

City of Clearwater

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



Meeting Minutes

Thursday, March 1, 2018

6:00 PM

Council Chambers

City Council

Rollcall

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

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

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

Unapproved

1. Call to Order – Mayor Cretekos

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

2. Invocation – Rev. Curtis Page from Heritage United Methodist 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 Newspaper in Education Week Proclamation, March 3-5, 2018 - Sue Bedry, Tampa Bay Times
- 4.2 Youth Arts Month Proclamation, March 2018 - Beth Daniels, Clearwater Arts Alliance President
- 4.3 CFY Scholarship Winners - Dawn Daugherty, Chairman of Clearwater for Youth Scholarship Committee

Ms. Daugherty presented the 2016 Clearwater for Youth Scholarships/Awards recipients.

5. Approval of Minutes

- 5.1 Approve the minutes of the February 13, 2018 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Jonson moved to approve the minutes of the February 13, 2018 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

Bryan Beckman requested consideration to update the City's Greenprint Plan, as many developments in energy efficiency have occurred since the Plan was adopted in 2011.

Beth Daniels said the Clearwater Arts Alliance is excited to work with the new CRA Executive Director and recently co-sponsored an economic impact study that showed the arts a major part of the local economy.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve a purchase order (contract) in the amount of \$378,000 to Unum Life Insurance Company of America for the period January 2018 through December 2018 for city paid life insurance and Long-Term Disability benefit and authorize the appropriate officials to execute same. (consent)
- 7.2** Approve reimbursement payment to be made from the City to Beasley Media Group, Inc. (Beasley) for ticket sales for the March 3, 2018 Wild Splash event. (consent)
- 7.3** Approve a Purchase Order increase in the amount of \$150,000 to Smith Fence Company, Clearwater, FL, for a revised total of \$400,000 for the purchase of labor, materials, and equipment, to install and remove fencing for events and projects and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve a proposal by Construction Manager at Risk Keystone Evacuators Inc. of Oldsmar, Florida, in the amount of \$181,588 for site improvements at Moccasin Lake Park located at 2750 Park Trail Lane and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve a proposal by Construction Manager at Risk J.O. Delotto & Sons, Inc. of Tampa, Florida, in the amount of \$522,985 for the renovation of the Moccasin Lake Interpretive Center located at 2750 Park Trail Lane; transfer \$235,000 from Recreation Facility impact fees (142-343963) at mid-year to Moccasin Lake Park Renovations (CIP315-93648) to fund improvements at the park and authorize the appropriate officials to execute same. (consent)

- 7.6** Authorize the award of Invitation to Bid 02-18 to Pinellas Umpire Association, for umpire scheduling services, in the annual amount of \$200,000 for a one-year term, with two annual renewal terms at the City's option and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve a work order to Tetra Tech, Inc., of Orlando, Florida, in the amount of \$638,973 for the Wastewater Collection System Master Plan (17-0006-UT) and authorize the appropriate officials to execute same. (consent)
- 7.8** Award a construction contract to Kloote Contracting, Inc., of Palm Harbor, Florida, for the Reclaimed Water Booster Pump Station Chlorine Feed System Improvements Project (16-0001-UT) in the amount of \$1,071,642.00; approve Supplemental Two Work Order to Engineer of Record (EOR) Tetra Tech, Inc., of Tampa, FL, in the amount of \$143,565 and authorize the appropriate officials to execute same. (consent)
- 7.9** Accept a Sidewalk Easement over portions of Lot 31 (609 North Garden Avenue) and Lot 42 (611 Spruce Avenue), of G.L. Bidwells Oakwood Addition to Clearwater, Florida, conveyed to the City by the Property Owner and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve the award of Invitation to Bid 13-18 to Equipco Manufacturing, Inc., of Miami, FL, in the annual amount of \$100,000 for the purchase of front load containers, effective for a one-year term with two, one-year renewal terms at the City's option, in accordance with Code of Ordinances, Section 2.561, Purchases over \$50,000; and authorize the appropriate officials to execute same. (consent)
- 7.11** Reappoint Jennifer Barbaro to the Public Art and Design Board as the Clearwater Arts Alliance, Inc. representative with a term to expire March 31, 2022 and appoint Neale Stralow, with a term to expire February 28, 2022, and Michael Potts, with a term to expire March 31, 2022, to the Public Art and Design Board. (consent)

Councilmember Caudell 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. Second Readings - Public Hearing

- 8.1** Adopt Ordinance 9103-18 on second reading making amendments to the Clearwater Downtown Redevelopment Plan repealing and replacing Chapters 1-3 which update goals, objectives and policies; increasing density and intensity and revise height; modifying Character District boundaries; and expanding the Old Bay Character District boundaries northward.

Ordinance 9103-18 was presented and read by title only.

In response to a question, Planning and Development Director Michael Delk said staff submitted an amendment that covers 28 maps and various graphics, reflecting Council's change to adding approximately 1 acre to the Old Bay District acreage, as well as incorporating references to Forward Pinellas and waterborne transportation.

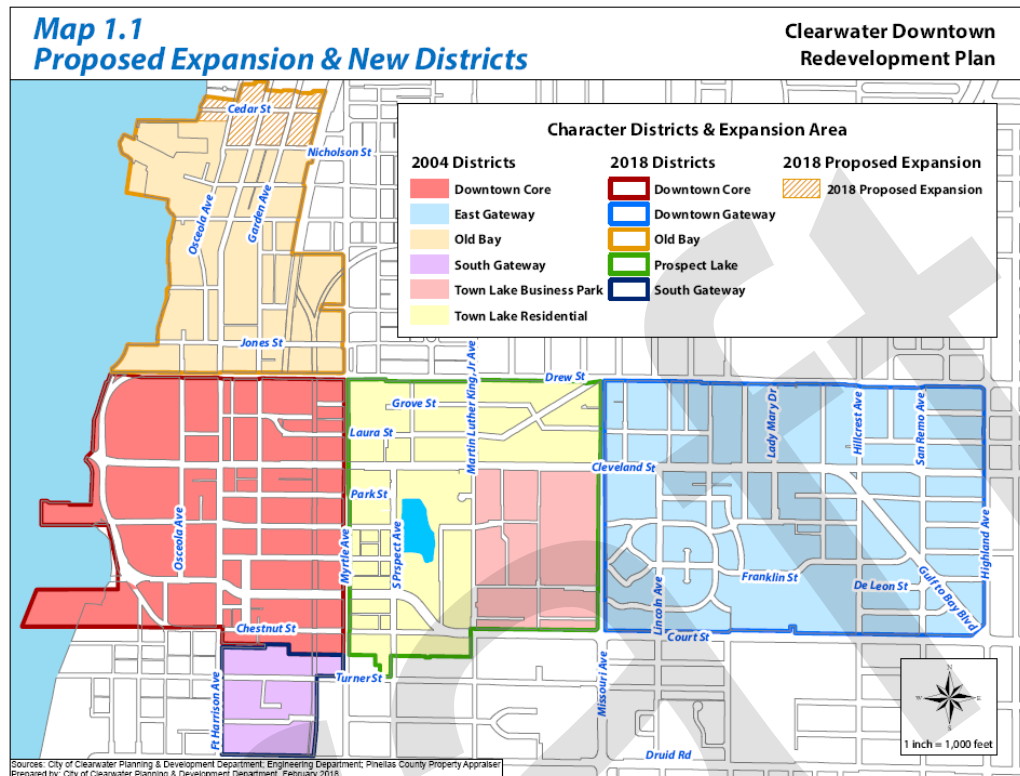
**Vice Mayor Hamilton moved to amend Ordinance 9103-18 as follows:
On page 8 of Exhibit A, amend 2018 Downtown Plan Update text to update the total acreage in the Downtown Planning Area to include the additional parcels incorporated into the Proposed Old Bay Expansion area, and to provide explanation of said addition of parcels as follows:**

* * * * *

More specifically, the 2018 update will expand the Old Bay Character District to include ~~9.671 acres that were included in the study area of the North Marina Area Master Plan, but not in the Downtown Plan Area.~~ and six contiguous parcels to the north to eliminate bifurcation of ownership, particularly along North Fort Harrison Avenue. The Old Bay expansion will increase the Downtown Planning Area from 545 acres to ~~555~~ 556 acres.

* * * * *

On page 9 of Exhibit A, revise Map 1.1 Proposed Expansion & New Districts, expanding the 2018 Proposed Expansion area to incorporate six contiguous parcels to the north, as follows:

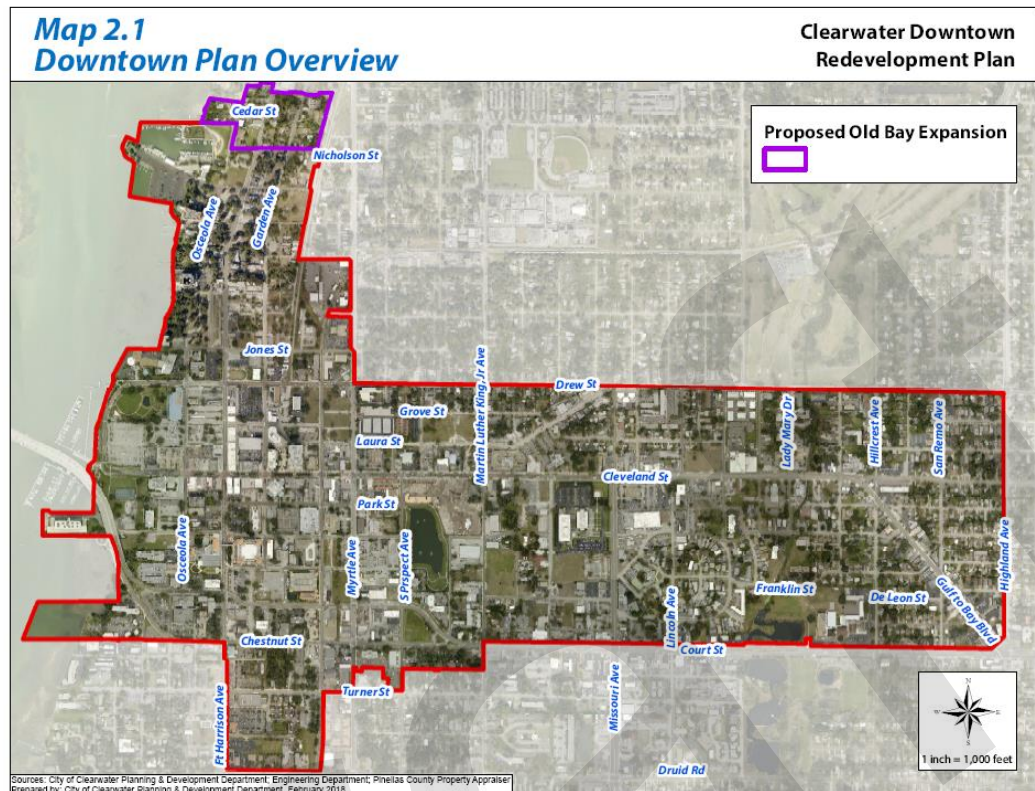


On page 12 of Exhibit A, amend The Planning Area text to update the total acreage to include the additional parcels incorporated into the Proposed Old Bay Expansion area as follows:

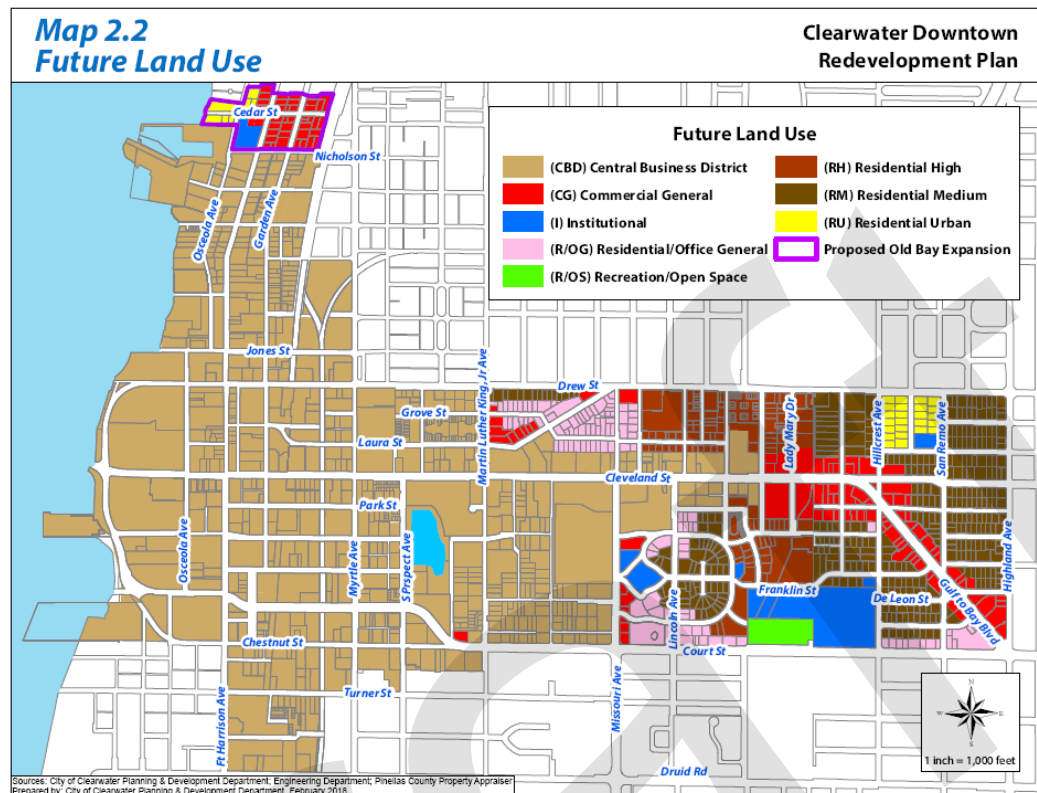
The Clearwater Downtown Redevelopment Plan currently governs 545 acres comprised of 2,374 parcels, however the proposed Old Bay Expansion area was included in the following analysis, bringing the total to ~~555~~ 556 acres, as seen on Map 2.1.

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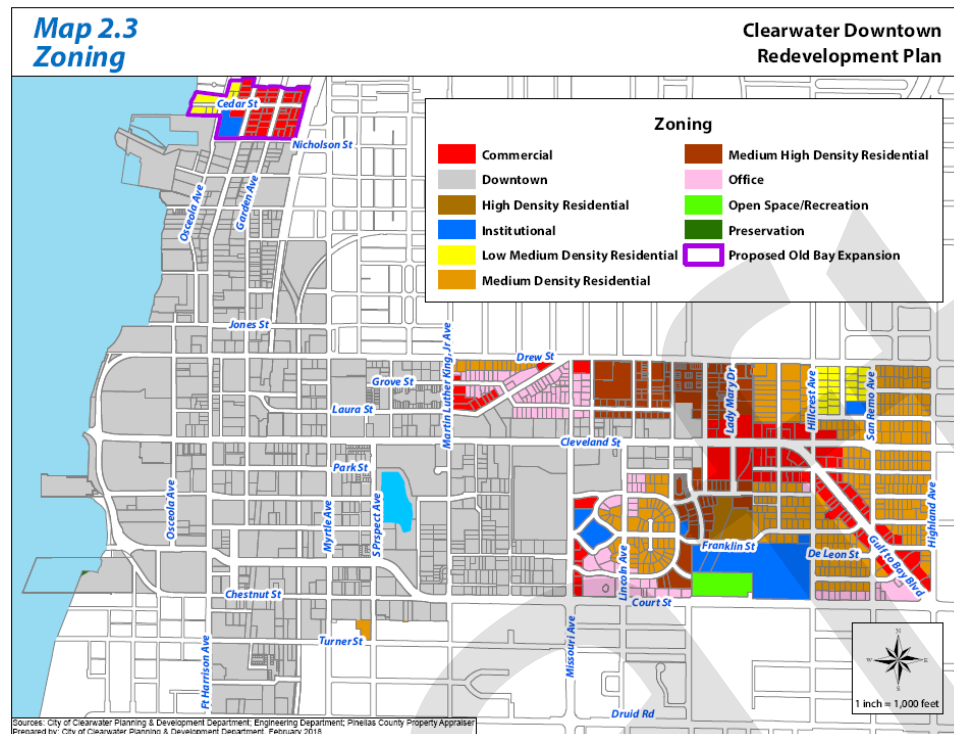
On page 13 of Exhibit A, revise Map 2.1 Downtown Plan Overview, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



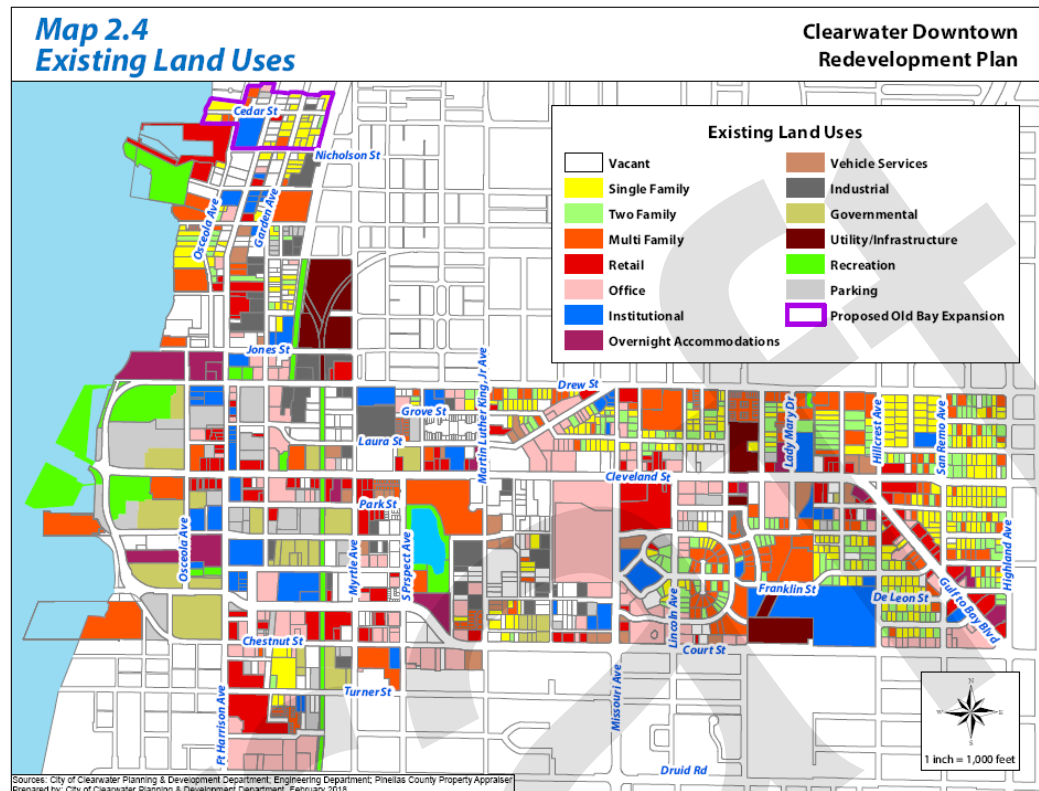
On page 14 of Exhibit A, revise Map 2.2 Future Land Use, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 15 of Exhibit A, revise Map 2.3 Zoning, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:

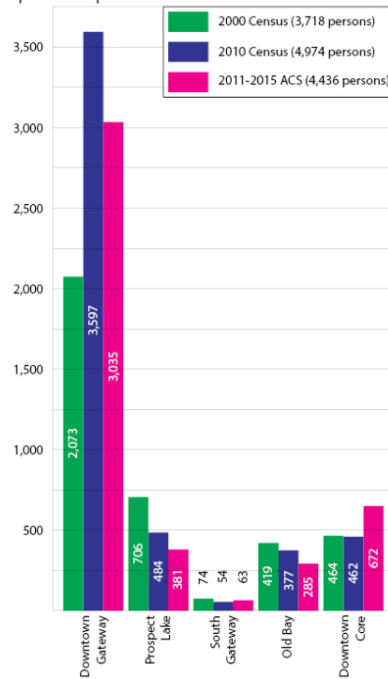


On page 16 of Exhibit A, revise Map 2.4 Existing Land Uses, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



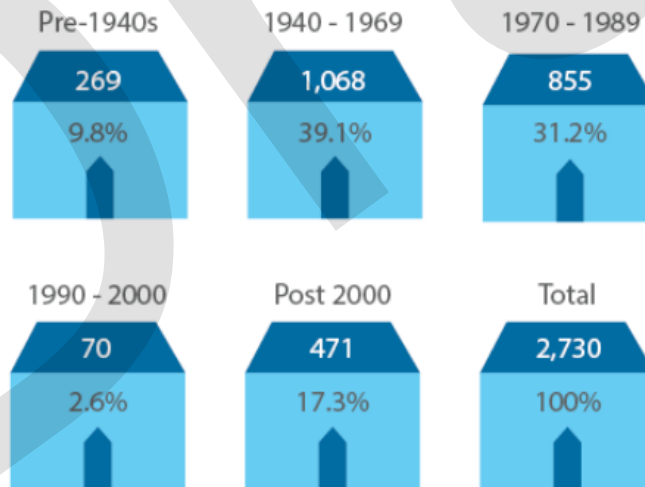
On page 20 of Exhibit A, revise Graph 2.1 Population to update the total population in Downtown and Old Bay based upon the inclusion of the additional parcels incorporated into the Proposed Old Bay Expansion area as follows:

Graph 2.1. Population



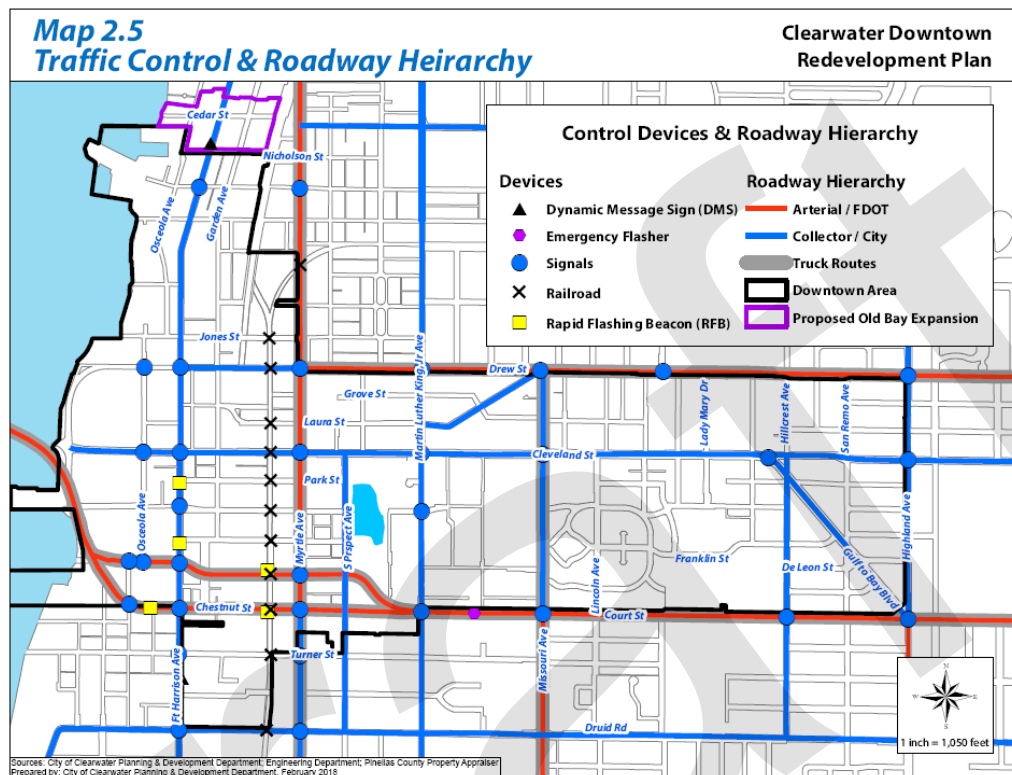
On page 21 of Exhibit A, revise Graph 2.4 Downtown Housing Stock to update the total number of units in Downtown based upon the inclusion of the additional parcels incorporated into the Proposed Old Bay Expansion area as follows:

Graph 2.4. Downtown Housing Stock



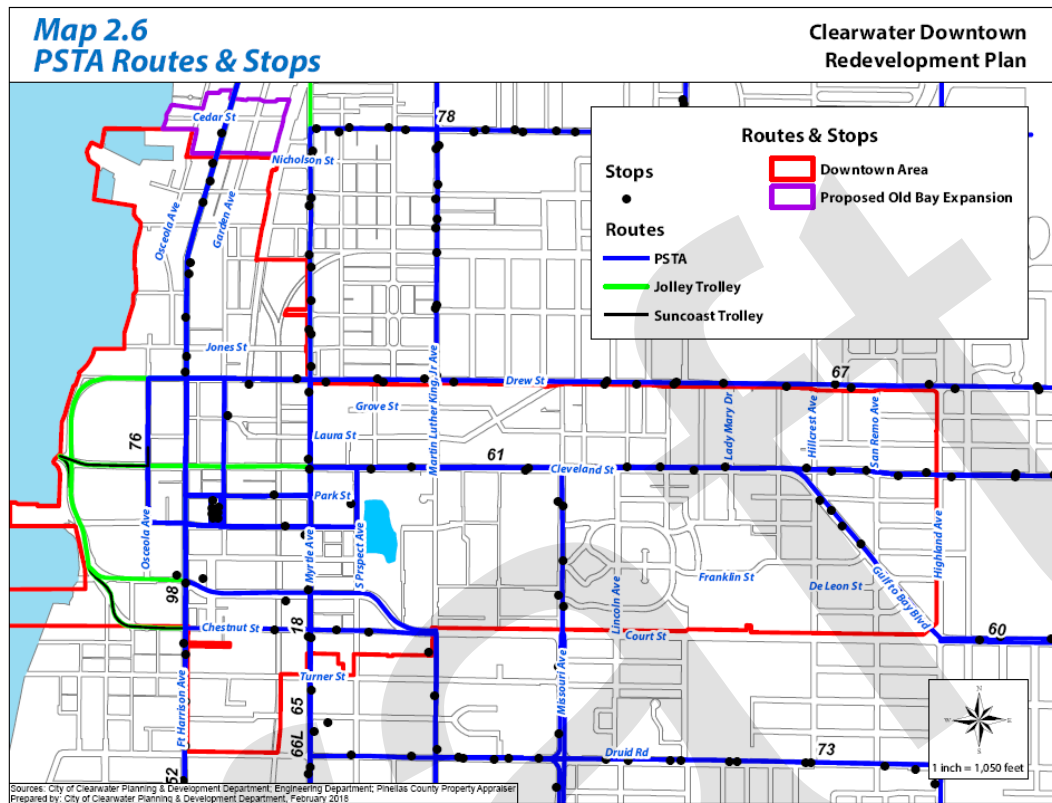
Source: mySidewalk.com; US Census 2011-2015 ACS

On page 34 of Exhibit A, revise Map 2.5 Traffic Control & Roadway Hierarchy, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:

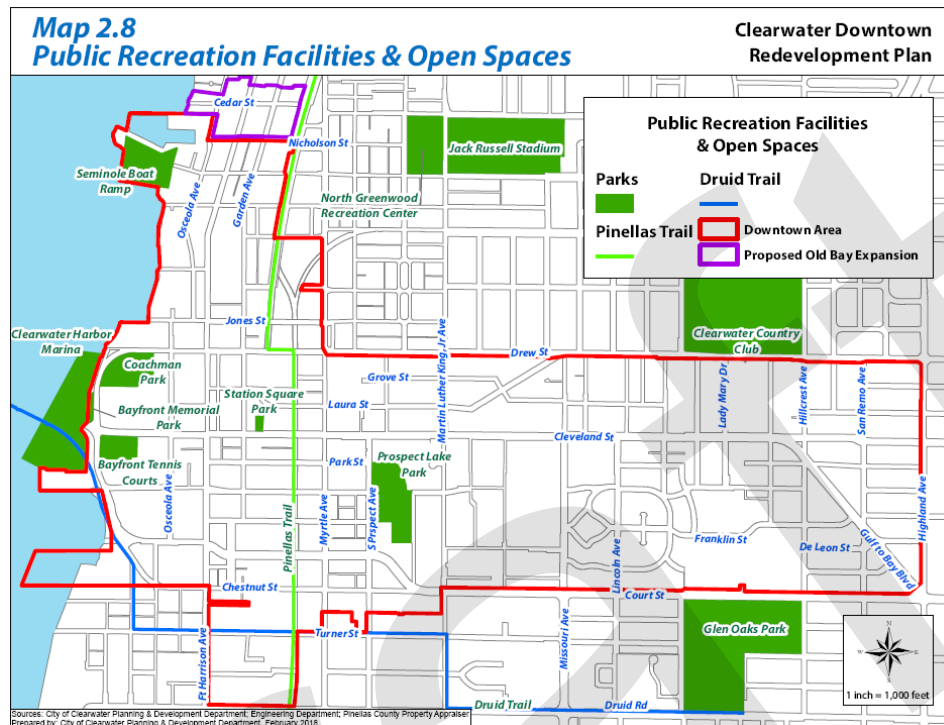


On page 35 of Exhibit A, revise Map 2.6 PSTA Routes & Stops, expanding the Proposed Old Bay Expansion area to incorporate six

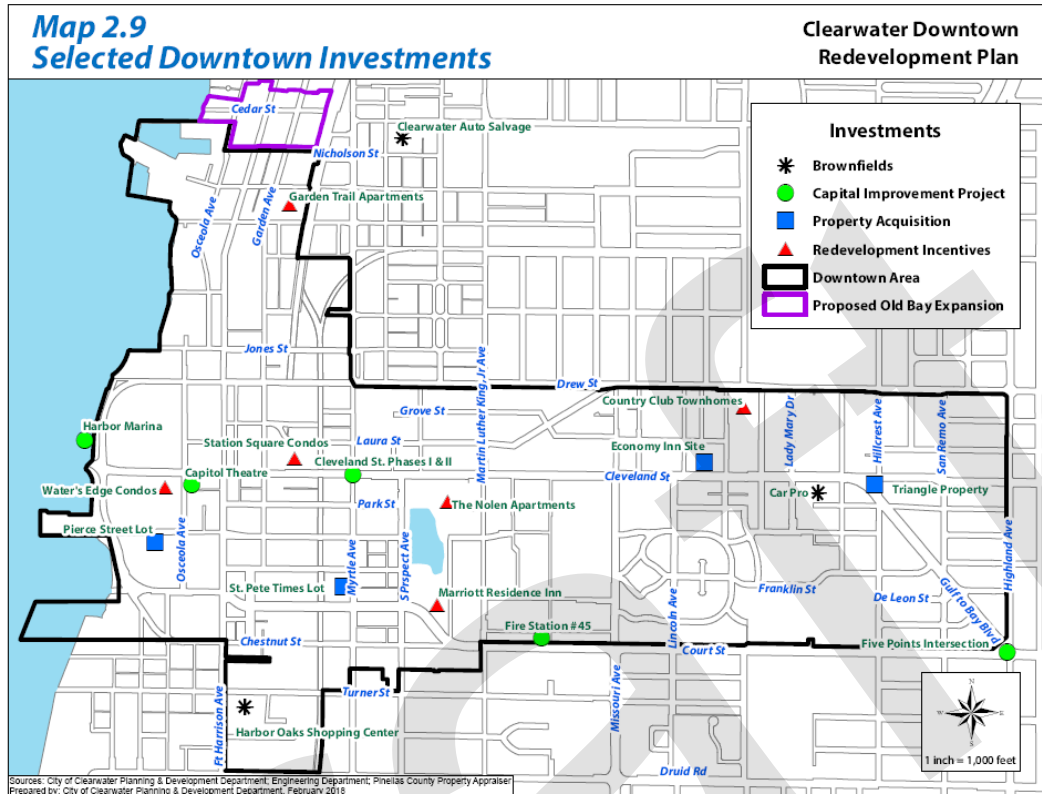
contiguous parcels to the north, as follows:



On page 37 of Exhibit A, revise Map 2.8 Public Recreation Facilities & Open Spaces, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 41 of Exhibit A, revise Map 2.9 Selected Downtown Investments, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 52 of Exhibit A, amend the Downtown Character Districts text to update the total acreage in Downtown to include the additional parcels incorporated into the Proposed Old Bay Expansion area, as follows:

The Downtown Planning Area is 555 556 acres and contains several unique commercial areas and residential neighborhoods.

* * * * *

On page 52 of Exhibit A, amend the Downtown Character Districts text to update the total acreage and number of parcels in the Proposed Old Bay Expansion area and to provide explanation of said addition of parcels, as follows:

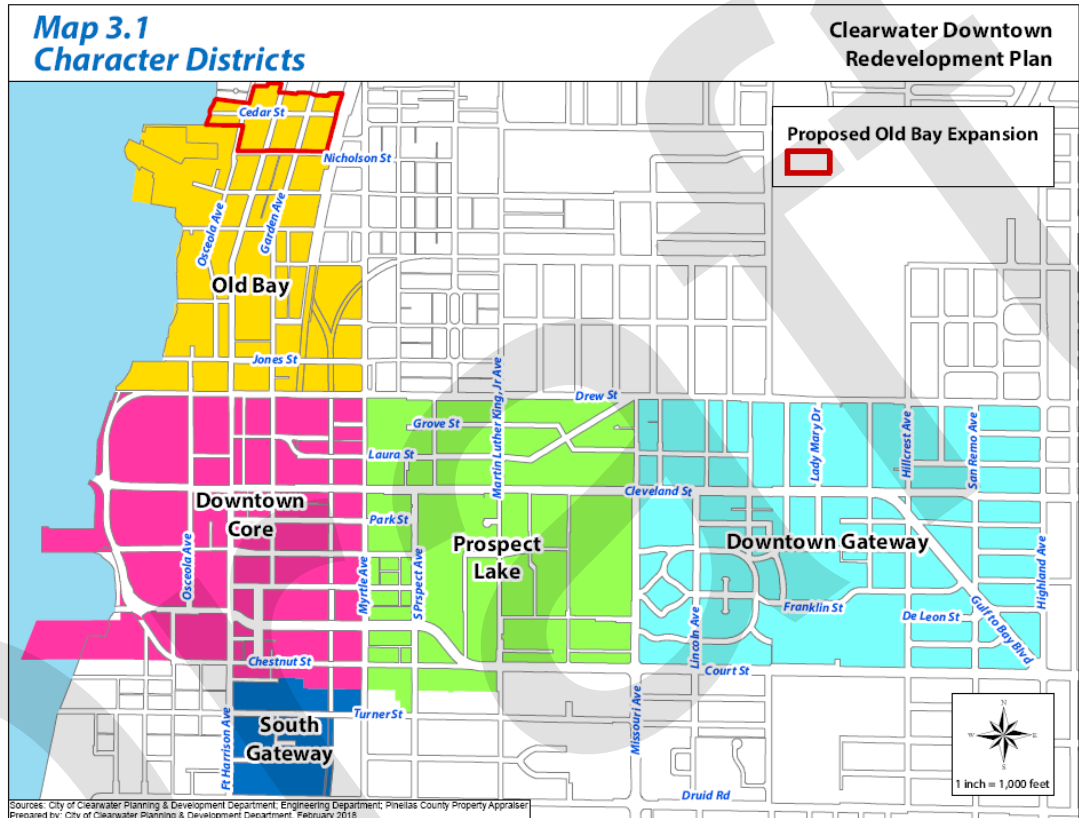
* * * * *

The 2018 update incorporates the goals and policies of several recently completed documents including the North Marina Area Master Plan, Imagine Clearwater and the East Gateway District Vision Plan. The North Marina Area Master Plan's study area included the northern portion of the Old Bay Character District and 41 parcels (9.671 acres) to the north, outside of the District. The 2018 update includes an expansion of the Old Bay Character District and Downtown Planning Area to include these properties and six contiguous parcels to the north to eliminate bifurcation of ownership.

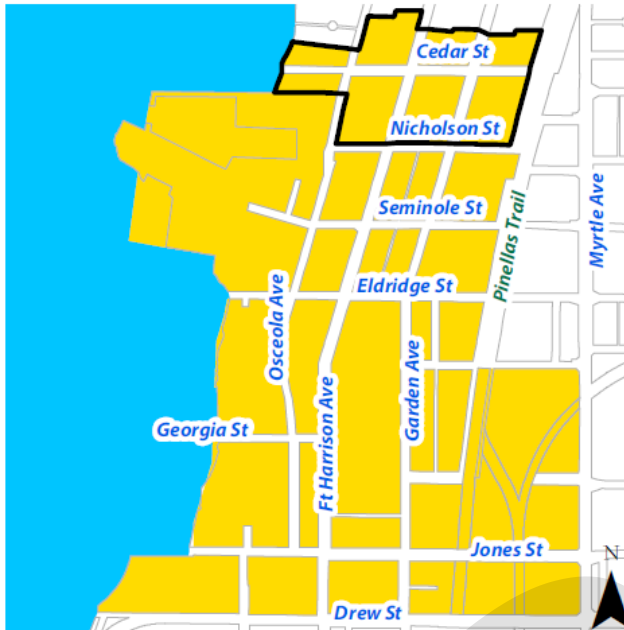
particularly along North Fort Harrison Avenue. This brings the Old Bay Expansion area to 47 parcels (10.911 acres).

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On page 53 of Exhibit A, revise Map 3.1 Character Districts, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



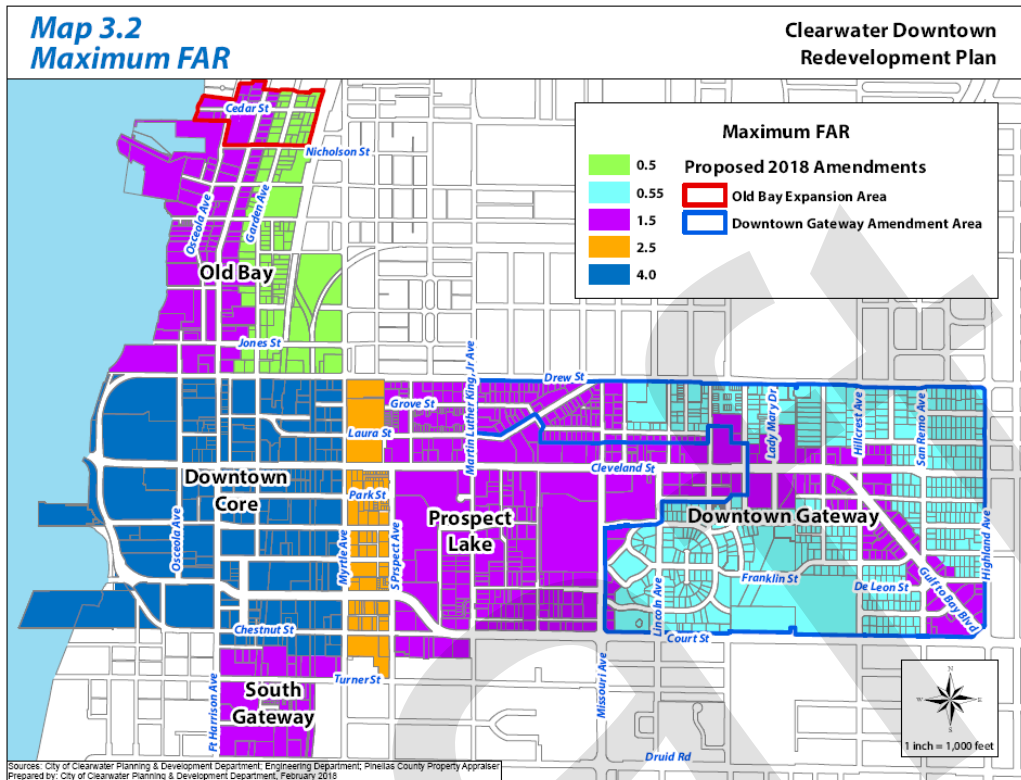
On page 60 of Exhibit A, revise Old Bay Character District inset map, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



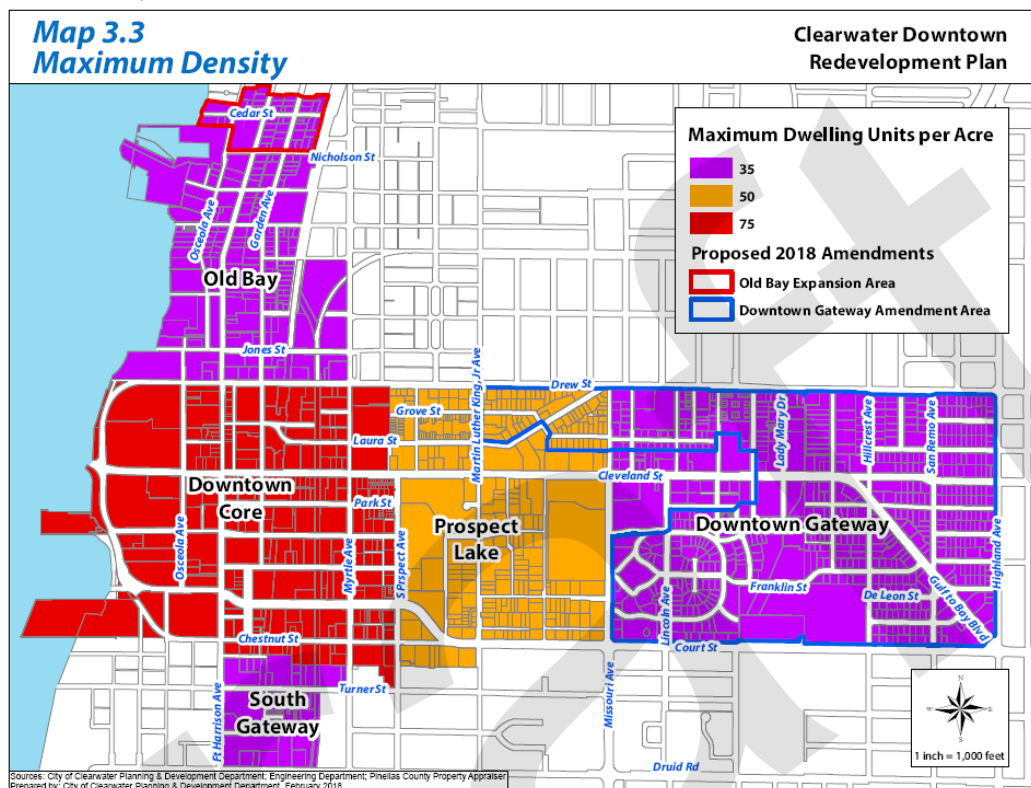
On page 60 of Exhibit A, amend Old Bay Character District text to update the total acreage and number of parcels in the Old Bay District to include the additional parcels incorporated into the Proposed Old Bay Expansion area as follows:

The Old Bay District is generally bounded by Blanche B. Littlejohn Trail and Myrtle Avenue on the east, Clearwater Harbor on the west, Drew Street to the south, and Cedar Street to the north as illustrated above. Also illustrated above is the Old Bay expansion area outlined in black. There are ~~342~~ 349 parcels totaling ~~95.4~~ 96.6 acres of land within the District representing 17.2 % of the land area within the Downtown Plan Area.

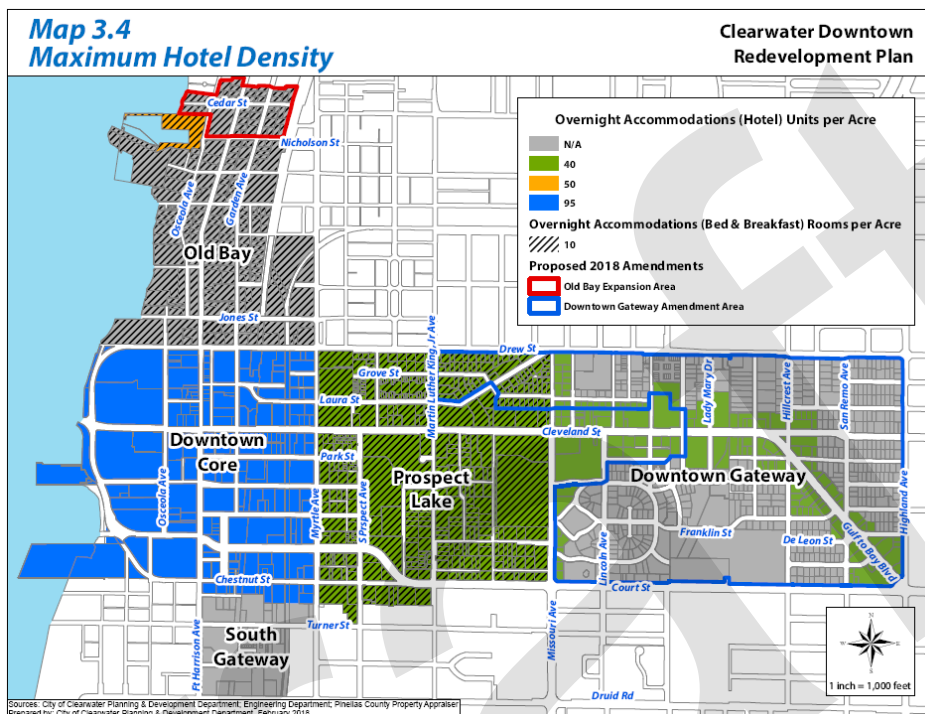
On page 82 of Exhibit A, revise Map 3.2 Maximum FAR, expanding the Old Bay Expansion Area to incorporate six contiguous parcels to the north, as follows:



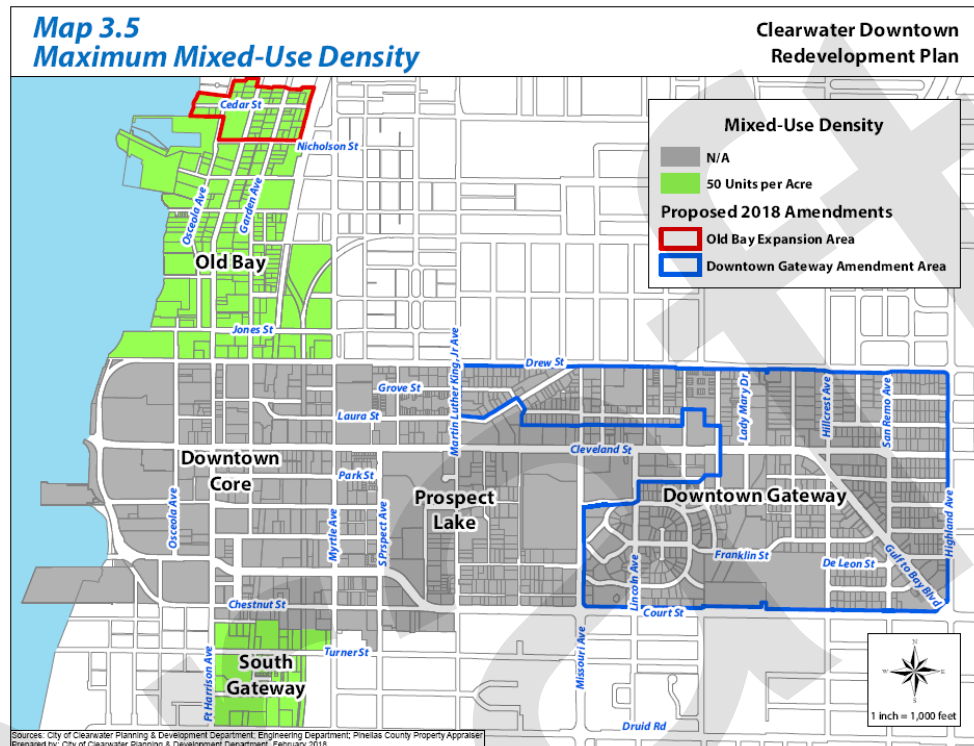
On page 83 of Exhibit A, revise Map 3.3 Maximum Density, expanding the Old Bay Expansion Area to incorporate six contiguous parcels to the north, as follows:



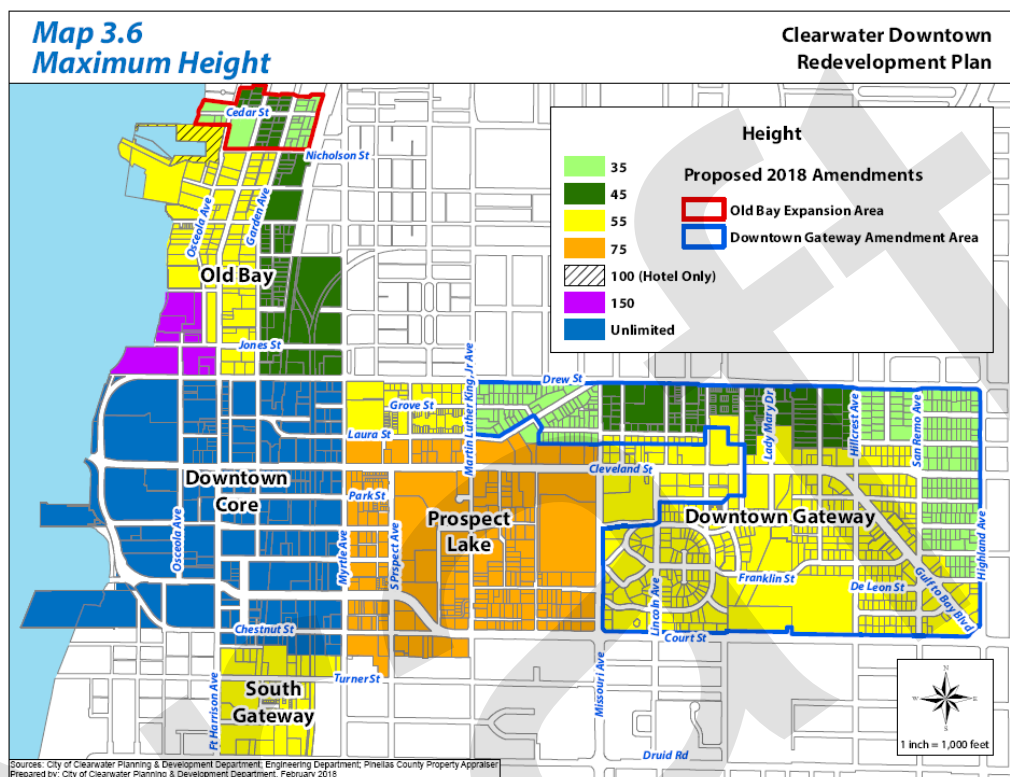
On page 84 of Exhibit A, revise Map 3.4 Maximum Hotel Density, expanding the Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



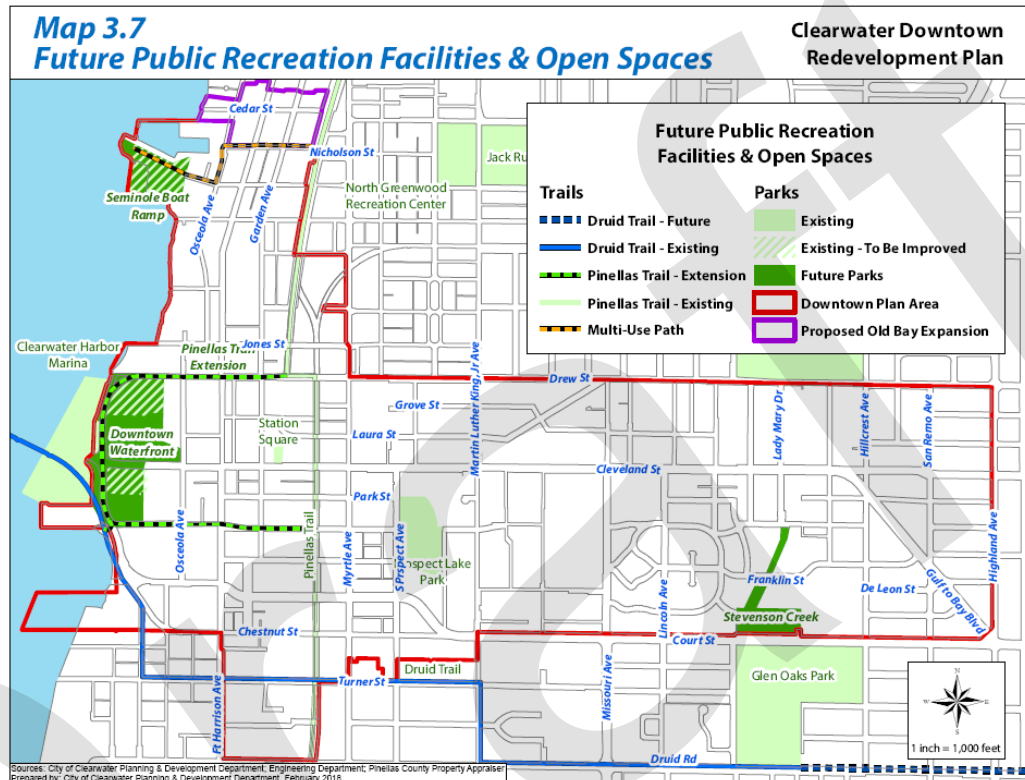
On page 85 of Exhibit A, revise Map 3.5 Maximum Mixed-Use Density, expanding the Old Bay Expansion Area to incorporate six contiguous parcels to the north, as follows:



On page 86 of Exhibit A, revise Map 3.6 Maximum Height, expanding the Old Bay Expansion Area to incorporate six contiguous parcels to the north, as follows:



On page 100 of Exhibit A, revise Map 3.7 Future Public Recreation Facilities & Open Spaces, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 104 of Exhibit A, amend Future Regional Transit System text to clarify the corridor name as follows:

The Tampa Bay Regional Transit Feasibility Plan is an effort to evaluate opportunities for premium transit within the urbanized areas of Pinellas, Hillsborough, and Pasco Counties and will identify projects that have the greatest potential to be funded by federal grants. The study has identified the Gulf to Bay/SR 60 transit corridor as one of the major corridors in the regional network. The final plan will also identify the best premium transit system to efficiently serve this corridor.

On page 105 of Exhibit A, amend Capital Needs text to incorporate reference to Forward Pinellas as follows:

A number of the recommendations outlined would require local capital project funding sources in order to be implemented, including the connection or expansion of bicycle and pedestrian networks, roadway improvements, and the Clearwater Intermodal Center. Some recommendations could be potentially funded with state or federal money, but others, specifically related to City-owned streets, would require City funding. The City should prioritize capital needs specified in this section

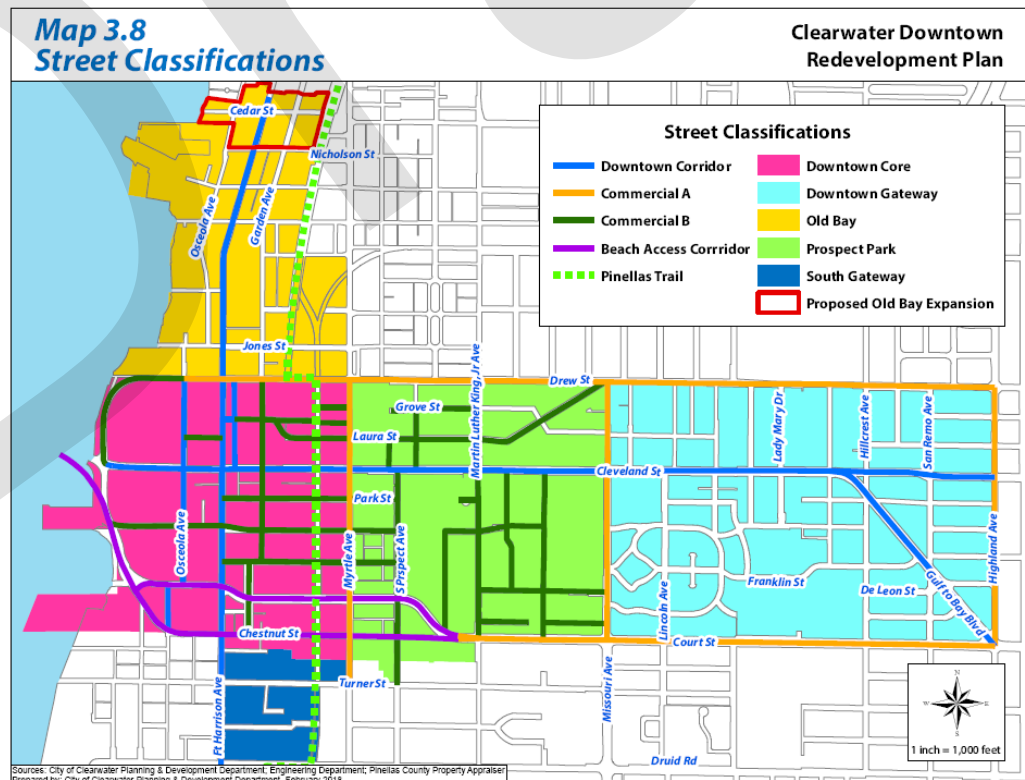
and integrate them into the next Capital Improvement Plan. The City should also seek other funding resources to actively advance the City projects into MPO's (Forward Pinellas) priority list for State and Federal funds.

On page 104 of Exhibit A, insert a new section Waterborne Transportation, after the Trolley Services section to read as follows:

Waterborne Transportation

The City of Clearwater provides waterborne transportation service to residents, tourists, and employees through Clearwater Ferry Service, Inc. which connects the Downtown Harbor Marina, Clearwater Beach Marina, North Beach and Island Estates. Ferry service currently operates on one hour frequency. The Ferry's ridership records for 2017 shows more than 70,000 riders from Downtown Clearwater to Clearwater Beach. This number is expected to grow in the coming years. Forward Pinellas has identified "Waterborne Transportation Priority Projects" on its Multimodal Priority List (2016/2017) and is currently evaluating waterborne operations to help facilitate a countywide framework to guide local governments in planning suitable waterborne facilities and aligning transportation networks. Clearwater has been a leader in this area.

On page 109 of Exhibit A, revise Map 3.8 Street Classifications, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 124 of Exhibit A, insert caption to identify the sample monument graphic as follows:

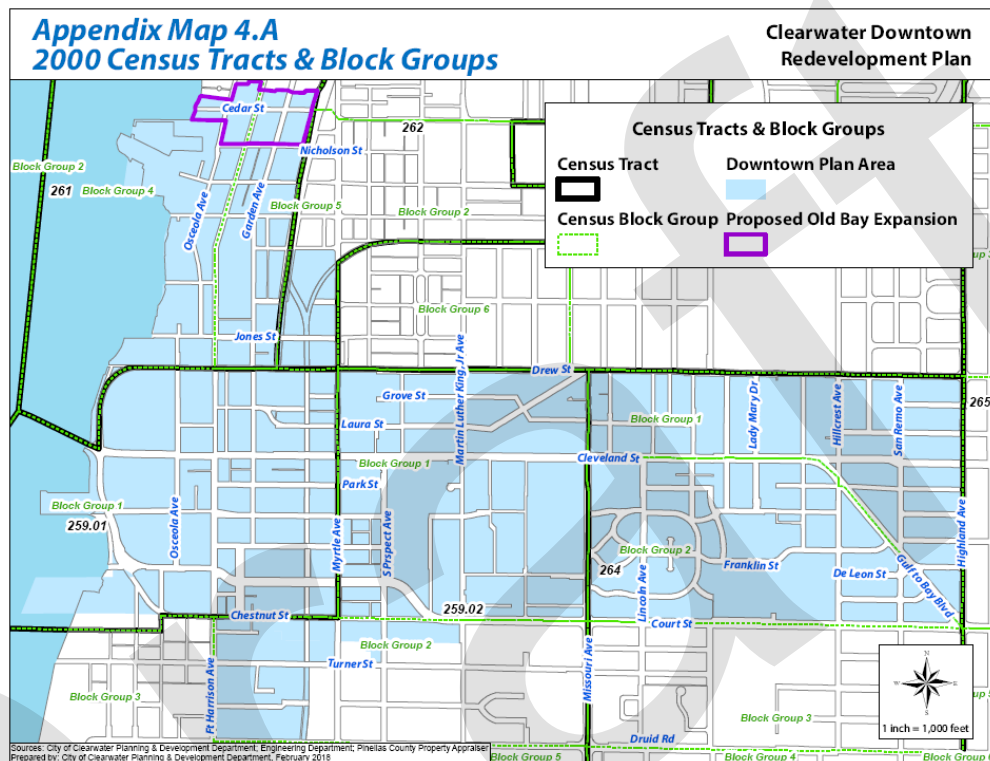


Gateway Monument

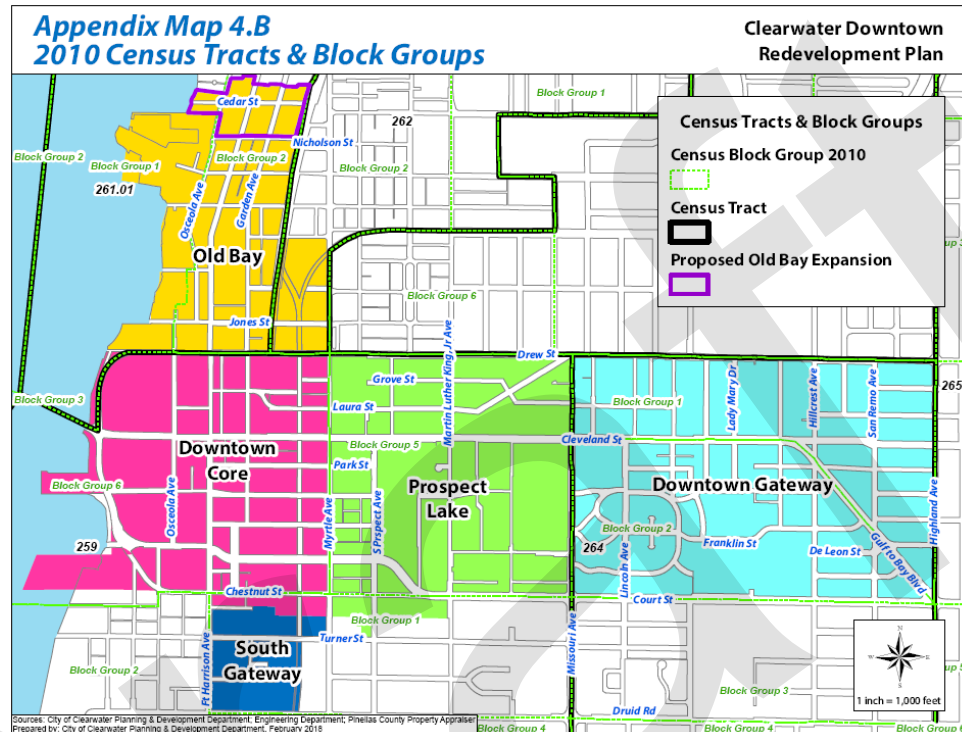
On page 170 of Exhibit A, revise Table 3.B. Land Use Distribution by Character District to update the number of parcels and acres by land use for the Old Bay District to include the additional parcels incorporated into the Proposed Old Bay Expansion area, as follows:

	Downtown Core			Old Bay				South Gateway			Prospect Lake			Downtown Gateway		
	# of parcels	acres	%	# of parcels	sq ft	acres	%	# of parcels	acres	%	# of parcels	acres	%	# of parcels	acres	%
0 Vacant	32	12.1	9.2	66	801569.4687	18.4	20.1	8	1.7	7.6	160	32.1	24.3	31	7.5	4.3
1 Single Family	2	0.5	0.4	50	429477.7474	9.9	10.7	3	2.0	8.8	45	6.5	4.9	202	31.7	18.1
2 Two Family	0	0.0	0.0	15	105439.9458	2.4	2.6	1	0.2	0.9	18	2.6	2.0	149	26.2	14.9
3 Multi Family	428	10.9	8.4	141	405720.0008	9.3	10.2	27	1.2	5.1	65	15.5	11.8	370	36.5	20.8
4 Retail	40	8.9	6.8	14	392552.2965	9.0	9.8	2	5.4	23.6	29	9.2	7.0	53	17.0	9.7
5 Office	28	11.1	8.5	12	139787.2017	3.2	3.5	11	7.9	34.3	58	30.0	22.7	64	17.3	9.9
6 Institutional	22	11.1	8.5	11	268534.0843	6.2	6.7	2	0.4	1.7	13	6.4	4.9	12	19.8	11.3
7 Overnight Accommodations	3	4.7	3.6	4	277798.5582	6.4	7.0	0	0.0	0.0	2	2.8	2.1	6	3.2	1.8
8 Vehicle Services	2	0.8	0.6	3	51219.55535	1.2	1.3	0	0.0	0.0	16	4.8	3.7	9	4.0	2.3
9 Industrial	8	3.6	2.8	13	318236.7037	7.3	8.0	0	0.0	0.0	20	10.5	7.9	0	0.0	0.0
10 Governmental	21	23.0	17.5	0	0	0.0	0.0	3	1.6	6.9	10	3.0	2.3	1	0.1	0.1
11 Utility/Infrastructure	0	0.0	0.0	5	447055.4678	10.3	11.2	0	0.0	0.0	0	0.0	0.0	5	8.6	4.9
12 Recreation	7	20.2	15.4	6	314378.0004	7.2	7.9	1	1.1	4.7	2	7.3	5.5	2	0.5	0.3
13 Parking	32	24.0	18.3	9	44027.13247	1.0	1.1	3	1.5	6.4	3	1.1	0.8	11	2.9	1.6
	619	130.9	100	349	3996444.328	91.7	100	61	23.0	100	441	131.9	100	914	175.3	100

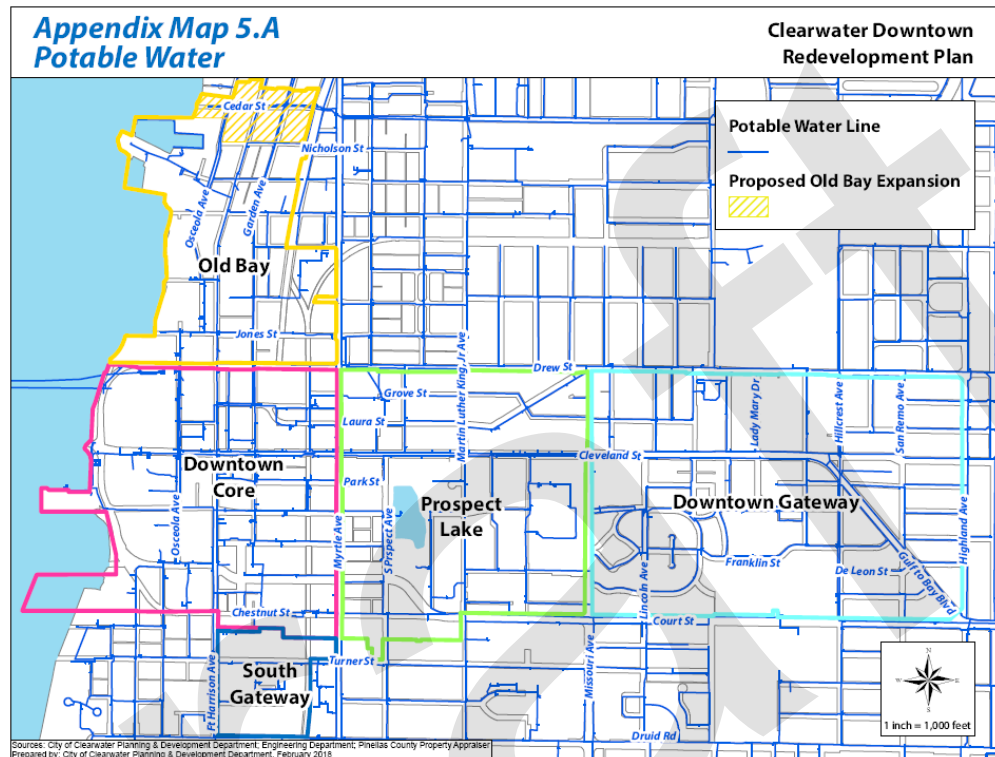
On page 172 of Exhibit A, revise Appendix Map 4.A 2000 Census Tracts & Block Groups, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



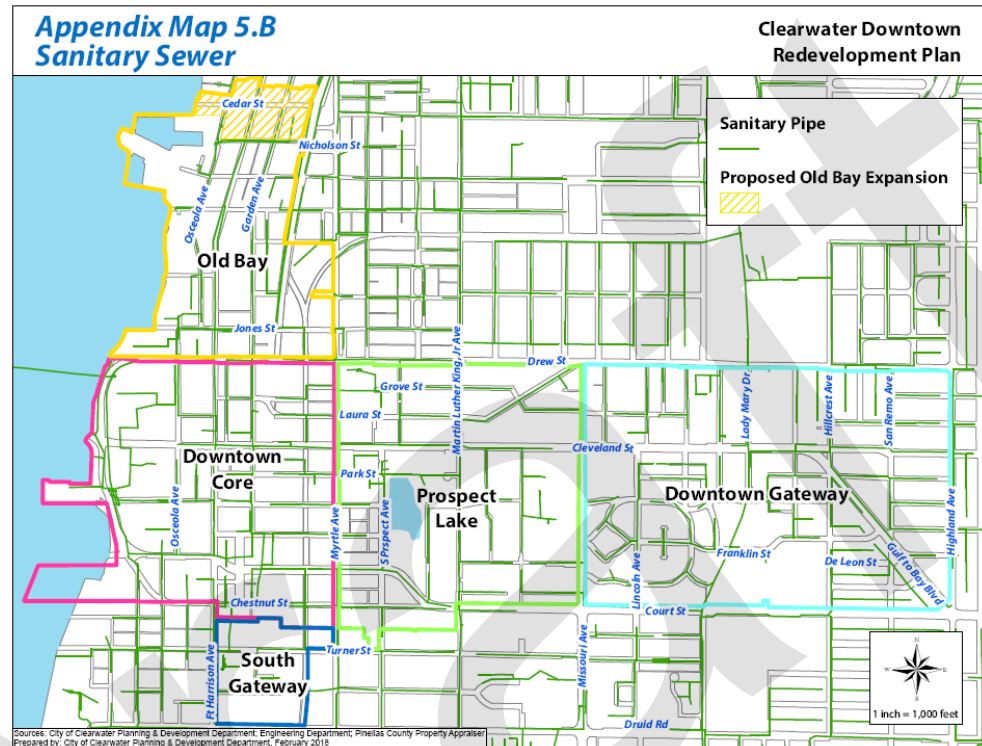
On page 173 of Exhibit A, revise Appendix Map 4.B 2010 Census Tracts & Block Groups, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



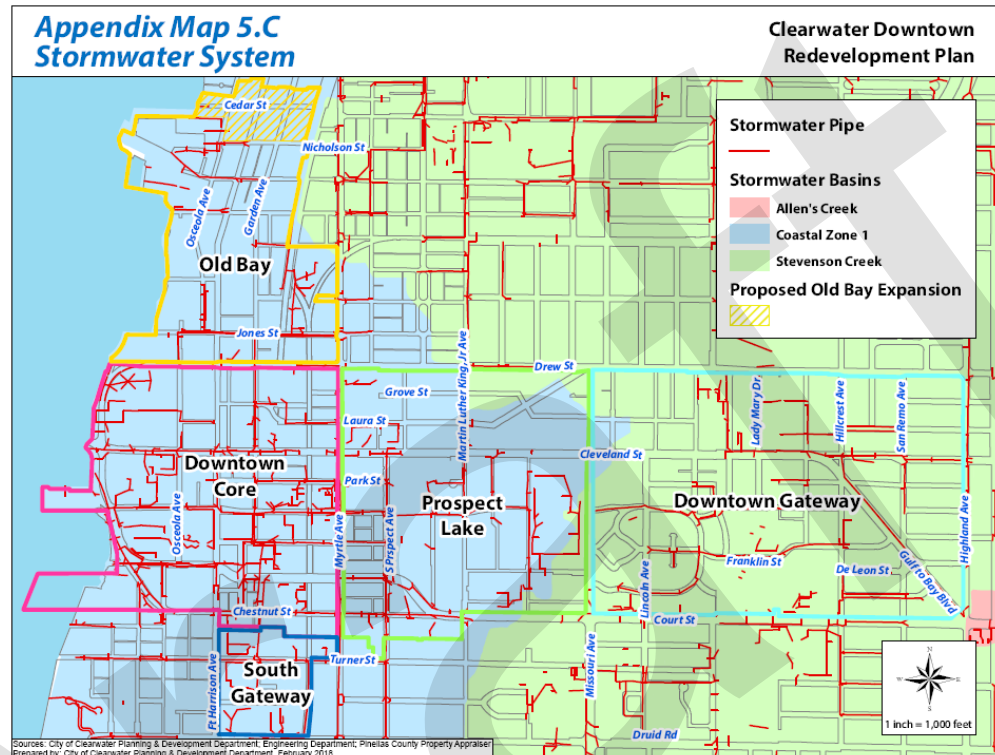
On page 175 of Exhibit A, revise Appendix Map 5.A Potable Water, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



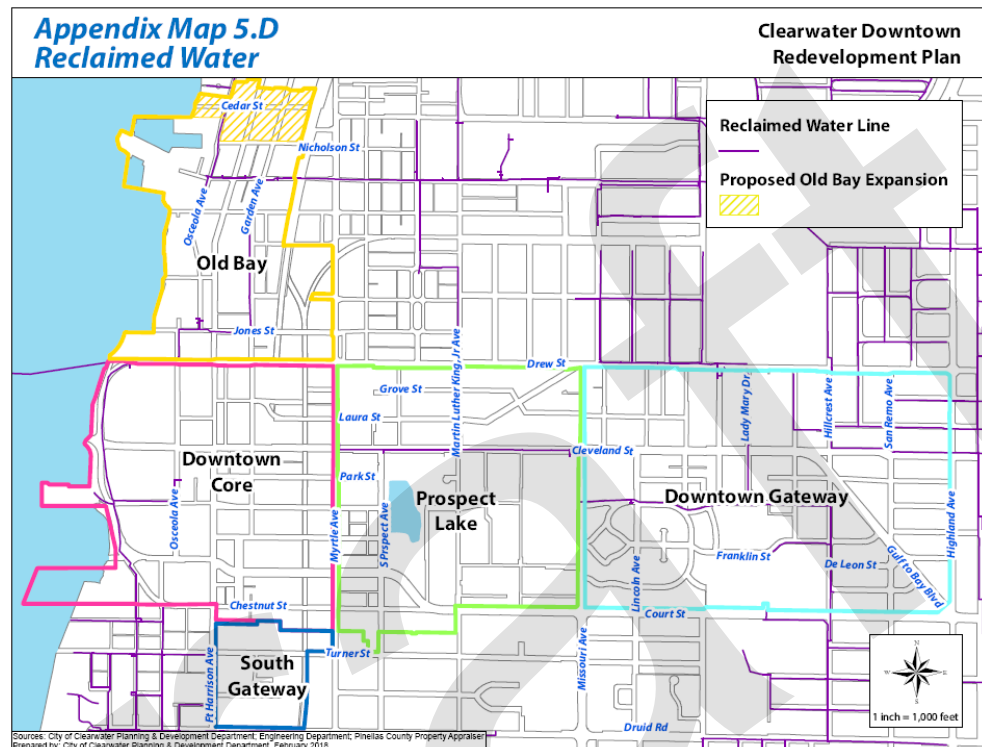
On page 176 of Exhibit A, revise Appendix Map 5.B Sanitary Sewer, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



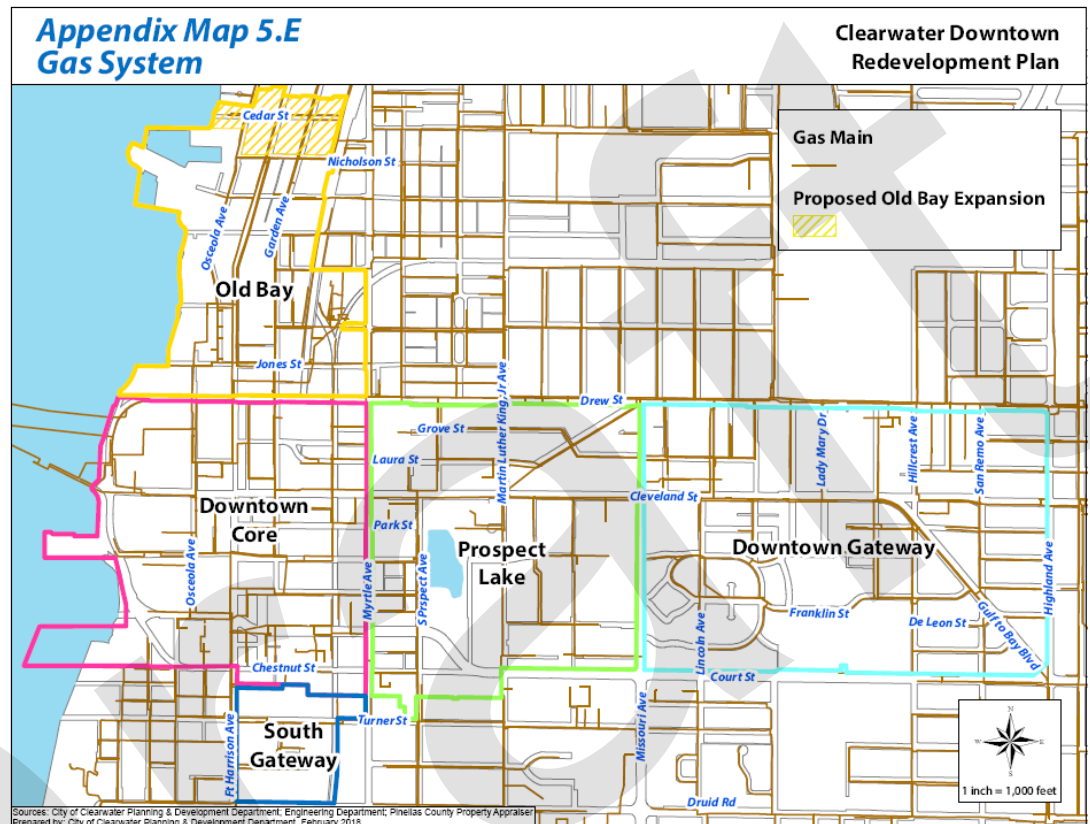
On page 177 of Exhibit A, revise Appendix Map 5.C Stormwater System, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



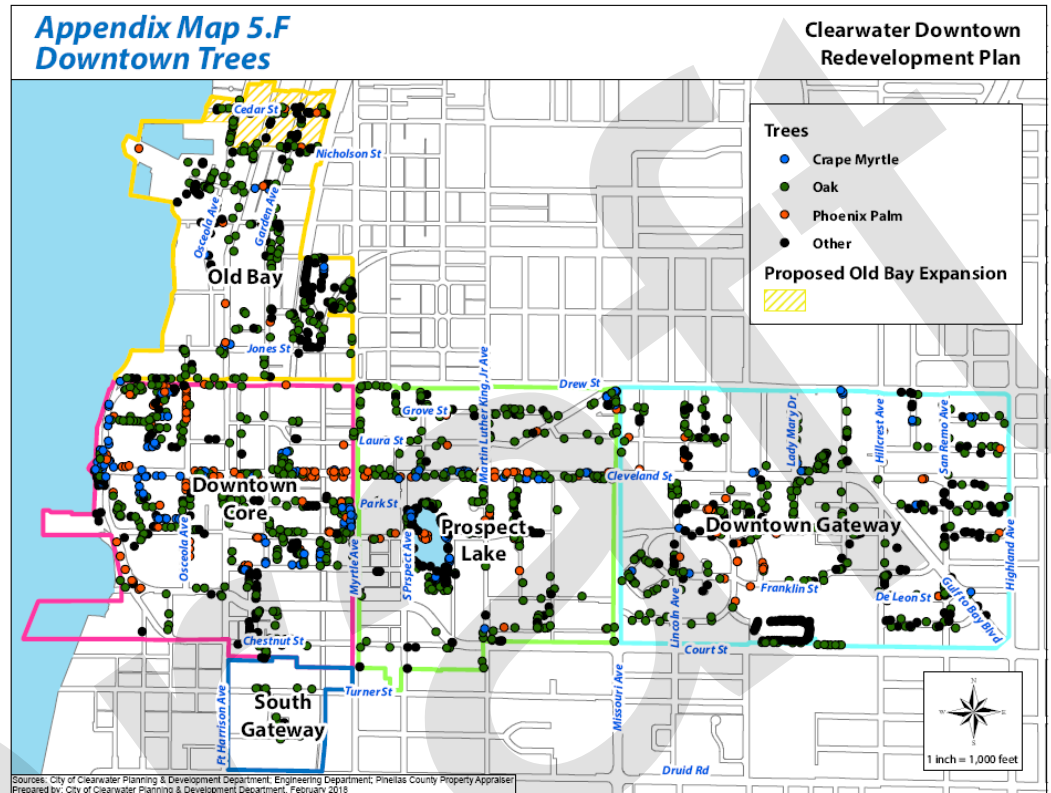
On page 178 of Exhibit A, revise Appendix Map 5.D Reclaimed Water, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 179 of Exhibit A, revise Appendix Map 5.E Gas System, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



On page 180 of Exhibit A, revise Appendix Map 5.F Downtown Trees, expanding the Proposed Old Bay Expansion area to incorporate six contiguous parcels to the north, as follows:



The motion was duly seconded and carried unanimously.

Councilmember Cundiff moved to adopt Ordinance 9103-18, as amended, on second and final reading. The motion was duly seconded.

The motion was duly seconded and upon roll call, the vote was:

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

9. City Manager Reports

- 9.1** Approve a Mutual License and Use Agreement between the City of Clearwater (City) and BW CW Hospitality LLC (BWCW) of Houston Texas to allow for the construction of a pedestrian overpass by BWCW from the BWCW property over city Right-of-Way to city property known as Beach Walk and authorize the appropriate officials to execute same.

BWCW desires to install a pedestrian overpass from their multistory hotel development currently known as the Hyatt on Clearwater Beach over S. Gulfview Blvd. ROW to Beach Walk. This overpass will allow pedestrians to access Clearwater Beach directly from the parking garage and BWCW property without having to cross S. Gulfview Blvd.

As part of the Development Agreement between the City and BWCW, they were responsible to provide a minimum of 400 publicly accessible parking spaces. Persons parking in these spaces must cross S. Gulfview Blvd. to access Beach Walk and Clearwater Beach.

BWCW will be responsible for all costs of and construction of the new overpass structure and amenities; as well as all future maintenance and upkeep of the structure. Construction of the overpass must begin within two years and completed within eight months of the commencement date of the construction.

BWCW agrees to maintain 400 public parking spaces, to not exclude the public from the access and use of the overpass and public parking spaces and to continue to maintain the overpass according to Overpass Standards, set forth in the agreement.

The City may terminate the agreement for a greater public purpose or in the event BWCW does not comply with the conditions set forth in the agreement.

One individual spoke in support.

In response to questions, BWCW representative Katie Cole said the elevator on the first floor will still be accessible. The overpass is intended to be another option for beach goers and individuals who use the garage, as well as guests who are visiting the hotel. After a period of time, people get used to traversing the property and want to avoid crossing the street at grade level. She noted the City's actions over the past year in closing certain pedestrian access points to get pedestrians to stay on either side of S. Gulfview Boulevard and Mandalay Avenue, as opposed to allowing them to cross. This is a piece of that puzzle, keeping the pedestrians from crossing and slowing down traffic by allowing them an

alternative access. She said there are 400 public parking spaces in the Hyatt. The agreement before Council will maintain those spaces for public use, so long as the overpass is there. Hyatt is paying for the construction and ongoing maintenance and insurance liability. Hyatt anticipates significant use of the overpass by the general public and hotel guests. Ms. Cole said the hotel improvements will encourage individuals to use the overpass.

The City Attorney said the agreement before Council requires Hyatt to maintain the 400 parking spaces for public use as long as the pedestrian bridge remains. If the pedestrian bridge is no longer present, the parking spaces could become private.

In response to questions, Ms. Cole said the project includes one ADA-accessible elevator. Gulf Coast Consulting representative Robert Pergolizzi said anytime one can separate pedestrians from cars is a safety improvement. The project also maintains the vehicular traffic along S. Gulfview Boulevard by moving the pedestrians above ground. The pedestrian overpass must be constructed at a height that allows all types of vehicles underneath, including fire trucks. Mr. Pergolizzi said pedestrian overpasses further the Vision Zero goal of zero pedestrian fatalities. The City Attorney said the site plan currently provides that it is public parking. If the item before Council is not approved, BWCW can request a change to the site plan.

Councilmember Jonson moved to approve a Mutual License and Use Agreement between the City of Clearwater (City) and BW CW Hospitality LLC (BWCW) of Houston Texas to allow for the construction of a pedestrian overpass by BWCW from the BWCW property over city Right-of-Way to city property known as Beach Walk and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 9.2** Approve contract (purchase order) to Dix.Hite and Partners Inc. of Longwood, FL, in the amount of \$100,000 for phase one architectural and engineering services for the design of Crest Lake Park according to the master plan developed by Wannemacher Jenson Architects Inc. (WJA) of St. Petersburg, FL., provide direction on project scope and funding source, and authorize the appropriate officials to execute same.

On June 12, 2017, the City Council directed staff to proceed with securing

architectural and engineering services for the final construction designs and engineering for Crest Lake Park according to the Crest Lake Park Master Plan.

In September 2017, the city purchasing office issued RFQ #32-17 for architectural and engineering design services for Crest Lake Park. The City received six proposals and ranked the top three accordingly: 1. Dix.Hite & Partners, Inc. 2. Wantman Group Inc. 3. Rowe Architects Inc.

This contract is for the first phase which will present the final schematic plans, cost statement and schedule in support of the City moving forward with phase two, detailed design development, construction documents, bid support and contract management. Phase two is estimated to cost between \$300,000 - \$400,000 depending on scope and budget approved.

Funding is available in CIP 315-93650, Crest Lake Park Improvements, for phase one and phase two design as well as funds to complete the match for the Veteran's Memorial, however additional funding is required to complete the construction portion of the project. Current estimate is \$6,920,000.

At the June 12, 2017 council work session meeting, discussion ensued with support expressed to use BP funds to complete the construction of this project.

The final scope and budget for the project will determine the additional funds needed for the operating budget, including additional staff. Anywhere from 1.5 to 3 new FTE's (Full Time Equivalent) may be required to maintain the park with an operating budget of between \$150,000 - \$200,000.

This will be a legacy type project celebrating the gateway into downtown Clearwater as well as the beaches while preserving the integrity of the neighborhood.

If this contract is approved, phase one will be completed within 6 months, August 2018.

This item supports the City Strategic Direction and priorities for quality by providing new and improved infrastructure for the citizens of Clearwater.

APPROPRIATION CODE AND AMOUNT:

Funds are available in Capital Improvement Project 315-93650, Crest Lake Park Improvements, to fund this contract.

In response to questions, Parks and Recreation Director Kevin Dunbar said the contract before Council addresses the recommendation in the original conceptual design for the lake ecology. Staff has discussed the relocation with Clearwater Gas; the consultants will determine if and where the gas line should be relocated. The current Tourist Development Council (TDC) grant program is a matching program; the City will not gain any points if the match funds are BP funds. Mr. Dunbar said the program requires the City to cite the direct impact to local hotel

economy.

It was stated that it would be unrealistic to count on TDC funds for local parks.

A concern was expressed with the estimated cost to relocate the gas pipeline.

There was consensus that staff was going in the right direction and that staff should use BP funds for the project.

It was suggested that the design process determine if the gas line should be relocated.

Councilmember Caudell moved to approve Item 9.2. The motion was duly seconded and carried unanimously.

- 9.3** Ratify and confirm the City Manager's approval to increase a contract with Construction Manager at Risk, Khors Construction, Inc. from \$375,267.19 to \$404,942.28 to construct a new access control gate at Pier 60 and authorize the appropriate officials to execute same.

On December 7, 2017, the Council approved a proposal from Construction Manager at Risk, Khors Construction, Inc. of Thonotosassa, FL, in the amount of \$375,267.19 for improvements to Pier 60 - Project KC-1801 and authorize the appropriate officials to execute same.

Construction began on the project in late December and it was determined in January that the current turnstile which regulates persons coming onto the pier needed replacement.

The original scope of the Pier 60 project did not include this item however, the Parks and Recreation staff requested that this work be added to the current project so as not to close Pier 60 down at another time to make this repair. Furthermore, without the turnstile it would be virtually impossible to control access to the pier.

The replacement turnstile is a long lead item which is custom made and will take 8 weeks to deliver. To begin the process of ordering the turnstile, the City Manager approved the additional amount to the contract with Khors.

APPROPRIATION CODE AND AMOUNT:

Funds are available in CIP 315-93499 "Pier 60/Sailing Center Maintenance" for this increase.

Councilmember Cundiff moved to ratify and confirm the City Manager's approval to increase a contract with Construction Manager at Risk, Khors Construction, Inc. from \$375,267.19 to \$404,942.28 to construct a new access control gate at Pier 60 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 9.4** Approve the Second Amendment to the Lease Agreement for Ruth Eckerd Hall, approve termination of the Facility Use Agreement, approve an easement agreement between the Clearwater Housing Authority, the City of Clearwater and Ruth Eckerd Hall, Inc, and authorize the appropriate officials to execute same. (consent)

The City of Clearwater and PACT, Inc. entered into a Lease Agreement (Lease) dated March 7, 2001 whereby the City leased to PACT, Inc. the property known as Ruth Eckerd Hall. Ruth Eckerd Hall, Inc. is the successor in interest to PACT, Inc. The Lease was amended on November 25, 2003 to release a portion of the Entire Parcel to the City to construct a Habitat Restoration and Mitigation Project as permitted by the Florida Department of Environmental Protection.

Ruth Eckerd Hall, Inc. intends to improve the Ruth Eckerd Hall Facility to update the facility and create the "Ruth Eckerd Hall Experience," and to further provide for the continuing operation thereof as a City owned performing arts venue providing quality performing arts experiences and educational opportunities; and the City finds that the renovation and redevelopment of the Ruth Eckerd Hall Facility will preserve, enhance and improve the city-owned facility and enhance the performing arts experience for the community and advance the City's economic development efforts, enhance tourism and arts education and provide a clear sense of regional and national destination for the City.

Ruth Eckerd Hall, Inc. desires to construct, renovate, repair and continue to operate the Ruth Eckerd Hall Facility, and is actively soliciting funds to provide for the long-term operation and maintenance of the said premises and improvements thereon as a performing arts venue; and has requested that the City provide Funding for certain capital improvements and enhancements for the Ruth Eckerd Hall Experience.

The City has determined that it is in the public interest and serves a public purpose to enter into this Second Amendment to the Lease Agreement to provide funding in the amount of Three Million Dollars (\$3,000,000.00) for specific capital Improvements and enhancements necessary for the renovation, repair and operation of the Ruth Eckerd Hall Facility under and pursuant to the terms and provisions of the Lease Amendment. The funding will be paid in three

payments, the first in the amount of \$1,500,000, the second in the amount of \$1,000,000 and the third in the amount of \$500,000.

In order to construct the improvements and expansion to Ruth Eckerd Drive which are part of the Ruth Eckerd Hall Experience, REH, the City, and Clearwater Housing Authority must also enter into an Easement Agreement which contains certain minimum insurance requirements to be carried by REH, and the City and REH desire to amend the lease to provide for such insurances.

Additionally, the City and REH entered in to a Facility Use Agreement dated March 7, 2001 for the purpose of providing a subsidy to REH to secure public availability of the Facility for the use of and performances by various community groups and by the City which provided for an annual payment to REH. The Facilities Use Agreement also provided that the City would enter into a guarantee agreement with REH and a lender for certain refinancing in an amount limited to \$1,000,000 (One Million Dollars). Concurrent with the Lease Amendment, the City and REH wish to terminate that Facilities Use Agreement since the City has not needed to use the Facility pursuant to the Agreement.

The City wishes to provide for an ongoing annual contribution of \$420,000 for the purpose of maintenance and improvements to Premises to include repairs, general maintenance, and asset and fixture replacement for the Premises, for the purpose of assuring the continued high-quality maintenance of the city-owned facility.

REH has and will continue to operate and maintain the Facility and Premises for the benefit of the citizens of Clearwater, in consideration of which the City and REH wish to amend the Lease to allow the City to enter into a Guarantee Agreement if requested, with REH and a lender for the purposes of financing, refinancing, renovation, modernization and expansion of the Premises subject to the City's reasonable approval of the plans and proposals for any renovation, modernization, and expansion; such guarantee to be unconditional but limited to an amount not to exceed \$1,000,000 (One Million Dollars) principal and interest inclusive.

APPROPRIATION CODE AND AMOUNT:

A first quarter budget amendment will increase cost code 07000-582000-519 (aid to private organizations) with offsetting revenues from General Fund reserves. This will fund the fiscal year 2018 portion of the agreement, with the intention of reimbursement from Penny for Pinellas upon approval.

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 \$1,500,000 to Non-Departmental cost code 07000-582000 (aid to private organizations). Inclusive of this item if approved, a net total of \$7,491,630 of General Fund reserves has been appropriated by Council to fund expenditures in the 2017/18

operating budget. The remaining balance in General Fund reserves after the 8.5% reserve requirement is approximately \$9.2 million, including the BP settlement funds. Exclusive of the BP funds, the remaining balance is \$2.7 million, or 2.1% of the current General Fund operating budget.

One individual spoke in support.

Discussion ensued with concerns expressed that almost all funds in Penny 3 and 4 have been fully designated through 2030, there are projects in the 6-year capital improvement plan that are not assigned a funding source, and that Imagine Clearwater is not fully funded for completing the aspects of the plan approved by voters in November; it was questioned why Council was considering a funding request that would divert funds from Council's number one priority, which is not fully funded. It was stated that REH's funding request addresses an immediate concern for a city-owned facility

Vice Mayor Hamilton moved to approve the Second Amendment to the Lease Agreement for Ruth Eckerd Hall, approve termination of the Facility Use Agreement, approve an easement agreement between the Clearwater Housing Authority, the City of Clearwater and Ruth Eckerd Hall, Inc, and authorize the appropriate officials to execute same. The motion was duly seconded and carried with the following vote:

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

Nays: 1 - Councilmember Jonson

9.5 Establish a foreclosure policy to be included in City Council Policies, 32H, and adopt Resolution 18-07.

Based on direction received at the December 21, 2017 City Council meeting, staff has developed a foreclosure policy for Council's consideration that provides flexibility to address a variety of situations. The policy is broad and stipulates that residential, commercial and vacant properties with significant code enforcement or other city liens may be considered for foreclosure. It would also allow the foreclosure of occupied properties and those with mortgages but would not allow those with homestead exemptions to be considered.

Councilmember Cundiff moved to establish a foreclosure policy to be included in City Council Policies, 32H. The motion was duly seconded and carried unanimously.

Resolution 18-07 was presented and read by title only. Councilmember Jonson moved to adopt Resolution 18-07. The motion was duly seconded and upon roll call, the vote was:

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

The City Manager reported there are a number of measures under discussion in Tallahassee regarding school safety that will impact the City financially if approved.

Police Chief Dan Slaughter reviewed the highlights of the bill being considered by the State Legislature and the impact the bill would have on the police department. The creation of a risk protection order, which is a form of an injunction, would be used in a case of a person who has been Baker Acted, has the propensity to do violence, or be a threat to another person. The risk protection order would give some authority to law enforcement to remove guns and restrict the person's access to the guns through a process that is still being refined. There is discussion on creating a Florida Sheriff's Marshal Program, an alternative to School Resource Officers, that would provide individuals additional training that mirrors police officer academy training. The preferred method would be to have a School Resource Officer (SRO) in each campus. Chief Slaughter said he has been in communication with the Pinellas County Sheriff multiple times throughout the week and it was determined that an SRO, a sworn police officer, on each campus would be the most appropriate action. It was determined that in Clearwater, 12 FTE's would be required as the legislation is requiring this program on every campus, including Charter Schools. Personnel costs would be just under \$1 million, equipment and associated supplies would be approximately \$500,000. The equipment and supplies would be a one-time start-up cost. Once the legislation is further defined and put into place, the Chief and Sheriff will meet to determine the fiscal impact. The bill also proposes a three-day waiting period for all firearms, raising the minimum age to 21 to purchase firearms from a licensed dealer and prohibit bump stocks.

In response to questions, the Chief said he is not aware of any discussion in the Legislature regarding how to fund these programs but through his conversations with the Pinellas County Sheriff there may need to be a millage discussion at the school board and county level. Clearwater schools service kids from all over the county, not just Clearwater. He said he doesn't believe the legislation would mandate private school security, but some of the local private schools have a good security program already. There will be a school

safety assessment that the City would provide as a service to the private schools. The Chief clarified that Pinellas County School Board does provide some funding toward the SRO's salary, about the amount of an entry level officer. With the scope and size of the pending legislation, he believes 100% of the SRO salary should be covered by the County and School Board.

10. City Attorney Reports – None.

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

Councilmember Caudell said the Pinellas County public and private schools will hold an arts exhibit on Sunday from 12-5 p.m. at the Clearwater Main Library. The exhibition is there the entire month but the celebration of the students who won awards will be held on Sunday.

Councilmember Jonson said there was an update at the PSTA meeting from Scott Pringle on the regional transit feasibility plan. He said HART and the project team continues to miss an important step in the process, developing a community understanding of the future transportation needs of the region. He said he believes that is what happened with Greenlight Pinellas and the original TBX, it was somewhat rectified with the TBNext project but accordingly he believes the public will focus on the flaws of the proposed solution; either not being enough or too much. This means we won't have the power of the future regional lens looking at the solution. In 2014, Pinellas County was projected to grow 60,000 people by 2040, but between 2014-2017, Pinellas County grew by 30,000 people. He heard projections that the Tampa Bay region will double in size by 2045 which is equivalent in size to the Dallas/Ft. Worth area today. With Tampa Bay being a desirable place to live, congestion will only increase. The FDOT Secretary has been very clear, if there is no plan for local transit funding, this project will not proceed. PSTA did pass a resolution in support of the project and the process but PSTA needs to engage the public in a conversation about the future of this area. Mr. Pringle is scheduled to go around the region briefing the public on the proposed solution but said he does not believe Mr. Pringle will be talking about the needs of the region. In regards to the Clearwater Gas Complex groundbreaking, he spoke to the contractor who reported that by closely coordinating all the various contractors, they were able to build a 26-story concrete structure in 18 months. Mr. Horne shared a document today from the County Administrator with a cover sheet emphasizing the County "doing things." He said he was in the North Greenwood Library before the Candidates forum and was happy to see the number of patrons.

12. Closing Comments by Mayor

Mayor Cretelos reviewed recent and upcoming events and encouraged to consider PSTA, who is offering free rides at the Harborview and City Hall, and Clearwater Ferry as transit options to the beach.

13. Adjourn

The meeting adjourned at 7:34 p.m.

Attest

Mayor
City of Clearwater

City Clerk