

City of Clearwater

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



Meeting Minutes

Thursday, February 16, 2017

6:00 PM

Council Chambers

City Council

Roll Call

Present: 4 - Mayor George N. Cretekos, Councilmember Doreen Caudell, Councilmember Bob Cundiff and Councilmember Hoyt Hamilton

Absent: 1 - Vice Mayor Bill Jonson

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 – Pastor Jeremy Westbrook from Calvary Baptist Church

3. Pledge of Allegiance – Councilmember Caudell

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 TBARTA Updates - Anthony Matonti, Senior Planner and Project Coordinator, Tampa Bay Area Regional Transportation Authority (TBARTA)

Mr. Matonti provided a PowerPoint presentation.

In response to questions, Mr. Matonti said anybody can participate in the van pool program; the biggest users of the program are the area VA Hospitals and McDill AFB. He said there is an app based school program which creates a geofence around a school and allows kids to be dismissed from school once their ride has arrived on property, eliminating the need to have students wait outside. He reported that \$7 Million out of \$11 Million was granted to Pinellas County for the trail system.

5. Approval of Minutes

5.1 Approve the minutes of the February 2, 2017 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Caudell moved to approve the minutes of the February 2, 2017 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

Mike Colby, Clearwater Marine Association representative, said the Gulf of Mexico Fishery Management Council approved electronic log books for federally permitted charter boats that fish in the Gulf of Mexico. He thanked the Mayor and staff for their support during this 5-year approval process.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve a Developer Agreement with Lindiakos Properties, Inc, for the installation of a natural gas distribution system and authorize appropriate the officials to execute same. (consent)
- 7.2** Approve a Mutual Use Agreement with Tampa Bay Water for the installation of natural gas distribution mains and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve Vehicle Use Agreement between the School Board of Pinellas County, Florida and the City of Clearwater through August 23, 2017 for the City to utilize Pinellas County School buses at a cost of \$1.50 per mile plus \$29.00 per hour, for a total estimated cost of \$40,000 and authorize the appropriate officials to execute. (consent)
- 7.4** Approve a License Agreement between the Board of Trustees of St. Petersburg College (SPC) and the City of Clearwater (City) providing for the use of Jack Russell Stadium for SPC baseball, the use of Eddie C. Moore Softball Complex for SPC softball, and terminates an older license agreement between SPC and the City to use the Joe DiMaggio Sports Complex and authorize the appropriate officials to execute same. (consent)
- 7.5** Authorize the Chief of Police to sign a Memorandum of Understanding between the City of Clearwater Police Department and the Florida Department of Highway Safety and Motor Vehicles. (consent)
- 7.6** Approve the First Amendment to the Cooperative Funding Agreement (CFA) between Southwest Florida Water Management District (SWFWMD) and the City of Clearwater for the Groundwater Replenishment Project, and authorize the appropriate officials to

execute same. (consent)

- 7.7** Award a construction contract to Central Florida Contractors, Inc. of Seminole, Florida, for the 2017 Sidewalks Construction Project (16-0016-EN) in the amount of \$527,468.98, and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve a purchase order (contract) to Transmap Corporation of Upper Arlington, OH, in the amount of \$105,132.19 for the 2017 Pavement Assessment Program and authorize the appropriate officials to execute same. (consent)
- 7.9** Approve services agreement (purchase order) to Quorum Services LLC of Tampa, FL, in the annual amount of \$400,000 for Inspection and Plan Review Services, with two, one-year extension options at the City's discretion, and authorize the appropriate officials to execute same. (consent)
- 7.10** Amend City Council Policies to add a new Block Party Insurance Requirement under General Administration. (consent)
- 7.11** Award a contract (Blanket Purchase Order) for \$132,000.00 to Coastal Alternative Fuel Systems in Odessa, FL for Ford vehicle up-fitting services (CNG Conversion); authorize 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)
- 7.12** Request for authority to settle the case of Demmeko Stanley vs. City of Clearwater Case No. 15-002515-CI for \$87,500.00. (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 1515 Stevenson's Drive and 1316 Woodbine Street, together with certain abutting right-of-way of Stevenson's Drive and Carol Drive, and pass Ordinances 8997-17, 8998-17, 8999-17 on first reading. (ANX2016-11039)

These voluntary annexation petitions involve 0.34-acres of property consisting of two parcels of land each occupied by a single-family dwelling. The first parcel of 0.167 acres is located at the southeast corner of Stevenson's Drive

and Carol Drive, approximately 280 feet west of N. Betty Lane (1515 Stevenson's Drive) and the second parcel of 0.18 acres is located on the north side of Woodbine Street, approximately 340 feet east of N. Betty Lane (1316 Woodbine Street). Both applicants are requesting annexation in order to receive solid waste service from the City, and the applicant for 1316 Woodbine Street is also requesting to receive sanitary sewer service. The Development Review Committee is proposing that the 0.49-acres of abutting Stevenson's Drive and Carol Drive right-of-way not currently within the city limits also be annexed. Both parcels are contiguous to existing city boundaries along at least one property boundary. It is proposed that the properties 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 annexations are consistent with the provisions of Community Development Code Section 4-604.E as follows:

- Both properties currently receive water service from Pinellas County. The applicant for 1316 Woodbine Street is requesting sanitary sewer and the closest line is located in the adjacent Woodbine 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. For the property located at 1515 Stevenson's Drive the closest sanitary sewer line is located in the adjacent Stevenson's Drive right-of-way, and the applicant 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. Collection of solid waste for both properties will be provided by the City of Clearwater. The properties are located within Police District II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and emergency medical services will be provided to these properties by Station 51 located at 1720 Overbrook Avenue. The City has adequate capacity to serve these properties with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexations will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexations are consistent with and promote the following objectives and policy of the Clearwater Comprehensive Plan:

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be

promoted through application of the Clearwater Community Development Code.

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

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

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of these properties. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to these properties is the Low Medium Density Residential (LMDR) District. The use of the 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
- Both parcels are contiguous to existing city boundaries along at least one property 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 1515 Stevenson's Drive and 1316 Woodbine Street, together with certain abutting right-of-way of Stevenson's Drive and Carol Drive. The motion was duly seconded and carried unanimously.

Ordinance 8997-17 was presented and read by title only.

Councilmember Caudell moved to pass Ordinance 8997-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff and Councilmember Hamilton

Ordinance 8998-17 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 8998-17 on first reading. The motion was duly seconded and upon roll call, the vote

was:

Ayes: 4 - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff and Councilmember Hamilton

Ordinance 8999-17 was presented and read by title only.

Councilmember Hamilton moved to pass Ordinance 8999-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff and Councilmember Hamilton

- 8.2** Provide direction on the proposed Development Agreement between North Clearwater Beach Development, LLC (the property owner) and the City of Clearwater, providing for the allocation of 10 units from the Hotel Density Reserve under Beach by Design and confirm a second public hearing in City Council Chambers before City Council on March 2, 2017 at 6:00 p.m., or as soon thereafter as may be heard. (HDA2016-09001)

Site Location and Existing Conditions:

The 0.35-acre site is located on the south side of Bay Esplanade approximately 230 feet east of Poinsettia Avenue. The subject property is comprised of two parcels with a frontage of approximately 130 feet along Bay Esplanade. The site is occupied by 11 attached dwellings within two buildings; a one-story and two-story. The subject property is zoned Tourist (T) District with an underlying Future Land Use Plan (FLUP) category of Resort Facilities High (RFH). The subject property is also located within the Old Florida District of *Beach by Design*.

Vehicular access to the site is generally provided by a drop curb along Bay Esplanade which runs along the entire north side of the site providing access to parking spaces which exist at least partially if not entirely within and back out into the Bay Esplanade right-of-way. Building frontage is generally located along Bay Esplanade.

The larger area is characterized generally by overnight accommodation and attached dwelling uses with heights ranging from one to four stories. A hotel 75 feet in height is under construction immediately to the north of the site across Bay Esplanade.

A dock with five slips is located along the south side of the site. It should be noted that the dock will only be permitted to be used as an accessory use to the hotel and limited to use by to registered hotel guests only.

Development Proposal:

The current proposal is to demolish all structures on the site and build a single seven-floor hotel with 27 hotel rooms (78 units per acre). The 27 proposed units include 17 units otherwise permitted by the Resort Facilities High Future Land Use classification and an additional 10 units from the Hotel Density

Reserve through *Beach by Design*. The building will be 75 feet (from Base Flood Elevation) to roof with the parking on the first floor. The proposal includes a tropical modern architecture, which is consistent with and complements the tropical vernacular envisioned in *Beach by Design*. The site will be accessed via two driveways with one two-way driveway located at the northeast corner of the property and the second driveway (an ingress-only) located at the northwest corner. A service drive is located at the northeast corner of the building along Bay Esplanade. The primary entrance and lobby of the building will be located along Bay Esplanade on the second floor.

As noted, the first (ground) floor of the building will contain all 32 required parking spaces as well as a solid waste component. The second through fourth floors contain five hotel units each with the remaining three floors containing four rooms each. The fifth floor also includes an open veranda. The roof level (available for guests only) includes a pool, dog run, fitness room, restroom, a small bar and a variety of seating and lounging areas. The existing dock is proposed to remain and will function as an accessory use to the proposed hotel and will be available only for hotel guests.

It should be noted that the proposal includes the provision of an atypical lobby arrangement where a small office/registration area is provided at the northwest corner of the second floor. The registration area will be staffed between 9:00 a.m. and 1:00 p.m. Monday through Friday. The applicant has provided that an agent will otherwise be available via telephone 24 hours a day/seven days a week. In short, the proposed lobby consists of a small office area tucked into a corner of the second floor which will, for the most part, be unstaffed. This point, specifically, is in direct conflict with the provision of Section V.B.2 of *Beach by Design* which provides that a "reservation system shall be required as an integral part of the hotel use and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for a hotel would be operated".

Consistency with the Community Development Code (CDC):

Minimum Lot Area and Width:

The subject property is 15,175 square feet in area and approximately 130 feet wide. The proposed lot area and width may be approved as part of a Level Two (FLD) application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Minimum Setbacks:

The conceptual site plan depicts setbacks to building of 16 feet along the front (north) along Bay Esplanade and five feet along all other remaining sides of the site. The conceptual site plan depicts setbacks to pavement of 10 feet along the front (north) along Bay Esplanade and zero feet along all other

remaining sides of the site. The proposed setbacks may be approved as part of a Level One (FLS) application, subject to meeting the applicable flexibility criteria of the Community Development Code.

Maximum Height:

Section A.1.c of the Old Florida District within *Beach by Design* specifically addresses height. The proposal provides for a building 75 feet in height as measured from BFE where a height of up to 75 feet is permitted for overnight accommodations. The proposed height is also permitted by the CDC subject to meeting the applicable flexibility criteria of the CDC and as approved as part of a Level II Flexible Development application and as otherwise limited by *Beach by Design*.

The height of the proposed building is consistent with the guidelines of *Beach by Design*.

Minimum Off-Street Parking:

The 27-room overnight accommodation use requires a minimum of 32 off-street parking spaces. A parking garage located on the first levels of the building will provide a minimum of 32 spaces. This is consistent with the applicable Sections of the CDC.

Landscaping:

While a formal landscape plan is not required to be submitted for review at this time, the conceptual landscape areas depicted on the site plan show that adequate spaces for foundation landscaping will be provided along the street frontage as required by Section A.6 of the Old Florida District within *Beach by Design*. Since no perimeter landscape buffers are otherwise required in the Tourist (T) District, the proposed landscape areas meet or exceed what is required. It is noted, however, that flexibility may be requested/necessary as part of a Comprehensive Landscape Program which would be reviewed at time of formal site plan approval.

Consistency with *Beach by Design*:

Old Florida District

Section A.1 specifies that overnight accommodations may be permitted up to a height of 75 feet (except for those properties located along Somerset Street). The property is not located along Somerset Street and a height of 75 feet is proposed.

Section A.2 specifies that a 15 foot front setback is required as are 10 foot side and rear setbacks. All setbacks are specifically to building. Section A.4 provides that a maximum reduction of five feet from any required setback (to building) may be possible. The proposal includes a front setback of 16 feet and five foot setback on all other sides.

Section A.3 provides requirements for setbacks and setbacks for building exceeding 35 feet in height. Any development exceeding 35 feet in height shall be required to incorporate a building setback on at least one side of the building (at a point of 35 feet). In the case of the subject property, the setback is required along the north side of the building along Bay Esplanade.

This section also specifies that a setback/setback ratio, for this property is one foot for every 2.5 feet in building height above 35 feet. The additional setback/setback for the proposed building is 16 feet. The total required setback/setback distance for this project from the front (north) property line is between 26 and 31 feet (depending on if a reduction of five feet along the front property were requested as provided for in Section A.2). The applicant has provided a 16 foot setback (to building) and a 15 foot setback at 35 feet for a total setback/setback distance of 31 feet.

Section A.6 requires a 10 foot landscape buffer is along all street frontages where the proposal includes a landscape buffer area of 10 feet along Bay Esplanade.

Design Guidelines:

A review of the provided architectural elevations and massing study was conducted and the proposed building does appear to be generally consistent with the applicable Design Guidelines established in *Beach by Design*. It is noted, however, that a more formal review of these Guidelines will need to be conducted as part of the final site plan approval process.

Hotel Density Reserve:

The project has been reviewed for compliance with those criteria established within *Beach by Design* concerning the allocation of hotel rooms from the Reserve. The project is inconsistent with the criterion which requires the provision of a typical lobby arrangement. The proposed lobby consists of a small office tucked into a corner of the second floor which will, for the most part, be unstaffed. Other criteria are met, including that the development comply with the Metropolitan Planning Organization's (MPO) countywide approach to the application of traffic concurrency management for transportation facilities. The submitted Traffic Impact Study concludes that traffic operations at nearby intersections and on adjacent roadways would continue at acceptable levels of service.

Standards for Development Agreements:

The proposal is in compliance with the standards for development agreements and is consistent with the Comprehensive Plan. However, the proposal is in direct conflict with the provision of Section V.B.2 of *Beach by Design* which provides that a "reservation system shall be required as an integral part of the

hotel use and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for a hotel would be operated”.

The proposed Development Agreement will be in effect for a period not to exceed ten years, meets the criteria for the allocation of rooms from the Hotel Density Reserve under *Beach by Design* and includes the following main provisions:

- Provides for the allocation of 10 units from the Hotel Density Reserve;
- Requires the developer to obtain building permits and certificates of occupancy in accordance with Community Development Code (CDC) Section 4-407;
- Requires the return of any hotel unit obtained from the Hotel Density Reserve that is not constructed;
- password
- Prohibits the conversion of any hotel unit allocated from the Hotel Density Reserve to a residential use and requires the recording of a covenant restricting use of such hotel units to overnight accommodation usage; and
- Requires a legally enforceable mandatory evacuation/closure covenant that the hotel will be closed as soon as practicable after a hurricane watch that includes Clearwater Beach is posted by the National Hurricane Center.

Senior Planner Mark Parry said staff recommends denying the request because the proposal includes the provision of an atypical lobby arrangement where a small office/registration area is provided at the northwest corner of the second floor and the registration area will only be staffed between 9:00 a.m. through 1:00 p.m., Monday through Friday. The Applicant has provided that an agent will otherwise be available via telephone 24 hours a day, 7 days a week. The proposed hours of operation of the lobby area is in direct conflict of Beach by Design, which provides that reservation systems shall be required as an integral part of the hotel use and there shall be a lobby/front desk area that must be operated as a typical lobby front desk area of a hotel. Mr. Parry said this does not preclude the development of the property as a 17-unit hotel as shown since the use of a hotel is a permitted use and generally consistent with the code, as part of a Level 2 flexible development review.

One individual expressed concerns regarding the proposed building height and that the proposed project will operate as an apartment complex and not as a proposed hotel.

One individual spoke in support and added that the Applicant is willing to agree on a condition regarding the lobby area matter.

Applicant Representative Wayne Wells said the proposed hotel's lobby

area and registration desk are not tucked away and are similar to other hotels on Clearwater Beach. The Pier 60 Hotel lobby and registration desk is located on the fifth floor. The Opal Sands hotel registration area is on the second floor near the restaurant. Mr. Wells said the Hyatt Regency uses registration pods with no signage. The proposed design has been reviewed by city staff.

In response to a question, Mr. Wells said the different hotel lobbies he described are manned 24 hours a day.

Menna Development Representative Josiah Gross said the proposed registration desk/area location and operating hours was based on current extended stay hotel practices. Extended stay hotels have limited lobbies and operating hours because they do not require the same demands of a typical front desk and utilize Bluetooth smart keys, allowing guests to check-in via their smartphone and bypass the registration desk. This technology is the new standard for Hilton and Marriott. Mr. Gross said hotels with limited registration hours typically have a representative available via telephone at all times.

In response to concerns, Mr. Gross said the Bluetooth smart key brand has not been determined. One brand that can be considered is the Onity smart key, which utilizes a secure encrypted hardware.

Applicant Representative Ian Larson said the Applicant is prepared to meet any lobby requirements requested by Council. The Applicant is requesting flexibility in what the 24-7 coverage means. Hotels base the registration desk hours on guest arrival/departure patterns. For the proposed 27-unit hotel concept, it could mean there will be no check-ins or check-outs for three straight days or a heavy check-in and check-out pattern on a Saturday. Mr. Larson said the Marriott's mobile hotel key initiatives will be a standard in 2018. The proposed hotel will have an individual present for every check-in and check-out.

In response to questions, Mr. Larson said although the front desk may not be manned during certain hours, someone will be on the property addressing other matters (i.e., marketing, housekeeping, etc.).

The Applicant is asking flexibility on the position serving the registration desk and asked for an interpretation of 24-7 coverage. Mr. Larson said the intent is to utilize industry standard technology to ensure an efficient check-in experience. The City Attorney said the hotel can be built with 17 units with the proposed service and registration desk; the registration area requirement is due to the requested additional hotel units. The proposed project is limited to an occupancy period of no more than one month or 31 consecutive days, as outlined in Beach by Design. The City Attorney said they could not reserve units beyond that timeframe.

In response to a concern, the City Attorney said tonight is the first public hearing; Council is only providing direction and confirming the second public hearing. The actual language of the development agreement as provided is consistent with Beach by Design; the application is inconsistent with what the Applicant wants to do and what is designed. The development agreement is good for ten years; the City would utilize code enforcement regarding any inconsistencies. The City Attorney said the exhibit must be changed to match the conditions of Beach by Design. The development agreement would be approved at the second public hearing on March 2.

There was consensus that the Applicant amend the proposal to include a 24-hour registration area.

It was stated that the amended application should be resubmitted on Tuesday, February 21.

Councilmember Cundiff moved to confirm a second public hearing in City Council Chambers before City Council on March 2, 2017 at 6:00 p.m., or as soon thereafter as may be heard. The motion was duly seconded and carried unanimously.

8.3 Approve amendments to the Clearwater Community Development Code establishing the Foreclosure Property Registry, procedures for registration and enforcement, and annual registration fee and pass Ordinance 8996-17 on first reading. (TA2016-12004)

Since 2006, a significant number of properties have gone through foreclosure in the City of Clearwater. At present, there are over 700 properties in active foreclosure and 256 owned by banks. Because many properties in the foreclosure process often become neglected and/or unsecured, they can have serious negative impacts on the surrounding neighborhood and create conditions which invite criminal activity and foster an unsafe and unhealthy environment for children. Due to the difficulty in determining the party responsible for maintenance during foreclosure, the Planning and Development Department is proposing the establishment of a foreclosure registry.

Proposed Ordinance 8996-17 requires that within 10 days of the filing of a lis pendens the mortgagee shall register the property with the City and provide contact information for a local property management company responsible for maintaining the property. This information will enable the City to have direct contact with the party responsible for:

- the security and maintenance of the property;

- decisions concerning the abatement of nuisance conditions at the property; and
- expenditures to correct violations.

Any unoccupied or vacant property subject to the ordinance must also maintain a visible posting on the structure with the name and all-hour contact number of the mortgagee's local agent.

A property registration and the associated \$200 fee is valid for one year. If the mortgage on a registered property is sold or transferred, the new mortgagee is responsible for obtaining a new registration and paying the requisite fee. The Planning and Development Department has determined that the proposed text amendment to the Community Development Code is consistent with and furthers the goals, objectives and policies of the Comprehensive Plan and the Community Development Code as outlined in the staff report. The CDB reviewed the proposed text amendment at its meeting of January 17, 2017 and unanimously recommended approval of the amendment, with one change eliminating the required sign posting for occupied properties. The revision has been integrated into the attached ordinance.

Councilmember Hamilton moved to approve amendments to the Clearwater Community Development Code establishing the Foreclosure Property Registry, procedures for registration and enforcement, and annual registration fee. The motion was duly seconded and carried unanimously.

Ordinance 8996-17 was presented and read by title only. Councilmember Caudell moved to pass Ordinance 8996-17 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff and Councilmember Hamilton

- 8.4** Continue to March 16, 2017: Approve a Zoning Atlas Amendment from the A-E Agricultural Estate Residential District (Pinellas County) to the Medium Density Residential (MDR) District (City) for 2425 McMullen Booth Road and an unaddressed parcel on McMullen Booth Road; and pass ordinance 9003-17 on first reading. (REZ2016-02002)

At their January 17, 2017 meeting, the Community Development Board continued the public hearing of this item to February 21, 2017.

Since the public hearing dates were included in the advertised CDB notice, first reading of Ordinance 9003-17 must be continued to March 16, 2017.

No Action Taken.

- 8.5** Continue to March 16, 2017: Approve a Future Land Use Map Amendment from the Residential Low (RL) category to the Residential Low Medium(RLM) category for 2425 McMullen Booth Road and an unaddressed parcel on McMullen Booth Road; and pass ordinance 9002-17 on first reading. (LUP2016-02002)

At their January 17, 2017 meeting, the Community Development Board continued the public hearing of this item to February 21, 2017.

Since the public hearing dates were included in the advertised CDB notice, first reading of Ordinance 9002-17 must be continued to March 16, 2017.

No Action Taken.

- 8.6** Continue to March 16, 2017: Deny a Development Agreement between HR Tampa Bay, LLC (the developer) and the City of Clearwater for property located at 2425 and unaddressed McMullen Booth Road; and reject Resolution 17-08 to deny the Development Agreement for this property. (DVA2016-09001)

At their January 17, 2017 meeting, the Community Development Board continued the public hearing of this item to February 21, 2017.

Since the public hearing date was included in the advertised CDB notice, council action must be continued to March 16, 2017.

No Action Taken.

9. City Manager Reports

- 9.1** Endorse the application for Project Atlas and committing the City of Clearwater to provide local financial support (Local Match) of ten percent of the eligible tax refund upon certification by State of Florida Department of Economic Opportunity (DEO) and adopt Resolution 17-11.

This Resolution amends Resolution 16-03, extending the timeframe by which Project Atlas must create 12 new jobs and reducing the Local Match by 5%. The extended timeframe requires changes to the job creation schedule and Local Match payout schedule. All Conditions of Limitation and Termination remain unchanged.

APPROPRIATION CODE AND AMOUNT:

The FY 2017-2018 funding is currently available from Economic Development budget account number 181-99846. Future year funding will need to be allocated during the City's annual budget process.

Councilmember Cundiff moved to endorse the application for Project Atlas and committing the City of Clearwater to provide local financial support (Local Match) of ten percent of the eligible tax refund upon certification by State of Florida Department of Economic Opportunity (DEO). The motion was duly seconded and carried unanimously.

**Resolution 17-11 was presented and read by title only.
Councilmember Hamilton moved to adopt Resolution 17-11. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 4 - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff and Councilmember Hamilton

- 9.2** Approve the Joint Participation Agreement (JPA) G0H27 between the City of Clearwater and the State of Florida Department of Transportation (FDOT) for an Airpark Master Plan Study at Clearwater Airpark, authorize the appropriate officials to execute same, and adopt Resolution 17-12.

FDOT JPA Agreement G0H27 provides for an 80% grant for conducting an airport master plan study at the Clearwater Airpark, with the City providing a 20% match. An airport master plan is a comprehensive study of an airport and usually describes the short-, medium-, and long-term development plans to meet future aviation demand. The goal of a master plan is to provide the framework needed to guide future airport development that will cost-effectively satisfy aviation demand, while considering potential environmental and socioeconomic impacts. The Federal Aviation Administration and FDOT strongly recommend the airport master plan to be updated periodically to stay in compliance with grant requirements.

The project cost is estimated at \$100,000.00 with the Florida Department of Transportation contributing \$80,000.00 and the City providing a \$20,000.00 match.

APPROPRIATION CODE AND AMOUNT:

Funds are available in capital improvement project 315-94886, Clearwater Airpark MP Update, to fund this contract.

Councilmember Caudell moved to approve the Joint Participation

Agreement (JPA) G0H27 between the City of Clearwater and the State of Florida Department of Transportation (FDOT) for an Airpark Master Plan Study at Clearwater Airpark, authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Resolution 17-12 was presented and read by title only. Councilmember Cundiff moved to adopt Resolution 17-12. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff and Councilmember Hamilton

- 9.3** Ratify and Confirm purchase order (contract) to Layne Inliner LLC in the amount of \$39,600.00 for Emergency Services to minimize the overflow of sewage from our Corona Interceptor Sewer, as part of the Sanitary Collect and Transmission R and R Project, and authorize the appropriate officials to execute same.

Corona Interceptor Sewer experienced the sewage overflow during Hurricane Hermine. The emergency rental of the Vac-Con vehicle and crew supplemented our crew around the clock during the time the sewer was inundated. This action prevented a substantial quantity of sewage from overflowing the sewer system along South Arcturas near Clearwater High School and into surrounding homes.

On October 13, 2016, a purchase order ST113339 approved by the City Manager in the amount of \$39,600.00 issued to Layne Inliner LLC for the emergency Vac-Con services.

APPROPRIATION CODE AND AMOUNT:

0327-96665-563800-535-000-0000 \$39,600.00

Sufficient funding is available in the Utility and Replacement project, 0327-96665, Sanitary Collect & Transmission R&R \$39,600.00.

Councilmember Hamilton moved to ratify and confirm purchase order (contract) to Layne Inliner LLC in the amount of \$39,600.00 for Emergency Services to minimize the overflow of sewage from our Corona Interceptor Sewer, as part of the Sanitary Collect and Transmission R and R Project, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 9.4** Ratify and confirm purchase order (contract) to TLC Diversified Inc. in the amount of \$120,000.00, United Rentals Inc. in the amount of \$1,000,000.00, McKim and Creed Engineers in the amount of \$199,000.00, and B.L. Smith Electric Inc. in the amount of \$9,623.50 for Emergency Services associated with the mechanical pump failure flooding the Marshall Street WRF influent pump station, as part of the Water Pollution Control R and R Project; and authorize the appropriate officials to execute same.

During Hurricane Hermine, the Marshall Street WRF influent pump station experienced a mechanical pump failure that resulted in the flooding of the dry pit side of the station, destroying the electrical and mechanical systems and rendering the pump station unusable. The following emergency services were utilized:

On September 16, 2016, a purchase order BR511821 approved by the City Manager in the amount of \$120,000.00 issued to TLC Diversified Inc for the 50,000 gallons of temporary headworks installation, rental and removal.

On September 20, 2016, a purchase order BR511822 approved by the City Manager in the amount of \$500,000.00, and on December 08, 2016, an additional \$500,000.00 was also approved with the total of \$1,000,000.00, issued to United Rentals Inc for the equipment rental and for the bypass pumping services. Emergency pumping systems were installed immediately to allow influent flow to enter the plant.

United Rentals (North America) Inc. provides equipment rentals under contract with National Joint Powers Alliance (NJPA). Rental equipment acquired through United Rentals is in compliance with the NJPA Contract #091615 which expires October 20, 2019. The City of Clearwater is a member of NJPA and is eligible to piggyback on this contract in accordance with City Code 2.564 (1)(d), other government entities' contracts.

On October 05, 2016, a purchase order ST113299 approved by the City Manager in the amount of \$199,000.00 issued to McKim & Creed Engineers for the engineering services relating to the electrical and controls repairs and/or replacement of the influent pump station and other effected systems.

On October 07, 2016 a purchase order ST113321 approved by the City Manager in the amount of \$9623.50 issued to B.L. Smith Electric Inc for the temporary hook up pumps at the Marshall Street WRF.

APPROPRIATION CODE AND AMOUNT:

0315-96664-563800-535-000-0000	\$120,000.00
0315-96664-565500-535-000-0000	\$1,000,000.00
0327-96664-561300-535-000-0000	\$199,000.00
0327-96664-563800-535-000-0000	\$9,623.50

Sufficient funding is available in the Capital Improvement Program project, 0315-96664, Water Pollution Control R & R, in the amount of \$1,120,000.00 and in the Utility and Replacement project, 0327-96664, Water Pollution

Control R & R \$208,623.50.

Councilmember Caudell moved to ratify and confirm purchase order (contract) to TLC Diversified Inc. in the amount of \$120,000.00, United Rentals Inc. in the amount of \$1,000,000.00, McKim and Creed Engineers in the amount of \$199,000.00, and B.L. Smith Electric Inc. in the amount of \$9,623.50 for Emergency Services associated with the mechanical pump failure flooding the Marshall Street WRF influent pump station, as part of the Water Pollution Control R and R Project; and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

10. City Attorney Reports – None.

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

Councilmember Cundiff acknowledged and thanked the volunteer staff at the Capitol Theatre, where he recently was a guest usher and enjoyed a Gospel group performance.

12. Closing Comments by Mayor

Mayor Cretelos reviewed recent and upcoming events and expressed sympathies to family and friends of Frances Stavros.

13. Adjourn

The meeting adjourned at 7:23 p.m.

Attest

Mayor
City of Clearwater

City Clerk