

City of Clearwater

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



Meeting Minutes

Thursday, September 18, 2014

6:00 PM

Council Chambers

City Council

Roll Call

Present: 5 - Mayor George N. Cretekos, Vice Mayor Doreen Hock-DiPolito, Councilmember Bill Jonson, Councilmember Hoyt Hamilton and Councilmember Jay E. Polglaze

Also Present: William B. Horne II - City Manager, Jill S. Silverboard - Assistant 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 6:01 p.m. at City Hall.

2. Invocation - Rev. Norma Fontaine-Philbert from Garden of Grace Ministries

3. Pledge of Allegiance - Councilmember Hamilton

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

4.1 Service Awards

The September/October 2014 Bimonthly Team Award to District 3 Team N: Sgt. Sean Allaster, Corp. Steven Squilante, Officer Thomas Bracalento, Officer Carlos Lang, Officer Carl Conyers, Officer Michael Duffy, and Officer Fontayne Egger.

4.2 Public Safety Award Recognition - Detective McBride and Officer Pita

Mayor recognized Detective McBride for receiving 2013-14 Florida Missing Children's Day Law Enforcement Task Force Team of the Year Award and Officer Pita who was honored for her efforts in a human trafficking investigation.

4.3 Day of Remembrance for Murder Victims Proclamation, September 25, 2014 - Yolanda Cowart, Springtime Club

5. Approval of Minutes

- 5.1** Approve the minutes of the September 4, 2014 City Council meeting and the September 4, 2014 Attorney Client Session as submitted in written summation by the City Clerk.

Councilmember Jonson moved to approve the minutes of the September 4, 2014 City Council meeting and the September 4, 2014 Attorney Client Session 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

Tom Petersen expressed concerns regarding pending charges against Dave Clark, former Executive of Clearwater Cay, with a ponzi scheme involving a vacation rental project in Pinellas County that would have rivaled Disney.

Tom Nocera urged Council to demand the resignation of PSTA's Chief Executive Officer and reconsider endorsing the Greenlight Pinellas Plan this point forward.

Shawn Schrader thanked Council for recently approving traffic calming funding for the Hillcrest Neighborhood.

Carl Schrader said he looks forward to Urban Land Institute's final report and hopes it is a starting point for all stakeholders to improve relations and work toward a common goal.

Joe Corvino thanked Council for pursuing ULI's panel study on Downtown and suggested that consideration be given to pursue the master plan rather than individual recommendations which can appear dated when piecemealed.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve the renewal of a Software Support Agreement for the TriTech System, in the amount of \$168,862.71, for a 12-month period beginning October 1, 2014 and ending September 30, 2015 and authorize the appropriate officials to execute same. (consent)
- 7.2** Appoint Caitlein Jayne Jammo to the Clearwater Housing Authority Board with term to expire September 30, 2018. (consent)
- 7.3** Appoint Lindsay Collins to the Environmental Advisory Board with term to expire

September 30, 2018. (consent)

- 7.4** Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2014/2015 in the amount of \$168,788.10 to underwrite the cost of additional Community Policing Services by the Clearwater Police Department in the East Gateway CRA District, pursuant to the East Gateway Five-Year Action Program for fiscal years 2012-2017. (consent)
- 7.5** Approve a contract in the amount of \$406,175.40 with the Pinellas County Sheriff's Office, Largo, Florida for latent fingerprint, crime scene processing, evidence and property storage and Pinellas Juvenile Assessment Center services, during the one-year contract period commencing October 1, 2014 through September 30, 2015 and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve the third amendment to the Management Agreement between the City of Clearwater and the Clearwater Regional Chamber of Commerce, Inc. to extend the Agreement for a one-year period, authorize funding in the amount of \$50,000 in Fiscal Year 2014-2015 for the operation of the Beach Visitor Information Center (BVIC), and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve an amendment to Southwest Florida Water Management District (SWFWMD) agreement for the Smallwood Circle Stormwater Improvements Project (N395) extending the contract expiration date to September 30, 2015 and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve a one-year Grant Funding Agreement, in the amount of \$166,993 between Jolley Trolley Transportation of Clearwater, Inc. and the City of Clearwater for the operation of transportation and trolley service on Clearwater Beach, Island Estates and Sand Key (Beach Route) and the Coastal Route, and authorize the appropriate officials to execute same. (consent)
- 7.9** Approve a Supplemental Work Order to Harvard Jolly, Inc., Architect of Record (AOR), for Threshold Inspections necessary for the construction of Countryside Branch Library (11-0059-LI), in the amount of \$10,560 and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve the Release and Termination of restrictions executed by Forrest Garrison as owner upon certain privately owned land located in the NE 1/4 of the SE 1/4, Section 19-29-16 (Far Horizons Mobile Home Park), whose post office address is 18746 U.S. Highway 19 North, which were originally accepted by the Clearwater City Commission on May 20, 1976, and authorize the appropriate officials to execute same. (consent)
- 7.11** Award a contract (Purchase Order) to Verizon Wireless for basic cellular/smart phones and mobile data services for the period of November 1, 2014 through October

31, 2015 in an amount not to exceed \$331,600 in accordance with Sec 2.564 (1) (d), Code of Ordinances, under State Contract DMS-1011-008C, and authorize the appropriate officials to execute same. (consent)

7.12 Award a contract (Purchase Order) to Verizon, Florida, Inc., St. Petersburg, Florida for telephone service including frame relay service, T1's, credit/collect calls and backup trunks during the period of October 1, 2014 to September 30, 2015 at a cost not to exceed \$123,095, in accordance with Sec 2.564 (1) (e) Code of Ordinances, impractical to bid, and authorize the appropriate officials to execute same. (consent)

7.13 Award a contract (Purchase Order) to Oracle America, Inc., Redwood Shores, California for the period of October 1, 2014 to September 30, 2015 for software maintenance at a cost not to exceed \$264,300, in accordance with Sec. 2.564 (1) (b) Code of Ordinances, sole source, and authorize the appropriate officials to execute same. (consent)

7.14 Award a contract (Purchase Order) to State of Florida, Department of Management Services, Tallahassee, Florida for Suncom long distance service, State AIN Centranet lines and toll free lines during the period of October 1, 2014 to September 30, 2015 at a cost not to exceed \$103,565 in accordance with Sec 2.564 (1) (d), Code of Ordinances, under State Contract 730-000-09-1, and authorize the appropriate officials to execute same. (consent)

7.15 Agree to Equal Employment Opportunity Commission (EEOC) conciliation agreement between Rose Lara and the City of Clearwater and settle the case for \$50,000 and authorize the appropriate officials to execute same. (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 Adopt Ordinance 8584-14 on second reading, declaring the millage rate to be levied for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, for operating purposes, including the funding of pensions, debt services, and road maintenance for Capital Improvement expenditures at 5.1550 mills. The levy of 5.1550 mills constitutes a 5.92% increase from the rolled back rate of 4.8667 mills.

Ordinance 8584-14 was presented and read in full. Councilmember Polglaze moved to adopt Ordinance 8584-14 on second reading, declaring the millage rate to be levied for the Fiscal Year beginning

October 1, 2014 and ending September 30, 2015, for operating purposes, including the funding of pensions, debt services, and road maintenance for Capital Improvement expenditures at 5.1550 mills. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretikos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 8.2** Adopt Ordinance 8585-14 on second reading, adopting an Operating Budget for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, authorizing the City Manager to issue such instructions that are necessary to achieve and accomplish the service programs so authorized; authorizing the City Manager to transfer monies and programs among the departments and activities within any fund as provided by Chapter 2 of the Clearwater Code of Ordinances.

Ordinance 8585-14 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8585-14 on second reading, adopting an Operating Budget for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, authorizing the City Manager to issue such instructions that are necessary to achieve and accomplish the service programs so authorized; authorizing the City Manager to transfer monies and programs among the departments and activities within any fund as provided by Chapter 2 of the Clearwater Code of Ordinances. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretikos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 8.3** Adopt Ordinance 8586-14 on second reading, adopting the Capital Improvement Budget for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, approving the six-year Capital Improvement Program which shall be reevaluated at the beginning of each Fiscal Year; authorizing the City Manager to issue such instructions that are necessary to achieve and accomplish the capital improvements so authorized; authorizing the City Manager to transfer money between projects in the Capital Improvement Program; appropriating available and anticipated resources for the projects identified.

Council thanked Budget Director Tina Wilson for her dedicated service to the City and wished her a happy retirement.

Ordinance 8586-14 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8586-14 on second reading, adopting the Capital Improvement Budget for the

Fiscal Year beginning October 1, 2014 and ending September 30, 2015, approving the six-year Capital Improvement Program which shall be reevaluated at the beginning of each Fiscal Year; authorizing the City Manager to issue such instructions that are necessary to achieve and accomplish the capital improvements so authorized; authorizing the City Manager to transfer money between projects in the Capital Improvement Program; appropriating available and anticipated resources for the projects identified. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 8.4** Approve a Development Agreement between Mainstream Partners VIII, LTD (the property owner) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design; adopt Resolution 14-25, and authorize the appropriate officials to execute same. (HDA2013-08006)

Development Proposal:

No changes have been made to the Development Proposal, Agreement, Conceptual Site Plan or Conceptual Elevations presented at the September 4, 2014 Council meeting.

The owners propose to utilize the otherwise permitted density of 50 units per acre or 66 units and incorporate an additional 100 units from the Hotel Density Reserve through *Beach by Design* resulting in a total of 166 units (126 units per acre).

Consistency with the Community Development Code:

No changes have been made to the Conceptual Site Plan presented at the September 4, 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 September 4, 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 126 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*.

The City Attorney said the Applicant did not approve staff's language amending the agreement to provide for 10 ft. sidewalks. The language provided included all of the rights-of-way, which would have meant Coronado Drive, Hamden Drive and 5th Street.

In response to questions, Planner Mark Parry said the rendering submitted by the Applicant is a conceptual site plan with conceptual elevations. The conceptual plans represent the project the Applicant intends to build; any changes at the design stage would go before the CDB. The concept plans approved by Council that received units from the reserve had 7 ft.-wide

sidewalks along Coronado and some along Gulfview Boulevard had 8 ft.-wide sidewalks. Pervious materials allow rainfall to percolate into the soil. Impervious material does not allow rain to percolate. Mr. Parry said impervious material causes stormwater flooding.

Applicant representative Ed Hooper said at the last council meeting the Applicant committed to 10 ft.-wide sidewalks and presented a plan that reflected 10ft.-wide sidewalks. Since then, the Applicant is conflicted with the fact that the rest of Coronado Drive, to include most of the non-Beachwalk area have 7 ft.-wide sidewalks. A fair amount of the sidewalks in this area have palm trees and the streetlights in the middle. The Applicant is questioning why he is being asked to be inconsistent. Mr. Hooper said 5th Street is a short street not heavily traveled by pedestrians. Coronado Drive is the main north-south road on Clearwater Beach and is heavily traveled. The Applicant is unsure of what the majority of Council wants him to do; consensus is needed in order to move forward.

In response to questions, Mr. Hooper said the Applicant has brought two projects before Council that were approved, this is the final project. The first two projects did not have the sidewalk restriction. Hamden Drive is a small street with little property on the east for redevelopment potential. The architect testified at the last meeting that the southern end of the property, where Coronado makes a bend, a 10-ft. swath would go beyond the current right-of-way and would extend 3 ft. into the property site.

Discussion ensued with support expressed for the 7 ft.-wide sidewalks, which is consistent with existing sidewalks in area. Concerns were expressed regarding the negative impact 7 ft.-wide sidewalks would have on the pedestrian experience and that the Applicant submitted documentation that cited 10 ft.-wide sidewalks.

Mr. Hooper said site plans and detailed site work will go before the Community Development Board. The Applicant looked at his projects that were previously approved by Council which did not include the 10 ft.-wide sidewalk requirement and feels singled out. The current development agreement does not address sidewalks.

The City Attorney said the development agreement does not include any language to the sidewalk width.

In response to questions, Planning and Development Director Michael Delk said some sidewalks on Coronado Drive may be wider than 7 ft. because the City was able to receive an easement. The right-of-way width along Coronado Drive varies. Architect Istvan Peteranecz said the length of the entire property is 350 ft. Planner Mark Parry said the project on 443 East Shore Dr provides 10 ft.-wide sidewalk and those along Coronado provide 7 ft.-wide sidewalks. Mainstream projects A/B have not gone through the flexible development

process yet.

Mr. Hooper said this is step one of the process; Council may direct the City Manager to suggest certain conditions for approval.

Councilmember Hamilton moved to approve Item 8.4 as submitted with the 7 ft.-wide sidewalk being sufficient. The motion was duly seconded.

**Councilmember Jonson moved to amend the motion to read, “Approve Item 8.4 as submitted, except for a 10 ft.-wide sidewalk on Coronado.”
Motion failed for lack of a second.**

The City Attorney said the sidewalk width is not referenced in the development agreement as it will be addressed at the site plan review process. Engineering Director Mike Quillen said the sidewalks on Coronado Drive are 7 ft.-wide all the way to Hamden Drive.

It was suggested to strike reference to the sidewalk width from the motion.

**Councilmember Hamilton moved to amend the motion to read, “approve Item 8.4 as submitted. The motion was seconded. Mayor Cretekos, Vice Mayor Hock-DiPolito and Councilmembers Hamilton and Polglaze voted “Aye;” Councilmember Jonson voted “Nay.”
Motion carried.**

**Councilmember Hamilton moved to approve a Development Agreement between Mainstream Partners VIII, LTD (the property owner) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design. The motion was seconded. Mayor Cretekos, Vice Mayor Hock-DiPolito and Councilmembers Hamilton and Polglaze voted “Aye;” Councilmember Jonson voted “Nay.”
Motion carried.**

Resolution 14-25 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Resolution 14-25. The motion was duly seconded and upon roll call, the vote was:

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

Nays: 1 - Councilmember Jonson

Motion carried.

- 8.5** Approve a Development Agreement between Alanik Properties; Anco Holdings, LLC; Nikana Holdings, LLC (the property owners) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design; adopt Resolution 14-29, and authorize the appropriate officials to execute same. (HDA2014-06004)

Development Proposal:

No changes have been made to the Development Proposal presented at the September 4, 2014 Council meeting. The applicant has committed to the provision of a bicycle rack the location, materials and installation methodology of which will be coordinated with Staff as part of the site plan review process. The owners propose to utilize the existing 127 hotel units and incorporate an additional 100 units from the Hotel Density Reserve through *Beach by Design* resulting in a total of 227 units (114 units per acre).

Consistency with the Community Development Code:

No changes have been made to the Conceptual Site Plan presented at the September 4, 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 September 4, 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 114 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*.

The City Attorney said the stub-out issue and the removal of pavement will be addressed in the flexible land development process. This matter has been conceptually agreed upon but not included in the development agreement. Engineering Director Mike Quillen said the Applicant will remove the frontage road; the City will handle any utility conflicts. The Applicant will replant the area with similar landscaping currently in place on both sides. The City will assume the maintenance of the landscaping.

Applicant representative Ed Hooper agreed that the stub-out issue will be addressed at demolition by the Applicant. Mr. Hooper said he agreed with Mr. Quillen's comments.

Councilmember Jonson moved to approve a Development Agreement between Alanik Properties; Anco Holdings, LLC; Nikana Holdings, LLC (the property owners) and the City of Clearwater, providing for the allocation of 100 units from the Hotel Density Reserve under Beach by Design. The motion was duly seconded and carried unanimously.

Resolution 14-29 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Resolution 14-29. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretikos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 8.6** Approve a second amendment to the first amended and restated Development Agreement between K and P Clearwater Estate, LLC (the property owner) and the City of Clearwater, adopt Resolution 14-30, and authorize the appropriate officials to execute same. (DVA2014-07005)

Development Proposal:

The proposal remains consistent with that as included with FLD2008-05013 and DVA2008-00001A. A resort hotel containing 250 overnight accommodation rooms and 200 interval ownership/ timeshare rooms; a total of 450 rooms (163.6 rooms/acre on total site) with 250 rooms being granted to the project from the Destination Resort Density Pool, and a maximum of 37,000 square feet (0.31 FAR on total site) of amenities accessory to the hotel at a height of 150 feet (to roof deck).

The owners propose a second amendment to the first amended and restated Development Agreement.

Consistency with the Community Development Code:

The 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:

The site plan associated with FLD2008-05013 and DVA2008-00001A and substantially unchanged although a minor amendment was approved on November 13, 2013 by the Community Development Coordinator pursuant to CDC Section 4-406. The minor revisions included the following:

- Ballroom/Banquet Facility: The ballroom remains in the same location, but the height of has been reduced by 22 feet. The spa that was previously located above the ballroom has been relocated to the Connecting Element that connects the two towers.
- Connecting Element: This building massing has been setback approximately 30 feet from Coronado Drive. This building component was also reduced in height by 47 feet.
- Building Podium: The building podium between the towers in the approved design is four levels above Beach Walk, at a height of approximately 38 feet - with the pool deck located on top of the raised platform. The proposed design has reduced the podium structure between the towers in height. The top of the podium/pool deck is now approximated five feet above Beach Walk. The half level separation from Beach Walk to the

pool/amenity deck and restaurant is accessible by way of flanking sets of steps as well as a set of flanking ADA compliant ramps.

The Conceptual Site Plan continues to appear to be consistent with the Beach by Design with regard to:

- Design Guidelines

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 and includes the following main provisions and amendments:

- Section 1.01
 - Paragraph 14: Reverses the deletion of this paragraph in the most recent amended Development Agreement (DVA2008-00001A) to reinstate the applicant's intent to establish a maximum of 200 time share units. The most recent amendment provided that the Applicant was no longer interested in interval ownership/timeshare usage;
 - Paragraph 16: provides a clarification differentiating between the 250 hotel units allocated from the Destination Resort Density Pool and those units designated as Interval Ownership;
 - Paragraph 29: Adds a specific unit count of 450 units to the sentence, "Resort Hotel Units means both Interval Ownership Units and Hotel Units."
 - Paragraph 34: Adds a new paragraph which clarifies what a "Timeshare Interest" is, allows that such units may be created and sold, the timeframes in which such units may be used, specifies that the creation of such units requires no further City approval and that a mixed use project (consisting of both hotel and timeshare units) is permitted.
- Section 2.03
 - Paragraph 1
 - Subparagraph c: The specific number of allotted units (250) is deleted and adds the inclusion of an Exhibit O which provides detailed descriptions of the amounts and types of provided amenities.
 - Subparagraph d: This clarifies that the area of the building labeled as "Timeshare" is where the Interval Ownership units are located.
- Exhibit C: Relates to Sec. 2.03 Paragraph 2 and basically adds a section to the beginning of the exhibit which provides that as long as the Resort Hotel is operated in accordance with the standards of the Wyndham Grand Resort that the requirements of Exhibit C are met. It also provides that the Interval Ownership Units will meet those same standards.
- Commencement Date: the Commencement Date throughout the document

is moved to February 15, 2015.

- Section 3.03
 - Paragraph 2: This section was amended in the last version of the DVA and is amended again here to reference the fact that this is the second amendment, to provide a date certain (September 12, 2018) that the City agrees to reserve required capacity (the most recent version simply provided a three year time frame where this version is for three years seven months - February 15, 2015 to September 12, 2018) and the effective date is deleted since an effective date is provided elsewhere.
- Section 5.03
 - Paragraph 10: This is a new paragraph and provides that a Quit Claim Deed, held in escrow, will be provided to the Developer when construction starts. It also provides that, provided within the Development Agreement, an acknowledgement will state that all condition with regard to right-of-way vacations have been met.
- Preliminary Plans/Exhibit B
 - The applicant proposes to substitute the site plans previously attached to the Development Agreement with the site plans approved by the CDB (FLD2008-05013) and subsequently amended through a minor revision on November 13, 2013 (outlined in the Site History section of this report, above).
- Section 5.04
 - Paragraph 7: This section was deleted in the last amendment and is largely, although not exactly, reinstated here. It provides that there will be shared use agreement with regard to various spaces, amenities and common areas which may be jointly used by occupants of the hotel units and timeshare units. It also provides that the Hotel and Timeshare components may be operated by more than one operator.
 - Paragraph 10. This provides an acknowledgement from the City that the Developer has met the requirements of the Performance Assurance Milestones.
 - Paragraph 11: This is a new paragraph and adds the aforementioned new Commencement Date of February 12, 2015.
- Section 16.01
 - Paragraph 1
 - Subparagraph f: this is a new subparagraph and it provides that a transfer of ownership to any mortgage lien holder due to a foreclosure or similar event does not require the consent of or notice to the City.

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 Community Development Board will review this second amendment to the first amended and restated Development Agreement at its public hearing on September 16, 2014, and the Planning and Development Department is recommending that the Community Development recommend approval of the request.

The City Attorney said there was one minor change made prior to the submission to the Community Development Board relating to who will be approving their quality standards. The time share component will be approved by Wyndham Time Share and the hotel component will be approved by Wyndham Grand Hospitality.

Planner Mark Parry said the Community Development Board reviewed the request on September 16 and recommended approval.

Councilmember Polglaze moved to approve a second amendment to the first amended and restated Development Agreement between K and P Clearwater Estate, LLC (the property owner) and the City of Clearwater and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Resolution 14-30 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 14-30. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 8.7** 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 1260 Palm Street (Lot 24, Block A, Cleardun in Section 3, Township 29 South, Range 15 East) and 1283 Palm Street (Knight's Acres Lots, Lot 17, N. 18.4ft of Lot 18 in Section 3, Township 29 South, Range 15 East) together with the abutting rights-of-way of Palm Street and N. Betty Lane; and pass Ordinances 8581-14, 8582-14 and 8583-14 on first reading. (ANX2014-07012)

This voluntary annexation petition involves two parcels of land totaling 0.306 acres. One parcel is occupied by a single-family dwelling and the other parcel is occupied by a multi-family dwelling (3 units). The two lots are located south of Union Street, east of Douglas Avenue, north of Sunset Point Road (SR 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 it is available in the future, as part of the City's Idlewild/The Mall Septic-to-Sewer Project. The properties are contiguous to existing City boundaries along at least one property boundary. The Development Review Committee is proposing that the 0.331-acres of abutting Palm Street and Betty Lane rights-of-way 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 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 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 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 properties by Station 51 located at 1720 Overbrook Avenue. The City has adequate capacity to serve the 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 the 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 use of the subject property located at 1260 Palm Street is consistent with the uses allowed in the district and the property exceeds the district's minimum dimensional requirements. The property located at 1283 Palm Street is an existing triplex (attached dwelling), and although the use is allowed within the Low Medium

Density Residential (LMDR) District through the Flexible Standard Development process, the property is nonconforming with regard to density and lot width. The provisions of Community Development Code Article 6 Nonconformity Provisions will apply to this property once annexed into the City. 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 1260 Palm Street (Lot 24, Block A, Cleardun in Section 3, Township 29 South, Range 15 East) and 1283 Palm Street (Knight's Acres Lots, Lot 17, N. 18.4ft of Lot 18 in Section 3, Township 29 South, Range 15 East) together with the abutting rights-of-way of Palm Street and N. Betty Lane. The motion was duly seconded and carried unanimously.

Ordinance 8581-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8581-14 on first reading. The motion was duly seconded and upon roll call, the vote:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

Ordinance 8582-14 was presented and read by title only. Councilmember Polglaze moved to pass Ordinance 8582-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

Ordinance 8583-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8583-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember

Jonson, Councilmember Hamilton and Councilmember Polglaze

- 8.8** Approve the Annexation, Initial Land Use Plan Designation of Industrial General (IG) and Initial Zoning Atlas Designation of Industrial, Research and Technology (IRT) District for 1710 Calumet Street (Metes and Bounds Tract 34/271 in Section 01, Township 29 South, Range 15 East) along with the ingress/egress easement of Calumet Street; and pass Ordinances 8588-14, 8589-14 and 8590-14 on first reading. (ANX2014-07010)

This voluntary annexation petition involves a 1.5 acre property consisting of one parcel of land occupied by a light manufacturing facility. It is located on the south side of Calumet Street, approximately 1,140 feet west of Hercules Avenue. The applicant, Instrument Transformers, will demolish the existing structures on this site in order to provide parking for their existing facilities, which were previously annexed into the City. They are requesting solid waste service from the City upon annexation. The property is located within an enclave and is contiguous to existing City boundaries to the north and east. It is proposed that the property be assigned a Future Land Use Plan designation of Industrial General (IG) and a zoning category of Industrial, Research and Technology (IRT).

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

- The property currently receives water service from Pinellas County. Sewer is not readily available for this site, but it is not needed for the proposed parking use. The applicant is aware of the additional costs to extend City sewer service to this property if it is desired in the future. Collection of solid waste will be provided by the City of Clearwater. 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 48 located at 1700 N. Belcher 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 objective 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.

- The proposed IG Future Land Use Plan category is consistent with the current Countywide Plan designation of this property. This designation primarily permits light and/or heavy manufacturing, wholesale, warehouse, research/development and vehicular salvage. The proposed zoning district to be assigned to the property is the Industrial, Research and Technology (IRT) District. The use of the subject property is consistent with the uses allowed in the District. The parcel exceeds the District's minimum lot area requirement and meets the District's lot width through the Flexible Standard Development

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 and east; therefore the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Jonson moved to approve the Annexation, Initial Land Use Plan Designation of Industrial General (IG) and Initial Zoning Atlas Designation of Industrial, Research and Technology (IRT) District for 1710 Calumet Street (Metes and Bounds Tract 34/271 in Section 01, Township 29 South, Range 15 East) along with the ingress/egress easement of Calumet Street. The motion was duly seconded and carried unanimously.

Ordinance 8588-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to Ordinance 8588-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

Ordinance 8589-14 was presented and read by title only. Councilmember Polglaze moved to pass Ordinance 8589-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

Ordinance 8590-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8590-14 on first reading. The motion was duly seconded and upon roll call, the vote

was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

8.9 Approve the vacation of a portion of Brownell Street, a city right-of-way and pass Ordinance 8592-14 on first reading. (VAC2014-01 Fire Station 45)

Construction of Fire Station 45 is nearly complete. In 2011, prior to the design phase of the construction project, Brownell Street bisected the project site. City Council passed and adopted Ordinance 8301-11 on December 1, 2011 vacating the easternmost 136-feet of Brownell Street to accommodate construction. Council was not able to vacate the remaining portion of Brownell Street that currently bisects the project site because of a single, privately owned parcel. The City has acquired this parcel and now owns all property on both sides of the portion of Brownell Street proposed for vacation. Upon City Council approval of Ordinance 8592-14, the City will take ownership of the vacated area by operation of law. The road within the vacated area will no longer be considered a public right-of-way but it will continue to serve as the entry drive-isle accessing the parking lots at Fire Station 45. The right-of-way proposed for vacation is 30-feet wide and approximately 180-feet long. Vacating the right-of-way will not affect access to any privately owned property. Duke Energy and Verizon have each requested that the City grant an easement over a portion of the vacated area. Staff will present the easements as requested following the adoption of Ordinance 8592-14.

Councilmember Hamilton moved to approve the vacation of a portion of Brownell Street, a city right-of-way. The motion was duly seconded and carried unanimously.

Ordinance 8592-14 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 8592-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

The Council recessed from 7:56 p.m. to 8:00 p.m.

9. Presentations (by government agencies or groups providing formal updates to Council)

9.1 Safety Review Results for Gulf to Bay Boulevard and Belcher Road - Peter Hsu, FDOT Asst. District Traffic Ops Engineer

Florida Department of Transportation (FDOT) District Safety Program Manager David Skrelunas provided a PowerPoint presentation regarding updates on recommendations for Gulf to Bay Boulevard and Belcher Road intersection.

In response to a question, Mr. Skrelunas said that if a stop sign's visibility is obstructed on private property, it is the responsibility of the property owner to address the issue. FDOT would contact the Publix shopping center at the corner to advise them of the obstructed view of the stop sign at the egress onto Belcher Road. He addressed the traffic backup while traveling south on Belcher, south of Gulf to Bay Blvd., for those wanting to make a left (east) turn into the Publix shopping center, and recommended placing a physical barrier to alleviate this issue. Addressing a suggestion of a flashing strobe or countdown to a red light, Mr. Skrelunas said this type of red light running deterrent has not been met with much success, it has created more rear-end collisions. Regarding the bus stop receiving signal prioritization, Mr. Skrelunas said signal prioritizations would need to be addressed by the transit agency and FDOT. The unused utility pole at the NE intersection will be removed when the new traffic mast arms are installed. He said the school crossing sign has not yet been removed because children still may be crossing the intersection even though the Pinellas County School Board is now bussing students across Gulf to Bay Blvd. He commented that there is not much right-of-way on the corner and will be difficult to install new traffic lights while the current ones are still working.

10. City Manager Reports

10.1 Amend the City's fiscal year 2013/14 Operating and Capital Improvement Budgets at third quarter and pass Ordinances 8601-14 and 8602-14 on first reading.

The fiscal year 2013/14 Operating and Capital Improvement Budgets were adopted in September 2013 by Ordinances 8476-13 and 8477-13. Section 2.521 of the City's Code of Ordinances requires the City Manager to prepare a quarterly report detailing income, expenditure estimates, collections, the

explanation of significant variances, as well as the financial status of all capital improvement projects. The memorandum and the accompanying report provide this information and outline the issues at third quarter that require amendment.

Councilmember Hamilton moved to amend the City's fiscal year 2013/14 Operating and Capital Improvement Budgets at third quarter. The motion was duly seconded and carried unanimously.

Ordinance 8601-14 was presented and read by title only. Councilmember Jonson moved to pass Ordinance 8601-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

Ordinance 8602-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8602-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretkos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 10.2** Amend Section 22.90 of the City of Clearwater Code of Ordinances, to allow for additional special events alcohol permits in the downtown area of Clearwater between Drew Street and Pierce Street, North and South and between Myrtle Street and the waterfront and allow for metal containers at special events and pass Ordinance 8600-14 on first reading.

Current language in Section 22.90 allows for nonprofit civic organizations to obtain three temporary alcohol permits per year as allowed by section 561.422 of Florida Statutes.

In an effort to promote downtown Clearwater numerous special events are held throughout the year on Cleveland Street as well as in Coachman Park. With so many special events, most of which allow for alcohol, a special event permit as well as an alcohol permit must be obtained. The requirement of having only three temporary permits per year was very restrictive to the nonprofit groups supporting these events.

This ordinance allows for an additional 15 alcohol permits per year for nonprofit civic organizations in the downtown district pursuant to Chapter 2012-244, Laws of Florida.

In addition the current ordinance restricts the use of alcoholic beverages being

served from certain containers including metal cans. The purpose for this is to allow law enforcement officials to ascertain what the beverage is during an event.

However, many of the special event sponsors are now serving their beverages in metal cans so there is a need to allow for their use. The Chief of Police has the right to disallow the use of metal cans for events where safety concerns might prevail.

Councilmember Polglaze moved to amend Section 22.90 of the City of Clearwater Code of Ordinances, to allow for additional special events alcohol permits in the downtown area of Clearwater between Drew Street and Pierce Street, North and South and between Myrtle Street and the waterfront and allow for metal containers at special events. The motion was duly seconded and carried unanimously.

Ordinance 8600-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8600-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretokos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

10.3 Amend Section 30.060(4) of the Clearwater Code of Ordinances to provide for the ability to electronically send the Florida Dept. of Highway Safety and Motor Vehicles (DMV) data listing persons or entities with three or more outstanding parking violations and pass Ordinance 8599-14 on first reading.

August 20, 2014 City Council approved an agreement to Data Ticket Inc. for citation processing which requires electronic communication with the DMV. This revision to the Code of Ordinances will authorize this type of communication.

Previously the City and the DMV have relied on a Florida Statue provision to meet this requirement, however the DMV is now requiring the language to actually be in the City Code of Ordinances.

Councilmember Jonson moved to amend Section 30.060(4) of the Clearwater Code of Ordinances to provide for the ability to electronically send the Florida Dept. of Highway Safety and Motor Vehicles (DMV) data listing persons or entities with three or more outstanding parking violations. The motion was duly seconded and carried unanimously.

Ordinance 8599-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to pass Ordinance 8599-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretelos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

- 10.4** Approve the Emergency Medical Services ALS First Responder Agreement between Pinellas County and City of Clearwater for a three year term extending until September 30, 2017 and authorize the appropriate officials to execute same.

The Pinellas County Emergency Medical Services Authority (EMS Authority) is a special district created for the purpose of providing Emergency Medical Services (EMS) throughout Pinellas County, pursuant to Chapter 80-585, Laws of Florida, and Chapter 54, Article III, Pinellas County Code, as amended. Pinellas County has contracted with various municipalities and independent special fire districts in the County to provide first responder services and has also contracted with an ambulance contractor to provide emergency and non-emergency transport services.

Through this contract, Clearwater Fire and Rescue will provide advanced life support services to the residents of the City of Clearwater and to individuals within the unincorporated area of Pinellas County that is located within the Clearwater Fire Control District. The City of Clearwater has 6.49 square miles of unincorporated land located within the Clearwater Fire Control District. The Pinellas County EMS Authority signed a 10-year agreement with the contract providers that expired on September 30, 2007 and then another agreement was signed for 2007-2009. Each year from this expiration date an annual extension has been authorized.

The current contract proposal is for a three-year contract term and allows two one-year contract extensions. This proposal continues funding for our current service level. Compensation for the fiscal year commencing October 1, 2014 and ending September 30, 2015 shall be \$5,743,906. Compensation is to be paid in arrears in equal monthly installments beginning on November 1, 2014.

The contract terms include:

- Average annual increase of 1.9% over the three year term. If extended for the additional two year term, annual costs increases equal to the lower of the Consumer Price Increase (CPI-U) or 125% of the annual increase in taxable property values are included.
- The contract allows up to an additional 1% of budgeted funds to cover

allowable costs, which may exceed budgeted anticipated expenditures or for some overhead, internal services, or station supply costs which were not previously reimbursable.

- The contract funds replacement of rescue units and two staff support vehicles.

The City Manager said this agreement has been difficult to achieve and the County was able to reach an agreement with all 18 cities. The agreement will help the County realize some of the savings they were looking for. Staff is comfortable with this three-year agreement, which will give the City and the County more opportunity to see how the system is operating under the new set of rules.

In response to a question, Fire Chief Robert Weiss said this is a three-year contract with two one-year extensions added on if accepted. The budget submitted by the City to the County for the first year (Fiscal Year 14/15) is the Department's actual cost. For years two and three, the budgets are inflated by roughly 1.6% for each of the two years. There is a different funding mechanism associated with the two extension years if the City moves into them. This contract provides for an initial 1% of the approved budget for allowable costs associated with EMS. This is not a reserve, it doesn't carry over year to year, but it is accessible each year if the Department goes above the budgeted amount.

Councilmember Hamilton moved to approve the Emergency Medical Services ALS First Responder Agreement between Pinellas County and City of Clearwater for a three year term extending until September 30, 2017 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

11. City Attorney Reports – None.

12. Other Council Action – None.

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

Vice Mayor Hock-DiPolito said only one TIGER grant was awarded in Florida; it was awarded to the Tamiami Trail. The City's federal lobbyist recommended county and city staff work on the next grant application cycle.

Councilmember Hamilton said the Cay Club project was vetted by legal and city staff and there was no reason to not approve the project at the time it was presented. In response to concerns related the Pinellas Suncoast Transportation Authority's Chief Executive Officer (CEO), he said

Councilmember Jonson could not request the resignation of the CEO without council direction as Councilmembers speak as a collective body.

Councilmember Jonson said the PSTA Executive Committee provided the CEO with high marks during his recent performance review. The CEO has brought technology and improvements throughout the organization. There is a Tampa Bay transportation forum on September 24, 2014 at the Hilton Carillon where the Florida Secretary of Transportation as well as representatives from Tampa International Airport and TBARTA will be in attendance. There is a significant referendum coming in November, please make efforts to understand both sides of the issue.

The City Attorney addressed concerns expressed by the public regarding the Cay Club project. The development was able to create a Community Development District which issued bonds for the project. No City money was spent or lost or misappropriated.

14. Closing Comments by Mayor

Mayor Cretelos reviewed recent and upcoming events.

15. Adjourn

The meeting adjourned at 9:05 p.m.

Attest

City Clerk

Mayor
City of Clearwater