

City of Clearwater

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



Meeting Minutes

Thursday, November 17, 2016

6:00 PM

Council Chambers

City Council

Roll Call

Present: 4 - Mayor George N. Cretekos, Vice Mayor Bill Jonson, Councilmember Bob Cundiff and Councilmember Hoyt Hamilton (Departed – 7:23 p.m.)

Absent: 1 - Councilmember Doreen Caudell

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 – Father Bob Swick from Ukranian Orthodox Catholic Church

3. Pledge of Allegiance – Councilmember Cundiff

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 Citizens Academy Graduates

Recognized members of the 2016 Graduation Class: Scarlett Amey-Wyns, Michael Ballard, Paul Brown, Margaret Bruneau, Julie Daniels, Mae Dixon, Dr. Charlene Einsel, John Funk, Candance Hays, David Loyd, Ella Markham, Ronald Mason, Kelly McLeay, Gabriel Munoz-Calene, Dylan Pires, Fran Sosslau, Greg Tolman and Alice Young.

4.2 Jazz Holiday Presentation - Steve Weinberger, Clearwater Jazz Holiday Foundation CEO

Mr. Weinberger presented the City with a signed commemorative poster and thanked Council, staff, volunteers and the community for their continued support.

4.3 Environmental Advisory Board Report - Leann DuPont, Chair

Ms. DuPont reviewed the Board's activities over the past year.

4.4 Parks and Recreation Advisory Board Report - Ric Ortega, Chair

Mr. Ortega reviewed the Board's activities over the past year.

5. Approval of Minutes

- 5.1 Approve the minutes of the November 3, 2016 City Council Meeting as submitted in written summation by the City Clerk.

Vice Mayor Jonson moved to approve the minutes of the November 3, 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

Howard Warshauer said the Clearwater Neighborhoods Coalition surveyed residents throughout city neighborhoods and reviewed the survey results. He provided copies of the Coalition's position paper and suggested improvements.

Jack Mortimer supported the priorities outlined in Clearwater Neighborhoods Coalition's position paper.

Jai Hinson said the Artz 4 Life Academy is celebrating 25 years of serving the community and encouraged all to attend The Family Blessing at Mahaffey Theater on December 17, 2016.

Bilal Habeeb-ullah, Martin Luther King, Jr. Coalition Center representative, presented the City Manager with the Badeya Black Student Union Clearwater Campus Outstanding Service to the Community Award.

Frank Dame said the Clearwater Beach Chamber of Commerce supports eliminating the Mandalay Ave. crosswalk closest to the roundabout.

Brett Parker urged Council to maintain Clearwater Beach's natural beauty and reconsider lower height variances for future developments.

Daniel Haluba said he was billed for an unusual amount of water used at his property and was dissatisfied with the responses provided by staff and thanked Councilmember Cundiff for his assistance.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve a grant of \$75,000 in General Fund Reserves to be set aside as a commitment for the local government contribution that is required for applicants to participate in the State of Florida's Low Income Housing Tax Credit Program (LIHTC) for one of two 80-unit affordable senior housing development projects: Clearwater Senior Village, proposed by Jonesboro Investments Corporation and Madison Point, proposed by Madison Point, LLC; and authorize the appropriate officials to execute same.
- 7.2** Approve five Assignment and Assumption Agreements with Habitat for Humanity of Pinellas County, Inc. assigning the City's rights and responsibilities under five Contracts for the City's Purchase of Real Property located within the 600 block of North Garden Avenue, Clearwater, Florida; and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve settlement of workers' compensation claim 000149-005197-WC-01, Gary Milarck, for payment of \$111,975.00 inclusive of attorney fees and costs with a general release of all claims and authorize the appropriate officials to execute same. (consent)
- 7.4** Award a contract to Chongqing Arlau Civic Equipment Manufacturing Co. Ltd, of Chongqing, China, for site furnishings in the amount of \$150,000 annually, for one year with two one -year extension options at the City's discretion, and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve annual blanket purchase orders (contracts) to Galls, LLC. of Lexington, KY, and Dana Safety Supply, Inc., of Tampa FL for the annual aggregate amount of \$115,000 for the first year, with the option for two, one-year term extensions at the City's discretion in the amount of \$75,000 for each one-year extension, for the purchase of duty uniforms and associated equipment for the Police Department. (consent)
- 7.6** Approve the renewal of Gator Grading and Paving, LLC, of Palmetto FL, construction contract for the 2015 Street Resurfacing Project (14-0051-EN) for two one-year terms, based on unit prices only in the amount of \$4,000,000 (\$2,000,000 per year), and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve a proposal from Construction Manager at Risk Wharton-Smith, Inc. of Sanford, Florida, for construction of utilities on State Road (SR) 60 from Belcher Road to Landry Avenue (15-0040-UT) with Guaranteed Maximum Price of \$696,868.70; and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve a Contract (Purchase Order) to CALE America Inc. in the amount of

\$201,048.45 for three years, December 1, 2016 through November 30, 2019, to upgrade parking meter equipment, provide for parts exchange service, and authorize the appropriate officials to execute same. (consent)

7.9 Approve license agreement between the City of Clearwater and Stanford University to provide Stanford University's Chronic Disease Self Management Program Evidence Based Wellness Programs (EBWP) for adults and authorize the City Manager or his designee to approve future amendments needed regarding programs or facility locations. (consent)

7.10 Award a contract (Purchase Order) in the amount of \$ 190,434.00 to Ten-8 Fire Equipment, Inc., 2904 59th Avenue Drive East, Bradenton, FL 34203 for one 2017 Ford F450 Chassis with an Osage 148-inch Warrior Rescue, in accordance with Sec. 2.564(1)(d), Code of Ordinances - Other governmental bid; authorize lease purchase under the City's Master Lease Purchase Agreement or internal financing via an interfund loan from the Capital Improvement Fund, whichever is deemed to be in the City's best interest; and authorize the appropriate officials to execute same. (consent)

7.11 Approve a Blanket Purchase Order (contract) to Chemtrade Chemical US LLC in the annual amount of \$200,000.00 with the option for two, one-year term extensions, for the purchase of Liquid Aluminum Sulfate, 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 a Substantial Amendment to the City of Clearwater's Fiscal Year 2016/2017 - Fiscal Year 2019/2020 Four-Year Consolidated Plan (Consolidated Plan) and Fiscal Year 2016-2017 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. (consent)

The City of Clearwater's federal Annual Action Plan details the funding strategy for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs each year. The Annual Action Plan implements a jurisdiction's multi-year Consolidated Plan and is developed through significant citizen participation, analysis, and planning.

The City's Citizen Participation Plan (CPP) describes the efforts that the City will take to encourage the community to participate in plan development. It

also describes the process for amending the Consolidated Plan and/or Annual Action Plan when necessary. The following changes require a substantial amendment to the plan and must be publicly noticed as described in the CPP:

1. There is a reallocation/reprogramming of funds equaling more than 50 percent in the aggregate of the City's combined CDBG and HOME allocations to an activity(s) previously described in the Consolidated Plan and/or Annual Action Plan(s).
2. There is a reallocation/reprogramming of funds equaling more than 25 percent in the aggregate of the City's annual CDBG and HOME entitlement for that program year.
3. A decision is made to carry out an activity not previously described in the Consolidated Plan and/or Annual Action Plan(s), including program income.
4. The purpose, scope, location(s) or beneficiaries of an activity are substantially changed. An activity will be considered substantially changed when any of the following criteria applies:
 - a. The activity will no longer principally benefit the targeted population as identified in the Consolidated Plan and/or Annual Action Plan(s).
 - b. The activity will no longer address the low- and moderate-income needs identified in the Consolidated Plan and/or Annual Action Plan(s) or the activity ceases to address the qualifying National Objectives as per 24 CFR Part 570.208.
 - c. The activity location changes so that the completed activity will principally serve beneficiaries other than those originally intended.
 - d. The scope of the activity has increased to the point where its completion would result in the inability to carry out another approved activity, or would require reducing the scope of another activity to a point where it would not accomplish its intended purpose.

The City is proposing to amend the Consolidated Plan and Annual Action Plan to account for the following funding:

- Adjustment of CDBG and HOME program income generated and anticipated to be generated, through loan payments or payoffs;
- Adjustment of CDBG and HOME carryover of prior-year grant resources resulting from projects that did not materialize;
- Adjustment of the 2016/2017 HOME grant formula allocation from \$283,808 anticipated to \$285,328 actual; and
- Closeout and conversion of NSP-3 program income to funding available for CDBG-eligible activities.

The total amount to be reallocated/reprogrammed is \$3,280,112. The proposed amendment will reallocate/reprogram funding as found in Exhibit A.

All other activities and funding not listed above will be unaffected by the proposed amendment.

Vice Mayor Jonson moved to approve a Substantial Amendment to the City of Clearwater's Fiscal Year 2016/2017 - Fiscal Year 2019/2020 Four-Year Consolidated Plan (Consolidated Plan) and Fiscal Year 2016-2017 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.

8.2 Approve the annexation of 606 South Bayview Avenue and an unaddressed parcel on South Bayview Avenue located approximately 220 feet south of Gulf to Bay Boulevard; and pass Ordinance 8957-16 on first reading. (ANX2016-08028)

This voluntary annexation petition involves two parcels of land totaling 1.18 acres. The property addressed as 606 South Bayview Avenue is occupied by a single family home, and the unaddressed parcel is vacant. The parcels are located generally south of Gulf to Bay Boulevard, west of the Bayside Bridge, north of Old Tampa Bay, and east of Thornton Road. The applicant is requesting annexation in order to receive solid waste, water, and sanitary sewer service from the City upon the site's redevelopment. The properties are contiguous to existing city limits along at least one property boundary.

The applicant has also submitted applications to change the properties' Future Land Use Map designations of Residential Low (RL), Residential Urban (RU) and Residential Low Medium (RLM) to Institutional (I) (LUP2016-08007) and to rezone the properties to the Institutional (I) District (REZ2016-08004) upon annexation into the City of Clearwater.

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:

- Collection of solid waste, sanitary sewer and water service will be provided to the properties by the City. 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 water, sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and

- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

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

Councilmember Cundiff moved to approve the annexation of 606 South Bayview Avenue and an unaddressed parcel on South Bayview Avenue located approximately 220 feet south of Gulf to Bay Boulevard. The motion was duly seconded and carried unanimously.

Ordinance 8957-16 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8957-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Vice Mayor Jonson, Councilmember Cundiff and Councilmember Hamilton

- 8.3** Approve a Future Land Use Map Amendment from the Commercial General (CG), Residential Low (RL), Residential Urban (RU), and Residential Low Medium (RLM) categories to the Institutional (I) category for 520 and 606 South Bayview Avenue and two unaddressed parcels on South Bayview Avenue; and pass Ordinance 8958-16 on first reading. (LUP2016-08007)

This Future Land Use Map amendment involves four parcels of land totaling 2.62 acres on the west side of South Bayview Avenue generally located south of Gulf to Bay Boulevard, east of Thornton Road, north of Old Tampa Bay, and west of the Bayside Bridge. The parcels are owned by Our Lady of Divine Providence House of Prayer Foundation, Inc. The parcel addressed as 606 South Bayview Avenue is currently occupied by a single family home, and the remaining parcels are vacant. The applicant is requesting to amend the properties' Future Land Use Map designations of Commercial General (CG),

Residential Low (RL), Residential Urban (RU), and Residential Low Medium (RLM) to Institutional (I). The applicant currently operates a religious retreat to the south and southeast, and this amendment would allow the applicant to expand their campus with additional facilities. The applicant has submitted petitions for annexation for two parcels (ANX2016-08028) and a Zoning Atlas amendment (REZ2016-08004) which are being processed concurrently with this case.

The proposed Institutional (I) category would permit development at a density of 12.5 dwelling units per acre, or a FAR of 0.65. However, the City's Community Development Code limits development within the Institutional (I) District to nonresidential or residential equivalent uses. The proposed Institutional (I) future land use category recognizes the historical use of Our Lady of Divine Providence's religious retreat, allowing it to be expanded while maintaining the character and scale of development presently found along South Bayview Avenue.

The Planning and Development Department determined that the proposed Future Land Use Map amendment is consistent with the provisions of Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

In accordance with the Countywide Plan Rules, this land use plan amendment is subject to the approval of Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority. The application is a small-scale amendment so review and approval by the Florida Department of Economic Opportunity and other state agencies is not required.

The Community Development Board (CDB) reviewed this application at its October 18, 2016 public hearing and unanimously recommended approval.

One individual questioned the zoning and requested that he receive a public hearing notice.

Planning and Development Director Michael Delk said the current zoning for the site is Institutional. The City Attorney said the semi-public zoning was a category used at one point but the site in question has been zoned Institutional for a long time.

Brian Aungst, Jr., Applicant representative, said the item before Council is a land use change request to Institutional. The request will make the land use zoning consistent with the existing campus, which is zoned Institutional. The request changes the category on the comprehensive map and does not approve any additional development on the parcel. Mr. Aungst said there will be flexible development applications coming forward through the CDB as Level 2 approvals. The notice sign was posted on the property as required by city code.

The City Attorney said the City Clerk has confirmed that the individual who spoke tonight was outside the required 200-ft. notice area (where the rezoning is taking place). The City Clerk will add the individual to future hearing notices.

Vice Mayor Jonson moved to approve a Future Land Use Map Amendment from the Commercial General (CG), Residential Low (RL), Residential Urban (RU), and Residential Low Medium (RLM) categories to the Institutional (I) category for 520 and 606 South Bayview Avenue and two unaddressed parcels on South Bayview Avenue. The motion was duly seconded and carried unanimously.

Ordinance 8958-16 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 8959-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Vice Mayor Jonson, Councilmember Cundiff and Councilmember Hamilton

- 8.4** Approve a Zoning Atlas Amendment from the R-4, One, Two and Three Family Residential (Pinellas County), Commercial (C), Low Medium Density Residential (LMDR), and Mobile Home Park (MHP) Districts to the Institutional (I) District for 520 and 606 South Bayview Avenue and two unaddressed parcels on South Bayview Avenue; and pass Ordinance 8959-16 on first reading. (REZ2016-08004)

This Zoning Atlas amendment involves four parcels of land totaling 2.62 acres on the west side of South Bayview Avenue generally located south of Gulf to Bay Boulevard, east of Thornton Road, north of Old Tampa Bay, and west of the Bayside Bridge. The parcels are owned by Our Lady of Divine Providence House of Prayer Foundation, Inc. The parcel addressed as 606 South Bayview Avenue is currently occupied by a single family home, and the remaining parcels are vacant. The applicant is requesting to rezone the properties from the R-4, One, Two and Three Family Residential (Pinellas County),

Commercial (C), Low Medium Density Residential (LMDR), and Mobile Home Park (MHP) Districts to the Institutional (I) District. The applicant currently operated a religious retreat to the south and southeast, and this amendment would allow the applicant to expand their campus with additional facilities. The applicant has submitted petitions for annexation for two parcels (ANX2016-08028) and a Future Land Use Map amendment (LUP2016-08007) which are being processed concurrently with this case.

The proposed Institutional (I) District will allow the site to be redeveloped with institutional uses, including a religious retreat. The Institutional (I) zoning district is consistent with the surrounding zoning districts that exist in the vicinity of the subject property. This amendment would allow the properties to be redeveloped and serve as part of the current Our Lady of Divine Providence campus that is located to the south and southeast of the amendment area.

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

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

The Community Development Board reviewed this application at its October 18, 2016 public hearing and unanimously recommended approval.

Councilmember Hamilton moved to approve a Zoning Atlas Amendment from the R-4, One, Two and Three Family Residential (Pinellas County), Commercial (C), Low Medium Density Residential (LMDR), and Mobile Home Park (MHP) Districts to the Institutional (I) District for 520 and 606 South Bayview Avenue and two unaddressed parcels on South Bayview Avenue. The motion was duly seconded and carried unanimously.

Ordinance 8959-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8959-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Vice Mayor Jonson, Councilmember Cundiff and Councilmember Hamilton

Councilmember Hamilton departed Chambers at 7:23 p.m.

- 8.5** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1411 Lemon Street, together with the abutting right-of-way of Lemon Street; and pass Ordinances 8962-16, 8963-16 and 8964-16 on first reading. (ANX2016-09030)

This voluntary annexation petition involves a 0.156-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the south side of Lemon Street approximately 1,150 feet west of Highland Avenue. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the City. The Development Review Committee is proposing that the 0.096-acres of abutting Lemon Street right-of-way not currently within the city limits also be annexed. The property is located within an enclave and is contiguous to existing city limits to the west and south. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

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

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

Objective A.7.2 Diversify and expand the City's tax base through

the annexation of a variety of land uses located within the Clearwater Planning Area.

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

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

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1411 Lemon Street, together with the abutting right-of-way of Lemon Street. The motion was duly seconded and carried unanimously.

Ordinance 8962-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8962-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8963-16 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 8963-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8964-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8964-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

8.6 Approve the annexation, initial Future Land Use Map designation of Residential Low

(RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3003 Merrill Avenue, together with certain right-of-way of Merrill Avenue; and pass Ordinances 8965-16, 8966-16 and 8967-16 on first reading. (ANX2016-09031)

This voluntary annexation petition involves a 0.442-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the south side of Merrill Avenue approximately 1,015 feet west of McMullen Booth Road. The applicant is requesting annexation in order to receive solid waste service from the City and will be connected to the city sanitary sewer as part of the Kapok Terrace Sanitary Sewer System Extension Project. The property is contiguous to existing city limits to the north and west. The Development Review Committee is proposing that 0.115-acres of abutting Merrill Avenue right-of-way not currently within the city limits also be annexed. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from the City. Collection of solid waste will be provided to the property by the City. The applicant has paid the required sanitary sewer impact fee in full, and will be connected to the City's sanitary sewer system when it is made available. 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 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

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

Council recessed from 7:27 p.m. to 7:29 p.m.

Councilmember Cundiff 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 3003 Merrill Avenue, together with certain right-of-way of Merrill Avenue. The motion was duly seconded and carried unanimously.

Ordinance 8965-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8965-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8966-16 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 8966-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8967-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8967-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

- 8.7 Approve the annexation, initial Future Land Use Map designations of Residential Low (RL) and Drainage Feature Overlay and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1749 Owen Drive; and pass Ordinances 8968-16, 8969-16 and 8970-16 on first reading. (ANX2016-09032)**

This voluntary annexation petition involves a 0.200-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the east side of Owen Drive approximately 630 feet north of SR 590. The applicant is requesting annexation in order to receive solid waste service from the City. The property is located within an enclave and is contiguous to existing city limits to the east. It is proposed that the property be assigned Future Land Use Map designations of Residential Low (RL) and Drainage Feature Overlay and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from Pinellas County. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the adjacent Owen Drive right-of-way, and the owner is aware of the additional costs to extend City sewer service to this property. The applicant has chosen not to connect to sanitary sewer at this time and is aware of the associated monthly fee. 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 Belcher Road. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. Water service will continue to be provided by Pinellas County. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

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

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

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

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designations of Residential Low (RL) and Drainage Feature Overlay and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1749 Owen Drive. The motion was duly seconded and carried unanimously.

Ordinance 8968-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8968-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8969-16 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 8969-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8970-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8970-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

- 8.8** 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 1305 Parkwood Street; and pass Ordinances 8971-16, 8972-16 and 8973-16 on first reading. (ANX2016-09033)

This voluntary annexation petition involves a 0.178-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the south side of Parkwood Street approximately 70 feet east of North Betty Lane. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the City. The property is located within an enclave and is contiguous to existing city limits to the north, west, south, and east. It is

proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from the City. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the adjacent Parkwood Street right-of-way. The applicant has paid the City's sewer impact and assessment fees and is aware of the additional costs to extend City sewer service to this property. The property is located within Police District II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and emergency medical services will be provided to this property by Station 51 located at 1720 Overbrook Avenue. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:
 - Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.
 - Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.
 - Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.
- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of this property. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing City limits to the north, west, south, and east. Therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1305 Parkwood Street. The motion was duly seconded and carried unanimously.

Ordinance 8971-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8971-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8972-16 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 8972-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8973-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8973-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

- 8.9** 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 1740 West Lagoon Circle; and pass Ordinances 8974-16, 8975-16 and 8976-16 on first reading. (ANX2016-09034)

This voluntary annexation petition involves a 0.138-acre property consisting of one parcel of land occupied by a single family home. The parcel is located on the west side of West Lagoon Circle approximately 460 feet north of South Lagoon Circle. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the City. The property is located within an enclave and is contiguous to existing city limits to the north and west. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The property currently receives water service from the City. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the adjacent West Lagoon Circle right-of-way. The applicant has paid the City's sewer impact and assessment fees and is aware of the additional costs to extend City sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 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 objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

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

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1740 West Lagoon Circle. The motion was duly seconded and carried unanimously.

Ordinance 8974-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8974-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes:3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8975-16 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 8975-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes:3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

Ordinance 8976-16 was presented and read by title only. Vice Mayor Jonson moved to pass Ordinance 8976-16 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretekos, Vice Mayor Jonson and Councilmember Cundiff

9. City Manager Reports

- 9.1** Ratify and confirm Emergency Seawall Repairs in the amount of \$140,437.00 to Waterfront Engineering Inc. of Tampa Florida and authorize the appropriate officials to execute same.

October 20, 2016, City Manager approved emergency repair proposals provided by Waterfront Engineering.

As a result of Hurricane Hermine, two city maintained seawalls suffered catastrophic failures endangering adjacent upland properties. Once Engineering Designs were complete, former City Wide Seawall Contractor Waterfront Engineering was contacted for availability and replacement and repair costs.

One of the failed seawalls is on Clearwater Beach and the other along Stevenson Creek.

Notice to Proceed will follow permit issuance. Estimated start is the week of November 21, 2016.

Waterfront Engineering has successfully completed 15 seawall repairs for the city without incident over the past three years.

APPROPRIATION CODE AND AMOUNT:

0315-93412-563800-539-000-0000 \$57,750

0315-93412-563800-539-000-0000 \$82,687

Funds are available in capital improvement project 315-93412, City-wide Seawall Replacement, to fund this contract.

Councilmember Cundiff moved to ratify and confirm Emergency Seawall Repairs in the amount of \$140,437.00 to Waterfront Engineering Inc. of Tampa Florida and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 9.2** Award the Water Taxi Services Contract to Clearwater Ferry Services, Inc. for the term of two years, commencing December 1, 2016, in the amount of \$439,820.04, based on their qualification as the most responsible bidder in response to Request for Proposals (RFP) 35-16, to operate a water taxi service throughout Clearwater, connecting the City's Downtown Harbor Marina, Clearwater Beach Marina, and the Clearwater Beach Recreation Center Loading Dock, and authorize the appropriate officials to execute same.

RFP 35-16 was released on May 10, 2016 to evaluate the potential for a scheduled water taxi service in Clearwater providing an alternative form of transportation between Downtown Clearwater, Clearwater Beach Marina and the Beach Recreation Center on North Clearwater Beach. A two-year contract term was presented in RFP 35-16. The bid period ended 10:00 AM EST on June 2, 2016. One proposal submitted by Clearwater Ferry Services, Inc., was received in response to RFP 35-16. They currently operate a private water taxi service within Clearwater's waterways. A review team consisting of the Director of Finance, the Director of Economic Development, the Assistant Director of Economic Development, the Director of Planning and Development, and the Director of the Marine and Aviation Department reviewed the proposal using the rating criteria provided in the RFP. The review was conducted on June 17, 2016. An in-person interview of the business owners was held on June 28, 2016. It was determined that the RFP would be awarded to Clearwater Ferry Services Inc.

The evaluation criteria included demonstrated experience, resources, project approach, scheduling, ridership fees and requested city support. The City will contribute a total of \$306,287.04 for the first year of the two year trial period and \$133,533.00 for the second year of the trial.

A separate component of improving alternative access and transportation to and from Clearwater Beach and Downtown Clearwater will be the enhancement of existing infrastructure in continued support of the 2014 ULI

Advisory Services Panel Report to have a water taxi service. Funds in the amount of \$250,000.00 are anticipated to be requested in a separate agenda item for improving the waiting/queuing locations for passengers, enhanced ADA compliant docks, landings and ramps as well as properly sited shelters from the elements for passengers waiting for water taxis and other alternative transportation available as needed in times of inclement weather.

APPROPRIATION CODE AND AMOUNT:

A first quarter budget amendment will provide a transfer of \$439,820.04 from General Fund reserves to special program 181-98604, 2016 Clearwater Ferry, to fund this contract.

USE OF RESERVE FUNDS:

Funding for this contract will be provided by a first quarter budget amendment allocating General Fund reserves in the amount of \$439,820.04 to special program 181-98604, 2016 Clearwater Ferry. Inclusive of this item if approved, a net total of \$2,166,820 of General Fund reserves has been appropriated by Council to fund expenditures in the 2016/17 operating budget. The remaining balance in General Fund reserves is approximately \$27.4 million, or 20.8% of the current General Fund operating budget.

In response to questions, Marine and Aviation Director Bill Morris said the reports being submitted by the Ferry include the revenue breakdown model they have chosen to use. The City Attorney said there is nothing in the contract that would restrict the ability to implement a master plan in Coachman Park, to include some of the Harborview Parking.

Brian Aungst, Jr., Clearwater Ferry representative, thanked Council and staff for issuing the RFP for water taxi services. The Bay Ferry is receiving a \$1 million-subsidy for a six-month trial and the City of Clearwater is providing less than a \$500,000-subsidy for a 2-year trial. The Ferry projects the service will remove 160,000+ individuals from the Causeway and allow them to provide alternative transportation to the beach community.

Five individuals spoke in support.

Discussion ensued with support expressed for the proposal submitted by Clearwater Ferry. Comments were made that beach employers and employees should support the endeavor by utilizing the service.

Councilmember Hamilton moved to award the Water Taxi Services Contract to Clearwater Ferry Services, Inc. for the term of two years, commencing December 1, 2016, in the amount of

\$439,820.04, based on their qualification as the most responsible bidder in response to Request for Proposals (RFP) 35-16, to operate a water taxi service throughout Clearwater, connecting the City's Downtown Harbor Marina, Clearwater Beach Marina, and the Clearwater Beach Recreation Center Loading Dock, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

9.3 Approve the 2017 State Legislative Priorities.

Each year, the City submits a list of legislative priorities for consideration by the state legislature during their annual 60-day session in Tallahassee. The City's legislative liaison works closely with city management staff and the City's lobbying team in Tallahassee to draft a package that is beneficial to Clearwater. Preparation of the package involves determining areas of need, researching funding availability, identifying needed legislation, monitoring and evaluating current legislative issues.

The 2017 State Legislative Package includes supporting: continued funding for programs that benefit municipalities statewide such as Florida Recreation Development Assistance Program (FRDAP), State Aid to Libraries and housing trust funds under the Sadowski Act; PSTA's Florida Department of Transportation's grant request for an Express Transit service from Tampa International Airport to Clearwater Beach and repealing the state preemption of vacation rental property laws to allow local governments to regulate such properties to protect the health and welfare of their residents, visitor and businesses.

The City, along with the Florida League of Cities, continues to oppose unfunded mandates and intrusions to municipal home rule authority.

In response to questions, the City Clerk said staff is not recommending including a request in 2017 for the Clearwater Construction Site (Causeway Trailhead) because the site has not been surplus and the state agency has informed staff that the site will not be surplus until the trailhead design has been approved. Parks and Recreation staff believe the design will be approved next year. The City Clerk said she will continue working with staff and will engage Sen. Latvala's office if city action is required prior to 2018.

Vice Mayor Jonson moved to approve the 2017 State Legislative Priorities. The motion was duly seconded and carried unanimously.

10. City Attorney Reports – None.

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

Vice Mayor Jonson said PSTA has upcoming projects in Clearwater and has asked the City Manager to schedule a Work Session to provide knowledge and to make sure Council and the PSTA board are on the same page, specifically the PSTA process to look at the relocation of the Park St. terminal. He thanked Councilmember Caudell and Pinellas County Commissioner Seel for incorporating the Belcher Rd. and Gulf to Bay Blvd. intersection into the County's short term transportation plan. He participated in and observed a public art place making program of the North Pinellas Cultural Alliance where some of the artwork was presented that is appearing in the downtown development district of West Palm Beach. He thanked Heather Parsons and city staff for their efforts in a successful Clearwater Citizens Academy.

12. Closing Comments by Mayor

Mayor Cretelos reviewed recent and upcoming events, congratulated those who were recently elected, and wished all a Happy Thanksgiving.

13. Adjourn

The meeting adjourned at 8:00 p.m.

Attest

Mayor
City of Clearwater

City Clerk