

# City of Clearwater

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



## Meeting Minutes

Thursday, November 15, 2018

6:00 PM

Council Chambers

**City Council**

**Roll Call**

**Present:** 5 - Mayor George N. Cretekos, Vice Mayor Doreen Caudell (Departed at 7:18 p.m.), Councilmember Hoyt Hamilton, Councilmember Bob Cundiff and Councilmember David Allbritton

**Also Present:** William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, Micah Maxwell – Assistant City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk and Nicole Sprague – Official Records and Legislative Services Coordinator

*To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.*

**Unapproved****1. Call to Order – Mayor Cretekos**

*The meeting was called to order at 6:00 pm at City Hall.*

**2. Invocation – Pastor Fleming Tarver from St. John Missionary Baptist Church****3. Pledge of Allegiance – Councilmember Hamilton****4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.****4.1 November Service Awards**

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

**4.2 Citizens Academy Graduation**

*Certificates were presented to Daniel Adriance, Zebbie Atkinson IV, Joseph Booth, Jennifer Borrow, Andrea Clark, Sarah Davis, Becky Ecung, Bud Elias, Gloria Lepik-Corrigan, David Lillesand, Connor Lystad, Theresa McComber, Amins Rodriguez, Sean Schrader, Samantha Seebeck, Aaron Smith-Levin, Linda Stuckey, Michael Sullivan, Glenna Wentworth and David Yarish.*

**4.3 Master Chorale Day Proclamation, December 6, 2018 - Tom Barker, Development Director of The Master Chorale of Tampa Bay**

**4.4** World Pancreatic Cancer Day Proclamation, November 15, 2018 - Danny Rowland, Pancreatic Cancer Action Network

**4.5** Clearwater Jazz Holiday Presentation - Steve Weinberger, CEO Clearwater Jazz Holiday, -Gary Hallas, Marketing & Operations Consultant

*Mr. Weinberger thanked the Council and staff for their continued support and presented Council with a framed 2018 Jazz Holiday poster.*

**4.6** Hooters Clearwater Super Boat National Championship Presentation - Frank Chivas

*Mr. Chivas thanked the Council for their continued support.*

**4.7** Transportation Planning Initiatives / Transportation Project Funding - Whit Blanton, Executive Director Forward Pinellas

*Mr. Blanton provided a PowerPoint presentation.*

**4.8** Clearwater Housing Authority Presentation - Ms. Caitlein Jammo, CHA Vice-Chairperson

*Ms. Jammo reviewed accomplishments over the past year.*

## **5. Approval of Minutes**

**5.1** Approve the November 1, 2018 City Council Meeting Minutes as submitted in written summation by the City Clerk.

**Councilmember Allbritton Approve the November 1, 2018 City Council Meeting Minutes 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**

*Bill Jonson said recent city referendum results showed that 41% believe things in Clearwater can be better; many individuals have shared with him that the City has difficulty bringing many projects over the finish line. He suggested reading Tactical Urbanism to assist with completing project recommendations.*

*Karena Morrison encouraged all to shop local at the Holiday Market in*

*the Creative Suites at Station Square Park. The market will feature local small businesses and non-profit organizations.*

*Tom Barker thanked the Council for the Master Chorale Day Proclamation. The outreach education choir will be in Clearwater schools this year to expose select 4th and 5th graders to music.*

*Jeffrey Barrett and Richard Zacchigna expressed concerns with flooding and collapsing easement at 800 Moss Avenue.*

*The City Manager said staff will look into the matter to determine how the homeowners can be assisted. It was not clear if the property is currently unincorporated or if stipulations have been provided as part of the annexation process.*

*Vice Mayor Caudell said her commercial general contracting company needs her 100% attention; it was one of the reasons why she stepped down from the at-large seat campaign for the Pinellas County Commission. She will submit a letter of resignation that will include an effective date soon and wished Council all the best.*

*Vice Mayor Caudell departed Chambers at 7:18 p.m.*

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

- 7.1** Approve the First Amendment to Contract for Sale of Real Property by the City of Clearwater between the City and Habitat for Humanity of Pinellas County, Inc. and authorize the appropriate officials to execute same, together with all other instruments required to affect closing. (consent)
- 7.2** Approve a renewal subscription to the ISO ClaimSearch for Non-Insurers Database effective January 1, 2019 through December 31, 2019, pursuant to City Code Section 2.564 (l) (i), services associated with Risk Management Casualty and Liability claims services; approve a not-to-exceed total of \$15,000 for the annual membership fee and as-needed claim search fees; and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve the initial one-year renewal term in the Agreement with Commercial Risk Management, Inc., of Tampa, Florida, for the management and administration of workers compensation claims and two additional one-year renewal terms, pursuant to City Code Section 2.564 (l) (i), for services associated with Workers Compensation exempt from bidding for a not-to-exceed total of \$75,000; and authorize the appropriate officials to

execute same. (consent)

- 7.4** Approve the annual renewal of CorVel Healthcare Corporation's Agreement for the review of Workers Compensation Medical bills and Pharmacy Benefit Management services in the amount of \$85,000 for term January 1, 2019 through December 31, 2019, an increase of \$35,000 for the current annual term from January 1, 2018 through December 31, 2018, pursuant to City Code Section 2.564 (l) (i), services associated with Workers Compensation exempt from bidding, and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve a proposal by Construction Manager J.O. Delotto and Sons, Inc. of Tampa, Florida, in the amount of \$661,443 for renovations and upgrade of facilities at E.C. Moore Softball Complex Field 8 and 9 located at 2780 Drew Street and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve the Contract for Sale of Real Property by the City of Clearwater, Florida (Contract) between the City of Clearwater and Equity Lifestyle Properties, Inc. and authorize the appropriate officials to execute same, together with all other instruments required to affect closing. (consent)
- 7.7** Approve Engineer of Record (EOR) Supplement Work Order 2 to King Engineering Associates, Inc. in the amount of \$110,130 for the East Water Reclamation Facility Influent Pump Station Rehabilitation (13-0016-UT) and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve a 2-year renewal to Clearwater Ferry Services Inc., Water Taxi Operating Agreement, commencing on December 1, 2018 and authorize the appropriate officials to execute same. (consent)
- 7.9** Approve a Blanket Purchase Order for various roof repairs and replacements by Quality Roofing Inc and Garland/DBS Inc, not to exceed \$300,000 annually, in accordance with Sec. 2.564(1)(d), Code of Ordinances - Other governmental contracts and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve a truck scale and baler as surplus, pursuant to Chapter 2 Article VI, Division 4, Section 2.622 (Clearwater Code of Ordinances); authorize the sale to the highest bidder and authorize the appropriate officials to execute same. (consent)
- 7.11** Return to service four roll-off trucks and one front-end loading truck (for refuse collection from dumpsters) that were previously declared as surplus and authorized for sale Pursuant to Chapter 2 Article VI, Division 4, Section 2.622, and authorize the appropriate officials to execute same. (consent)
- 7.12** Approve a Legal Services Agreement hiring David Harris, Esq. as outside council to revise purchasing sections of the Code of Ordinances and the Purchasing Manual for an

amount not to exceed \$35,000 and authorize the appropriate officials to execute same. (consent)

- 7.13** Approve the Interlocal Agreement with Pinellas County and the Pinellas Suncoast Transit Authority (PSTA) to participate and fund an update of the findings of a 2008 study of the technical feasibility of a joint-use facility and evaluate potential site locations and authorize the appropriate officials to execute same. (consent)

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

### **Public Hearings - Not before 6:00 PM**

## **8. Administrative Public Hearings**

- 8.1** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 505 and 806 Moss Avenue and 3059 Grand View Avenue and pass Ordinances 9207-18, 9208-18, and 9209-18 on first reading. (ANX2018-09018)

These voluntary annexation petitions involve 0.630 acres of property consisting of three parcels of land occupied by single family homes. The parcels are located generally north of Drew Street, south of SR 590, and within ¼ mile west of McMullen Booth Road. The applicants are requesting annexation in order to receive sanitary sewer service from the City and will be connected to the city sanitary sewer as part of the Kapok Terrace Sanitary Sewer Extension Project. The properties are located within an enclave and are contiguous to existing city limits along at least one boundary. It is proposed that the properties be assigned a Future Land Use Map designation of Residential Low (RL) and be assigned 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 have paid the sewer impact fees in full and are currently awaiting connection to the sewer system. The properties are located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to these properties by Station 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve these properties with sanitary sewer, solid waste,

police, fire and EMS service. The proposed annexations will not have an adverse effect on public facilities and their levels of service; and

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

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

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

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

- The proposed Residential Low (RL) Future Land Use Map category to be assigned to all properties is consistent with the Countywide Plan designation. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to all properties is Low Medium Density Residential (LMDR). The use of the subject properties is consistent with the uses allowed in the District and the properties exceed the District's minimum dimensional requirements. The proposed annexations are therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The properties proposed for annexation are contiguous to existing city limits along at least one boundary; therefore, the annexations are 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 505 and 806 Moss Avenue and 3059 Grand View Avenue. The motion was duly seconded and carried unanimously.**

**Ordinance 9207-18 was presented and read by title only.**

**Councilmember Allbritton moved to pass Ordinance 9207-18 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton**

**Ordinance 9208-18 was presented and read by title only.**

**Councilmember Cundiff moved to pass Ordinance 9208-18 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

**Ordinance 9209-18 was presented and read by title only.**

**Councilmember Hamilton moved to pass Ordinance 9209-18 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 8.2 WITHDRAWN:** 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 2101 North Hercules Avenue, together with abutting right-of-way of North Hercules Avenue and pass Ordinances 9204-18, 9205-18, and 9206-18 on first reading. (ANX2018-09017)

This voluntary annexation petition involves 0.181 acres of property occupied by a single-family dwelling. The parcel is located on the southeast corner of North Hercules Avenue and Lake Citrus Drive. The applicant is requesting annexation in order to receive solid waste and sanitary sewer service from the City. The property is located within an enclave and is contiguous to existing city limits to the south. The Development Review Committee is also proposing that the 0.125 acres of abutting North Hercules Avenue not currently within the City also be annexed. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and be assigned a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from Pinellas County. The closest sanitary sewer line is located in the adjacent Lake Citrus Drive right-of-way. The applicant has not paid the sewer impact and assessment fees but is aware that they must be paid in full prior to connection and of the additional costs to extend to the City sewer system. Collection of solid waste will be provided to the property by the City. The property is located within Police District III and service will be administered through the district headquarters located at 2851 N.



McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 48 located at 1700 North 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 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 to be assigned to the property is consistent with the Countywide Plan designation. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The property exceeds the District's minimum dimensional requirements, but the applicant is currently operating a real estate office out of the house in a manner that is inconsistent with Pinellas County's home occupation regulations. While home occupations are allowed in residential districts in both the County and the City, each jurisdiction has established similar development standards to preserve the residential nature of a property. The applicant is aware that upon annexation the use of the property must comply with the City's Community Development Code, including the home occupation standards contained in Section 3-1102. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city limits to the south; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

**No Action.**

## **9. Second Readings - Public Hearing**

- 9.1** Adopt Ordinance 9170-18 on second reading, annexing certain real properties whose post office addresses are 3030 Lake Vista Drive, 3059 Merrill Avenue, 3047 Grand View

Avenue, 3060 Glen Oak Avenue North, and 3041 Terrace View Lane, all within Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said additions.

**Ordinance 9170-18 was presented and read by title only.**

**Councilmember Allbritton moved to adopt Ordinance 9170-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.2** Adopt Ordinance 9171-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 3030 Lake Vista Drive, 3059 Merrill Avenue, 3047 Grand View Avenue, 3060 Glen Oak Avenue North, and 3041 Terrace View Lane, all within Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 9171-18 was presented and read by title only.**

**Councilmember Cundiff moved to adopt Ordinance 9171-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.3** Adopt Ordinance 9172-18 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 3030 Lake Vista Drive, 3059 Merrill Avenue, 3047 Grand View Avenue, 3060 Glen Oak Avenue North, and 3041 Terrace View Lane, all within Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9172-18 was presented and read by title only.**

**Councilmember Hamilton moved to adopt Ordinance 9172-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.4** Adopt Ordinance 9173-18 on second reading, annexing certain real property whose post

office address is 2643 Morningside Drive, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9173-18 was presented and read by title only.**

**Councilmember Allbritton moved to adopt Ordinance 9173-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.5** Adopt Ordinance 9174-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 2643 Morningside Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 9174-18 was presented and read by title only.**

**Councilmember Cundiff moved to adopt Ordinance 9174-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

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

- 9.6** Adopt Ordinance 9175-18 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 2643 Morningside Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9175-18 was presented and read by title only.**

**Councilmember Hamilton moved to adopt Ordinance 9175-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.7** Adopt Ordinance 9180-18 on second reading, annexing certain real properties whose post office addresses are 1251 Sedeeva Circle North and 1923 North Betty Lane, all within Clearwater, Florida 33755, into the corporate limits of the city and redefining the boundary lines of the city to include said additions.

**Ordinance 9180-18 was presented and read by title only.**

**Councilmember Allbritton moved to adopt Ordinance 9180-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.8** Adopt Ordinance 9181-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 1251 Sedeeva Circle North as Residential Urban (RU) and 1923 North Betty Lane, Clearwater, Florida 33755, as Residential Urban (RU) and Preservation(P)/Drainage Feature Overlay, upon annexation into the City of Clearwater.

**Ordinance 9181-18 was presented and read by title only.**

**Councilmember Cundiff moved to adopt Ordinance 9181-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.9** Adopt Ordinance 9182-18 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 1251 Sedeeva Circle North Clearwater, Florida, 33755 as Low Medium Density Residential (LMDR), and 1923 North Betty Lane, Clearwater, Florida 33755, as Medium Density Residential (MDR) and Preservation (P), upon annexation into the City of Clearwater.

**Ordinance 9182-18 was presented and read by title only.**

**Councilmember Hamilton moved to adopt Ordinance 9182-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.10** Adopt Ordinance 9183-18 on second reading, annexing certain real property whose post office address is 3108 Johns Parkway, Clearwater, Florida 33759, together with abutting right-of-way of Johns Parkway, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9183-18 was presented and read by title only.**

**Councilmember Allbritton moved to adopt Ordinance 9183-18 on**

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

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.11** Adopt Ordinance 9184-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 3108 Johns Parkway, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Urban (RU).

**Ordinance 9184-18 was presented and read by title only.**

**Councilmember Allbritton moved to adopt Ordinance 9184-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.12** Adopt Ordinance 9185-18 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 3108 Johns Parkway, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9185-18 was presented and read by title only.**

**Councilmember Hamilton moved to adopt Ordinance 9185-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.13** Adopt Ordinance 9186-18 on second reading, annexing certain real property whose post office address is 2444 Sharkey Road, Clearwater, Florida 33765, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9186-18 was presented and read by title only.**

**Councilmember Allbritton moved to adopt Ordinance 9186-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff

and Councilmember Allbritton

- 9.14** Adopt Ordinance 9187-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 2444 Sharkey Road, Clearwater, Florida 33765, upon annexation into the City of Clearwater, as Residential Medium (RM).

**Ordinance 9187-18 was presented and read by title only.  
Councilmember Cundiff move to adopt Ordinance 9187-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.15** Adopt Ordinance 9188-18 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 2444 Sharkey Road, Clearwater, Florida 33765, upon annexation into the City of Clearwater, as Medium Density Residential (MDR).

**Ordinance 9188-18 was presented and read by title only.  
Councilmember Hamilton moved to adopt 9188-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.16** Adopt Ordinance 9196-18 on second reading, annexing certain real property whose post office address is 2780 North Terrace Drive, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9196-18 was presented and read by title only.  
Councilmember Allbritton moved to adopt Ordinance 9196-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

*The Council recessed from 7:38 p.m. to 7:45 p.m.*

- 9.17** Adopt Ordinance 9197-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 2780 North Terrace Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL) and Drainage Feature Overlay.

**Ordinance 9197-18 was presented and read by title only.  
Councilmember Cundiff moved to adopt Ordinance 9197-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 3 - Mayor Cretekos, Councilmember Cundiff and Councilmember Allbritton

*Councilmember Hamilton returned to Chambers at 7:47 p.m.*

- 9.18** Adopt Ordinance 9198-18 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 2780 North Terrace Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9198-18 was presented and read by title only.  
Councilmember Hamilton moved to adopt Ordinance 9198-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.19** Adopt Ordinance 9199-18 on second reading, annexing certain real property whose post office address is 600 Moss Avenue, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9199-18 was presented and read by title only.  
Councilmember Allbritton moved to adopt Ordinance 9199-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.20** Adopt Ordinance 9200-18 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 600 Moss Avenue, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 9200-18 was presented and read by title only.  
Councilmember Cundiff moved to adopt Ordinance 9200-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.21** Adopt Ordinance 9201-18 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 600 Moss Avenue, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9201-18 was presented and read by title only.  
Councilmember Hamilton moved to adopt Ordinance 9201-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

## **10. City Manager Reports**

- 10.1** Accept Ordinance 2018-10, an Interlocal Agreement/Franchise with the City of Indian Rocks Beach, in order for Clearwater Gas System to continue to provide natural gas service to the citizens of Indian Rocks Beach and adopt Resolution 18-21.

On November 13, 2018, the City of Indian Rocks Beach Council is set to approve an Interlocal Agreement, on second reading, with the City of Clearwater, which provides a franchise for Clearwater Gas System (CGS) to provide natural gas service in Indian Rocks Beach.

The previous franchise with the City of Indian Rocks Beach was approved on July 7, 1988 and expired on July 6, 2018. Currently, CGS is operating on a month-to-month basis under the provisions of that franchise agreement.



The effective date of the new franchise shall be the 1st day of the following month after the Interlocal Agreement is approved by the City of Clearwater. The Agreement provides the City of Clearwater a 15-year non-exclusive right to continue to construct, operate and maintain all facilities necessary to supply natural gas to the City of Indian Rocks Beach. The agreement also provides for renewal options, which may be extended for an additional 15 years.

The Interlocal Agreement provides for a 6% franchise fee to be paid by the consumers of natural gas within the City of Indian Rocks Beach. The prior franchise fee was 5%.

**Councilmember Allbritton moved to accept Ordinance 2018-10, an Interlocal Agreement/Franchise with the City of Indian Rocks Beach, in order for Clearwater Gas System to continue to provide natural gas service to the citizens of Indian Rocks Beach. The motion was duly seconded and carried unanimously.**

**Resolution 18-21 was presented and read by title only.**

**Councilmember Cundiff moved to adopt Resolution 18-21. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

**10.2** Authorize a purchase order to Encore Broadcast Equipment, Inc. of Tampa, FL, in the amount of \$153,355.74 for labor and equipment to relocate the broadcast facilities from City Hall to the Clearwater Main Library, providing for upgrades to the broadcast equipment, and securing of unused broadcast equipment, in accordance with City Code of Ordinances 2.564(1)(b) Other Governmental Bids, and authorize the appropriate officials to execute same.

City Council authorized staff to vacate City Hall and relocate Council Chambers to the Clearwater Main Library. The estimate provided includes the costs to move the broadcast facilities to the Clearwater Main Library, enhance the broadcast equipment to provide for improved functionality, and remove any broadcast equipment currently in the city council chambers for storage or reuse in other parts of the city.

The construction of a new dais accounts for \$46,790.59 of the \$153,355.74 quote. This construction will include for a dais which is mobile and if desired can be moved to a future city council chambers. Those costs can be reduced by \$6,000 if it is determined that the finish of the counter top should be laminate versus granite, and by another \$10,370 if it is determined that the metal railing

and glass partitions which are a part of the design are not desired.

The removal of equipment from the current council chambers will cost around \$8,000 in labor, with many of those costs being for equipment that will be stored or repurposed elsewhere in the city.

The remaining \$98,565.15 is split between \$47,565.15 in equipment and \$51,000 in labor. Of the \$47,565.15 in equipment costs, approximately \$5,000 relates to equipment which supports the status quo. The remaining amount is focused on four enhancements. It is important to note that many of these costs are crossover cost and would be shared, so removing an enhancement does not necessarily mean a full adjustment to the estimated costs.

#### **Power upgrades**

The current chambers does not employ uninterrupted power supplies for either the dais or the equipment supporting broadcasting. \$3,000 of the bid provides UPS systems for all equipment.

#### **Multi Zone Speaker system**

The current chambers operate with a single speaker system. This results in challenges to those in the audience to hear what is occurring without affecting the council and staff on the dais. Approximately \$8,000 supports the upgrades to this system.

#### **Press Hookup**

Currently the members of the media must be in the room with their equipment and wiring to capture elements of the meeting. This upgrade would allow for the media members to have their equipment and wiring in the hallway area along Osceola. \$3,000 supports this upgrade.

#### **Enhanced Configuration**

The major upgrade relates to equipment related to a change to the configuration of the dais. The current set up has full functionality for the Mayor, Council, and CM/CA/DCM/ACM positions, but limited functionality for the clerks' seating. Additionally, other boards have unique configuration needs, the most extreme being the code enforcement board. This board often has the need to have a set up more akin to a court room where witnesses can be questioned. This enhancement is estimated at \$29,000.

The remaining \$51,000 in labor is split between the enhancements and the status quo items, and it is difficult to estimate the savings in this line item without choosing to requote the total number.

While this move does include enhancements discussed above, staff has been

advised that this is the time to do such improvements and that they will improve the experience for all involved.

While the quote for the project to the city is \$153,355.74, the net cost to the city will be closer to \$113,355.74, as this project will result in the reuse of a piece of equipment valued at \$40,000 rather than the purchase of that equipment for a planned fire department project.

The 30-day move will require the Council Chambers to be deconstructed and reconstructed during a time when there are no televised meetings. This will occur between mid-December and mid-January. Encore is using pricing from Hillsborough County Schools Bid #14115 EST.

**APPROPRIATION CODE AND AMOUNT:**

A first quarter budget amendment will establish capital improvement project C1909, City Hall Move, recognizing a budget increase of General Fund revenue in the amount of \$215,000 to fund this project.

**USE OF RESERVE FUNDS:**

Funding for this project will be provided by a first quarter budget amendment allocating General Fund reserves in the amount of \$215,000 to capital improvement project C1909, City Hall Move. Inclusive of this item if approved, a net total of \$578,370 of General Fund reserves has been appropriated by Council to fund expenditures in the 2018/19 operating budget. The remaining balance in General Fund reserves after the 8.5% reserve is approximately \$9.1 million, or 6.1% of the current General Fund operating budget.

*In response to questions, Assistant City Manager Micah Maxwell said the costs associated with the move and IT upgrades discussed in August identified a do not exceed amount of \$215,000. Public Communications Director Joelle Castelli said the proposed dais has a ramp on the left side and a step on the right side. Mr. Maxwell confirmed the move to the Bank of America Tower should have occurred by November 1; construction is underway. He said there are no bids for moving City Hall; almost no furniture will be moved to the new facility. Employees will be responsible for moving their personal items. The build out costs have been agreed upon and are fixed. The upgrades pursued at the Main Library last February allowed the library to connect to the Municipal Services Building. He said that equipment will be moved to Fire, providing a savings for another project.*

*Opposition was expressed with moving City Hall to the Bank of America*

tower.

**Councilmember Allbritton moved to authorize a purchase order to Encore Broadcast Equipment, Inc. of Tampa, FL, in the amount of \$153,355.74 for labor and equipment to relocate the broadcast facilities from City Hall to the Clearwater Main Library, providing for upgrades to the broadcast equipment, and securing of unused broadcast equipment, in accordance with City Code of Ordinances 2.564(1)(b) Other Governmental Bids, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

## **11. City Attorney Reports**

*The City Attorney said based on this evening's events (Vice Mayor Caudell's resignation), Council has 30 days to fill the vacancy after the vacancy occurs. If Council fails to fill the vacancy within 60 days, a special election must be called.*

*In response to questions, the City Attorney said the 30-day timeframe begins when a resignation letter has been received. The city charter states the vacancy should be filled by majority vote of the remaining councilmembers within thirty days after the vacancy. There have been times in the past that the vacancy has not been filled within that timeframe. Council can still fill within the next 30 days but if the vacancy is not filled at the end of 60 days, a special election must be called. The vacancy will be filled through the next special or regular election (March 2020).*

*A suggestion was made that the individual filling the vacancy not be a candidate for the seat in March 2020. It was stated that an individual who has done the job previously would be preferred.*

*The City Attorney said there is no council policy or rule that sets the process to fill the vacancy. Councilmembers may come up with a personal list of prospective individuals. In the past, when there was more time, Council requested individuals submit applications. She said there may not be enough time in this instance to require applications since the last council meeting of the year is December 6.*

*In response to a question, the City Attorney said the individual filling the*

*vacancy must be a registered voter and live within Clearwater city limits.*

## **12. Other Council Action**

### **12.1 City Manager/City Attorney Salary Discussion**

The performance evaluation discussions for the City Manager and City Attorney were conducted by City Council at the October 18, 2018 council meeting. Council discussion concerning salary is conducted at a subsequent meeting.

*Human Resources Director Joe Roseto said the City Manager has announced that he would like to forgo an increase.*

**Councilmember Cundiff moved to not give a raise to the City Manager. The motion was duly seconded.**

*Discussion ensued with comments made that the recent employee issues in Fire and Parks and Recreation also occur in the private sector and should not be held personally responsible for what rank and file employees do. It was stated that the City Manager addressed the matter promptly with all city departments, stressing the issues were not acceptable.*

**Councilmember Hamilton moved to amend the motion to authorize a 2% raise and that at the discretion of the City Manager, he has the ability not to accept the raise. The motion was duly seconded.**

*A concern was expressed that the amendment places the City Manager in an awkward position given his previous announcement.*

**The motion to amend was withdrawn.**

**Councilmember Hamilton moved to amend the motion by striking "at his request." The motion was duly seconded and carried unanimously.**

**Upon the vote being taken, the motion, as amended, carried unanimously.**

*Mr. Roseto said staff conducted a traditional jurisdiction-salary comparison for the City Attorney. The average salary for city/county governments is \$210,000. The City Attorney's current salary is \$187,000, which is 12% behind the jurisdictional matches. The average salary for municipal governments is \$195,538, which is 4.5% below the average. Staff also looked at closest jurisdictional matches based on population. He said the average salary for a city attorney for entities with similar populations is \$194,346; the average salary for entities with similar employee counts is \$188,995. Mr. Roseto said the increase provided last year was 3.0%. The CWA employee group received a 3.5% increase this year, effective October 1; SAMP employees will receive a similar increase, effective Saturday.*

*In response to a question, Mr. Roseto said the Consumer Price Index was 2.5%.*

**Councilmember Hamilton moved to authorize a 3% raise. The motion failed for lack of a second.**

**Councilmember Cundiff moved to authorize a 3.5% increase, effective next pay period. The motion was duly seconded.**

*A concern was expressed that a 3.5% increase on the attorney's salary represents a lot of money.*

**Upon the vote being taken, the motion carried unanimously.**

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

*Councilmember Allbritton said he is shocked by the Vice Mayor's resignation, he enjoyed working with her and she inspired him to be on PSTA boards and to get involved in transportation aspects. He wished her well in her endeavor with her business and hopes all goes well for her.*

*In response to a procedural question regarding the Vice Mayor's position on regional boards, the City Attorney said that once a resignation date is received, Council will elect a new vice mayor and make appointments to boards at the meeting following the resignation date.*

**14. Closing Comments by Mayor**

*Mayor Cretekos thanked Vice Mayor Caudell for her service to the community and reviewed recent and upcoming events.*

**15. Adjourn**

*The meeting adjourned at 8:32 p.m.*

Attest

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

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