moved to Wednesday, October 14 due to Jazz Holiday.

Direction is needed on the following:

- In 2015, Rosh Hashanah will begin Sunday, September 13 at sundown through the evening of Tuesday, September 15. Council may reschedule the work session to Wednesday, September 16 or hold a council meeting only (no work session) on Thursday, September 17.

**Councilmember Jonson moved to approve 2015 Council Meeting Schedule. The motion was duly seconded and carried unanimously.**

### **10.4 Consideration to submit a letter to the Environmental Protection Agency (EPA) supporting their initiative to reduce carbon emissions.**

Environmental Advisory Board Chair Linda Varonich has requested Council to support EPA's recently proposed standards for existing power plants to reduce carbon dioxide emissions.

The period to submit comments to EPA ends December 1, 2014.

*Two individuals spoke in support.*

*In response to questions, Ms. Veronich said the Environmental Advisory Board (EAB) did not review or discuss the letter. She submitted the letter on her own behalf in the interest of meeting the comment period deadline. The EAB has discussed matters regarding the sea level rise and carbon pollution throughout the year. She apologized to Council for not bringing the matter before the EAB prior.*

**Councilmember Jonson moved to approve submitting a letter to the Environmental Protection Agency (EPA) supporting their initiative to reduce carbon emissions. The motion was duly seconded and carried unanimously.**

## **11. City Attorney Reports – None.**

## **12. Other Council Action**

### **12.1 Council Effectiveness Workshop**

The Institute of Government (IOG) at the University of South Florida has submitted a proposal to facilitate a Council Effectiveness Workshop for the City of Clearwater.

The proposal has been drafted by Marilyn Crotty, Executive Director of the IOG at the University of Central Florida, based on her extensive career working with state and local agencies, special districts and non-profits in Florida. There are five Florida IOG university locations with a mission to provide organizational development and training to equip local officials with tools to better serve their communities.

The Clearwater proposal is drafted to focus the workshop on the communication, decision-making and performance of highly effective Councils. If approved, Ms. Crotty will work with the City to finalize the agenda and schedule. Ms. Crotty has offered a number of possible dates in December and January for the proposed 4-hour training series.

If Council agrees to proceed, Ms. Crotty will work with IOG at USF (West Florida's office) to finalize the proposal scope and cost for the workshop. The cost is expected to be within the City Manager's purchasing authority.

*There was consensus for staff to pursue scheduling the workshop for December 16, 2014 from 10:00 a.m. to 2:00 p.m.*

**13. Closing comments by Councilmembers (limited to 3 minutes)**

*Councilmember Jonson congratulated the Vice Mayor for being elected the MPO/PPC Treasurer and suggested consideration be given to provide a discounted recreation card to residents who are disabled veterans. He questioned when the Council would address the ULI recommendation for a unified Downtown vision.*

*Vice Mayor Hock-DiPolito said the concerns raised earlier in the evening regarding the way-finding signs for businesses located on the east and west side of Enterprise Road/US Highway 19 need to be addressed in an expedited manner.*

**14. Closing Comments by Mayor**

*Reviewed recent and upcoming events, congratulated the Clearwater Central Catholic Girl's Volleyball Team for winning the State Championship, and wished all a Happy Thanksgiving.*

**15. Adjourn**

*The meeting adjourned at 8:34 p.m.*

Attest

\_\_\_\_\_  
Mayor  
City of Clearwater

\_\_\_\_\_  
City Clerk