

City of Clearwater

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



Meeting Minutes

Thursday, July 21, 2016

6:00 PM

Council Meeting Only Week

Council Chambers

City Council

Roll Call

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

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

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

Unapproved

1. Call to Order – Mayor Cretekos

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

2. Invocation – Tracy Thomas from Atheist of Florida, Tampa Bay Coalition of Reason and Humanist Society of the Suncoast

3. Pledge of Allegiance – Vice Mayor Jonson

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 July Service Awards

Three service awards were presented to city employees. The July 2016 Employee of the Month Award was presented to Sidney Ferguson, Engineering/Traffic Department.

4.2 2016 Advanced Institute for Elected Municipal Officials Certificate awarded to Vice Mayor Jonson

The Council recessed from 6:14 p.m. to 6:18 p.m. to meet as the Pension Trustees.

5. Approval of Minutes

5.1 Approve the minutes of the June 16, 2016 City Council Meeting as submitted in written summation by the City Clerk.

Vice Mayor Jonson moved to approve the minutes of the June 16, 2016 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

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

Samuel Hutkin, Howard Warshauer, Michael Steves, Brian Sykes, Reid Hayden, Linda Feldman, Jeff Manning, and Chris Mariana opposed the one-way pair roadway conversion proposed for Coronado Drive and Hamden Drive, with concerns expressed regarding the impact vehicular traffic would have on the neighborhood and pedestrian safety.

Lynn Somerson apologized to the members of the Environmental Advisory Board (EAB) and the Parks and Recreation Department representative for his behavior during EAB's most recent meeting. He suggested that the City's Public Communications and Parks and Recreation Departments should be marketing Moccasin Lake Nature Park to be included in regional tourist public information materials, not Park volunteers. He distributed copies of a recent Belleair Bee article regarding McGough Nature Park in Largo.

John Hood expressed concerns that the city representative has not attended several Moccasin Lake Nature Park Stakeholders Committee meetings and that the Friends of Moccasin Lake were told, with no explanation, that the promised aviaries were not going to be purchased.

Ryan Barka requested assistance to allow a beach valet service on Clearwater Beach for individuals needing assistance transporting personal items on the beach.

Lisa Lanza suggested that a Birds of Prey program for Veterans be implemented at Moccasin Lake Nature Park and expressed concerns that three representatives of the Clearwater Regional Chamber of Commerce and three members of the Charter Review Committee were appointed to the Stakeholders Committee. She suggested that the Dunedin Merchants Association be offered an opportunity to serve on the Stakeholders Committee.

Public Hearings - Not before 6:00 PM

7. Administrative Public Hearings

- 7.1** Approve the City of Clearwater's Fiscal Year 2017-2020 Four-Year Consolidated Plan (Consolidated Plan) and Fiscal Year 2017 Annual Action Plan to implement the goals and objectives set forth in the Plan, as required by HUD, and authorize the City to

enter into agreements with organizations approved for funding.

The U.S. Department of Housing and Urban Development (HUD) requires communities that receive entitlement Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME) funds to prepare a comprehensive planning document that evaluates the needs of the community and sets forth strategies to address those needs. Traditionally, the Consolidated Plan is a five-year document; however because of new regulations issued by HUD, the City opted to sync with Pinellas County's Consolidated Plan timeframe. Thus, we have a Four-Year Consolidated Plan. The FY 2017-2020 Consolidated Plan consists of the following:

- Executive Summary
- Process Overview
- Needs Assessment
- Housing Market Analysis
- Strategic Plan
- Annual Action Plan
- Citizen Participation Plan
- Appendix

The Strategic Plan is structured around five goals in administering the City's housing and community development programs. Each goal is accompanied by corresponding objectives toward meeting that goal. These goals and objectives are as follows:

- Housing Goal: Provide availability and accessibility to decent housing to the low to moderate-income families within the city limits.
- Homeless Goal: Help to prevent and reduce homelessness within the city limits.
- Non-Homeless and Special Needs Goal: Expand the accessibility and coordination of social services to the city's special needs population.
- Community Development and Public Services/Facilities Goal: Enhance the living environment for persons in low to moderate-income areas through public improvements activities, public service programs and elimination of blight.
- Economic Development Goal: Support programs that create economic opportunities throughout the city with special emphasis given to areas and persons of low to moderate-income.

The Strategic Plan also identifies four geographic priorities: 1) City-wide, Low-and Moderate-Income Local Target Area; 2) Lake Bellevue Neighborhood Revitalization Strategy Area (NRSA); 3) East Gateway District NRSA; and 4) North Greenwood NRSA. The designation of a Local Target Area and NRSAs increases the potential for coordinated planning and investment.

In addition, the City is required to create and implement a plan to identify the sources and uses of federal money for housing, community programs, and economic development. This plan, referred to as an Annual Action Plan, provides HUD with the City's housing budget and proposed expenditures based on the entitlement funds and estimated program income that the City will receive in the upcoming fiscal year to meet the goals established in the Consolidated Plan.

Funds are used to develop viable communities and sustain existing ones. In addition, the funds will be used to provide safe, decent and affordable housing to assist extremely low- to moderate-income households. This year's Annual Action Plan allocates federal funds to provide housing opportunities to extremely low- to moderate-income households for new and existing homes, construction and/or renovation of public facilities, and to fund public services programs.

Clearwater anticipates a total allocation of \$667,634 in CDBG funding and \$283,808 in HOME funding for Fiscal Year 2017. CDBG Revolving Loan Fund program income is expected in the amount of \$753,200 and CDBG carryover funds from previous program years are expected in the amount of \$516,021. In addition, the City anticipates \$438,020 of carryover funds through the HOME program. Funds provided through the CDBG Program may be used for housing, community and economic development, public services and facilities, acquisition, relocation, demolition and administration. Funds provided through the HOME Program are limited to housing-related activities and administration. The City partners with several non-profit agencies to implement the goals and objectives the City has established in the Consolidated Plan. To obtain these partners, the City annually publishes a Notice of Funding Availability in the local newspaper and on its website in February. This notice informs the public of the resources the City will make available and the eligible uses of these resources. It also informs them of the application period for requesting funds. The applications were due in April and the City received a total of 18 applications for funding. One application was rejected because of failure to attend a mandatory meeting, leaving 17 applications for funding.

A Technical Review Committee (TRC), comprised of professionals in the social service and grants community and a member of the City's Neighborhood and Affordable Housing Advisory Board (NAHAB), reviewed and ranked the applications. Applicants were given an opportunity to present their proposed projects at the monthly NAHAB meeting. City staff also reviewed each application to ensure it met HUD's baseline requirements. The NAHAB met to approve the recommended allocations contained in the Fiscal Year 2017 Annual Action Plan.

Each year the City may allocate up to 15% of its CDBG funds for Public Services activities. The City may also provide funds for operating expenses to

subrecipients who qualify as a Community-Based Housing Development Organization. This year the City received requests for funding for public services in the amount of \$220,000, however based on HUD's formula, \$100,145 was available to fund eight organizations. The NAHAB has endorsed a sliding scale funding system for Public Services applicants that dictates the funding ratios based the ranking. Utilizing a sliding scale ensures the majority of the applicants are funded. This year all agencies were funded, however because the CDBG Grant was reduced the amount of funding for each agency was also reduced.

The Consolidated Plan and Annual Action Plan are due to HUD on August 16, 2016. All organizations that will be receiving an allocation will have agreements prepared and executed by October 1, 2016. Staff will perform compliance monitoring with funded organizations on an annual basis.

Economic Development and Housing Director Denise Sanderson said staff is recommending a program income change; \$60,000 for HOME, which will be used for the housing pool. This change will amend the proposed plan for a total of \$2,718,683.

Councilmember Caudell moved to approve the City of Clearwater's Fiscal Year 2017-2020 Four-Year Consolidated Plan (Consolidated Plan) and Fiscal Year 2017 Annual Action Plan to implement the goals and objectives set forth in the Plan, as required by HUD, and authorize the City to enter into agreements with organizations approved for funding. The motion was duly seconded and carried unanimously.

8. Second Readings - Public Hearing

- 8.1** Adopt Ordinance 8895-16 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 3400 Gulf-to-Bay Boulevard, Clearwater, Florida 33759, as Institutional (I), Commercial General (CG), Preservation (P), Recreation/Open Space (R/OS), Residential Low (RL), and Water/Drainage Feature.

In response to questions, Clearwater Christian Private School Inc. representative Katie Cole said the ordinance applies to the entire property encumbered by the development agreement. As a condition of the original development agreement, if the parties agree to terminate the agreement, the City would move forward with reverting all of the land use and zoning classifications back to as they were prior to the land use plan amendment taken place. Ms. Cole said this will revert the classifications as if the 2010 actions never occurred on the campus property and the property recently purchased by the City.

Ordinance 8895-16 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 8895-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.2** Adopt Ordinance 8896-16 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 3400 Gulf-to-Bay Boulevard, Clearwater, Florida 33759, as Institutional (I), Commercial (C), Preservation (P), Low Density Residential (LDR), and Open Space/Recreation (OS/R).

Ordinance 8896-16 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8896-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

9. City Manager Reports

- 9.1** Adopt a tentative millage rate of 5.1550 mills for fiscal year 2016/17 and set public hearing dates on the budget for September 15, 2016 and September 29, 2016, to be held no earlier than 6:00 p.m.

In accordance with the Truth in Millage (TRIM) process, the City Council must adopt a tentative millage rate and set public hearing dates prior to finalizing and adopting a budget. This information must be provided to the Pinellas County Property Appraiser and Tax Collector by August 4, 2016. The City's proposed millage rate and public hearing dates will be included on the TRIM notices mailed to taxpayers in August. This tentative rate cannot be increased without first-class mailing notification to each taxpayer at the expense of the City of Clearwater, not less than 10 days and not more than 15 days before the public hearing.

The City Manager's recommended millage rate is 5.1550 mills, the same millage rate as the current year. The rate is 6.71% more than the rolled back rate of 4.8310 mills. The rolled-back rate is the millage rate that will provide the City with the same property tax revenue as was levied in the prior year. If the proposed millage rate of 5.1550 mills is adopted, the City's ordinance adopting the millage rate will reflect a 6.71% increase from the rolled-back rate of 4.8310 mills.

The proposed millage rate as well as other TRIM millage rates will be noted on the 2016 compliance forms as follows:

- 5.1550 mills - Tentative millage rate
- 4.8310 mills - Rolled-back millage rate
- 7.1737 mills - Maximum majority vote rate
- 7.8911 mills - Maximum two-thirds vote rate

The City Manager thanked Council for their continued support and said staff is pleased to present a budget Council can support. Staff started the current fiscal year Budget with a strong commitment to make meaningful progress toward achieving many of the ULI recommendations, which were later renamed Second Century priorities, as possible. In addition to focusing on Council's strategic priorities, staff focused on the day-to-day requirements to efficiently, effectively, and reliably deliver high quality municipal services to residents. This year, staff used a general fund revenue model to provide better clarity on the status of reserve funding and millage rate in the future. The City Manager said the increase in staffing levels is tied to new initiatives and priorities. It is important that staff evaluate things that may be discontinued in order to create capacity for the addition of staffing and initiatives.

Budget Manager Kayleen Kastel provided a PowerPoint presentation.

In response to questions, the City Manager said the items identified for the special budget meeting on August 4 (i.e., Bicycle Friendly City Designation, Clearwater Arts Alliance, and Nagano Sister Cities program) are not included in the proposed budget. If approved, staff would adjust the budget to accommodate the changes as directed by Council. This may require decreasing a proposed line item to accommodate the change. Staff is not recommending increasing the millage rate to accommodate changes. Ms. Kastel said, if adopted, this would be the eighth consecutive year the millage rate has remained the same.

Discussion ensued with concerns expressed that if the millage rate is not increased to accommodate new projects, Council may have to decrease program funding included in the preliminary budget. There was no consensus to increase the proposed millage rate. It was stated that if the millage rate is not increased tonight, any additions to preliminary budget would require program or service reductions.

In response to questions, Assistant City Manager Jill Silverboard said the proposed budget includes adding a transportation planner. Council will have the RFP consideration for ferry services prior to the final adoption of the budget. The preliminary budget does not include any costs associated with the ferry service. Staff believes the Shifting Gears plan requires revision; the

proposed transportation planner would work on the update. Penny for Pinellas (Penny) 3 identifies funding for bike trails. The Emergency Operations Center project was planned as part of the training facilities improvements at Fire Station 48; the project was scaled back for cost considerations. Ms. Silverboard said the project would have provided space for a redundant system for the City's information and communication systems. The only partial information system redundancy in place is in General Services. Ms. Kastel said staff is proposing to use undesignated funds in Penny 3 to fund the EOC project.

One individual opposed the proposed stormwater rate increase and questioned when Council would discuss how the BP funds will be used.

In response to a concern, Ms. Silverboard said the failure at the Marshall Street Water Pollution Control Facility was related to equipment failure that led to a backup, not stormwater. There was no discharge into Stevenson Creek.

Councilmember Hamilton moved to Adopt a tentative millage rate of 5.1550 mills for fiscal year 2016/17 and set public hearing dates on the budget for September 15, 2016 and September 29, 2016, to be held no earlier than 6:00 p.m. The motion was duly seconded and carried unanimously.

- 9.2 Approve Banking Services Agreement with Wells Fargo Bank, N.A. for a three-year period ending September 30, 2019, for not-to-exceed amount of \$375,000, with the option for two two-year renewals and authorize the appropriate officials to execute same.**

Request for Proposal 22-16 was issued March 8, 2016. Responses from the following six banks were received: Bank of America (the City's current bank), JP Morgan Chase, Regions, SunTrust, TD Bank, and Wells Fargo. A selection committee consisting of staff from Finance, Parking Engineering, Parks & Recreation, and Utility Customer Service short-listed JP Morgan Chase, Regions, and Wells Fargo for oral presentations. Upon completion of the presentations, Wells Fargo was the unanimous choice of the committee. Wells Fargo was chosen on the strength of their experience, qualifications, references, and capacity to provide services. Additionally, Wells Fargo offered the lowest total fees for banking and custodial/safekeeping services, as well as a very competitive interest rate on cash balances.

The not-to-exceed total of \$375,000 includes \$15,000 for transition costs and \$120,000 annually for banking and custodial safekeeping services.

APPROPRIATION CODE AND AMOUNT:

Funds are available in cost code 699-07400-530100-585-000, Professional Services, to fund this contract.

Vice Mayor Jonson moved to Approve Banking Services Agreement with Wells Fargo Bank, N.A. for a three-year period ending September 30, 2019, for not-to-exceed amount of \$375,000, with the option for two two-year renewals and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 9.3** Approve a proposal from Construction Manager at Risk J. Kokolakis Contracting, Inc. of Tarpon Springs, Florida in the amount of \$1,785,005.66 to construct the Sherwood Yard Street Sweeping Facility, approve Engineer of Record Supplemental Work Order 3 to Geosyntec in the amount of \$18,415.00 for Final Site Layout Modifications and Construction Phase Services, and authorize appropriate officials to execute same.

On June 6, 2013, City Council approved the use of Construction Manager at Risk Services (CMR) for Continuing Contracts with Biltmore Construction Co., Inc of Bellaire, FL; Peter Brown Construction Solutions of Clearwater, FL; Certus Builders, Inc. of Tampa, FL; Creative Contractors, Inc. of Clearwater, FL; Honeywell Building Solutions of Orlando, FL; Keystone Excavators, Inc. of Oldsmar, FL; and J. Kokolakis Contracting, Inc. of Tarpon Springs, FL. These firms were selected in accordance with Florida Statutes 255.103 and 287.055 under Request for Qualifications 15-13 based upon construction experience, financial capability, availability of qualified staff, local knowledge and involvement in the community.

The intent of this project is to construct a facility for the collection and processing of soil, rocks, vegetative debris, asphalt, and similar materials normally associated with and actually from construction and routine maintenance of roads and stormwater facilities, when such materials are beneficially used or reused by the generator as part of a roadway or stormwater maintenance project.

On November 15, 2011, City Council approved a Professional Services Agreement with Geosyntec Consultant for Engineering Design and Permitting services for the Sherwood Yard Street Sweeping Facility in an amount not to exceed \$300,000.00. This total budget is to be the funding mechanism for each phase of the project.

December 27, 2011, the initial Work order initiation was executed for the Pre-Design Phase in the amount of \$63,378.00.

September 26, 2012, Supplemental Work Order 1 was executed for the Design Phase in the amount of \$219,080.00.

February 10, 2014, Supplemental Work Order 2 was executed for additional site layout modification in the amount of \$10,000.00.

Supplemental Work Order 3 in the amount of \$18,415.00 is for Final Construction Plan modification and Construction Phase Services for a new Work Order value of \$310,873.00.

Construction is expected to be completed 245 days from date of Notice to Proceed.

Sherwood Yard Street Sweeping Facility is owned, operated and maintained by the Stormwater Division.

APPROPRIATION CODE AND AMOUNT:

0315-96180-563700-539-000-0000 \$1,785,005.66
0315-96180-561200-539-000-0000 \$ 18,415.00

Third quarter budget amendments will transfer \$1,640,404.19 from Capital Improvement Projects (CIP) consisting of \$680,000 from 0315-96129, Stevenson Creek Estuary Restoration, \$424,607.74 from 0315-96168, Stormwater System Expansion, and \$535,796.45 from 0315-96178, Smallwood Circle, to 0315-96180, Stormwater Maintenance Street Sweeping Facility.

Funds are available in CIP 0315-96180, Stormwater Maintenance Street Sweeping Facility, in the amount of \$163,016.47.

In response to questions, Engineering Manager Elliot Shoberg said street sweepers are the most cost effective method to remove pollutants from the environment. Most of the city is swept every six weeks. If the streets are not swept, the materials wash away into the waterway and becomes a pollutant in the water. Mr. Shoberg said the materials collected cannot be placed where it did not originate. Materials collected off a road can be placed under a new road; if collected off a creek, the garbage will be separated from the materials so the materials may be used to build a creek. Materials that cannot be used will be sent to the landfill. There is a potential for future master planning improvements at the site.

Councilmember Caudell moved to Approve a proposal from construction Manager at Risk J. Kokolakis Contracting, Inc. of Tarpon Springs, Florida in the amount of \$1,785,005.66 to construct the Sherwood Yard Street Sweeping Facility, approve Engineer of Record Supplemental Work Order 3 to Geosyntec in the amount of \$18,415.00 for Final Site Layout Modifications and Construction Phase Services,

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

9.4 Disband the Enterprise Zone Development Agency.

The Florida Enterprise Zone Program expired on December 31, 2015. Since the program was not renewed, the City's Enterprise Zone Development Agency will no longer be active.

Councilmember Cundiff moved to Disband the Enterprise Zone Development Agency. The motion was duly seconded and carried unanimously.

The City Clerk said staff has been informed that the Thursday October 6 council meeting conflicts with a MPO summit Councilmember Caudell must attend. There was consensus to move the October 6 council meeting to Wednesday, October 5 at 6:00 p.m. Staff was directed to request the Downtown Development Board reschedule their October 5 meeting to another date.

The City Clerk said staff has received a request to reschedule the Monday, November 28 work session to Tuesday, November 29 at 9:00 a.m. to accommodate the Thanksgiving Holiday. There was consensus to reschedule the November 28 work session to Tuesday, November 29.

10. City Attorney Reports – None.

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

Vice Mayor Jonson said the Pinellas Suncoast Transit Authority (PSTA) announced a new initiative to allow those who qualify for the transportation disadvantaged program to use a taxi or Uber service to travel to and from their job outside the PSTA operational hours. He suggested citizens view Council's discussion regarding one-way pairs that took place December 3, 2009. He said he is proud that the Police Department reaches out to the community and appreciates local organizations that participate in dialogue.

Councilmember Caudell suggested adding a representative from Clearwater Jazz Holiday, Clearwater Arts Alliance, and Capitol Theatre/Ruth Eckerd Hall to the Bluff Master Plan stakeholders group.

12. Closing Comments by Mayor

Mayor Cretelos reviewed recent and upcoming events.

13. Adjourn

The meeting adjourned at 8:08 p.m.

Attest

Mayor
City of Clearwater

City Clerk