

City of Clearwater

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



Meeting Minutes

Thursday, September 6, 2018

6:00 PM

Council Chambers

City Council

Rollcall

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

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

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

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

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

2. Invocation – Mayor Cretekos**3. Pledge of Allegiance – Vice Mayor 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 Make A Difference Fishing Tournament Day Proclamation, October 6, 2018 – Nick Patel, Tom Schaffer and Mark Harstein – make A Difference Fishing Day, Inc.
- 4.2 9/11 National Day of Service and Remembrance Proclamation, September 11, 2018 – Fire Chief Scott Ehlers
- 4.3 Homestead Exemption Presentation - Mike Twitty, Pinellas County Appraiser

Mr. Twitty provided a PowerPoint presentation.

5. Approval of Minutes

- 5.1 Approve the August 2, 2018 Special City Council Meeting Minutes and August 14, 2018 City Council Meeting Minutes as submitted in written summation by the City Clerk.

Councilmember Allbritton moved to approve the August 2, 2018 Special City Council Meeting Minutes as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

Vice Mayor Caudell moved to approve the August 14, 2018 City Council Meeting Minutes as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

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

Wayne Phillips and John Tsoulfas opposed the concept of parking permits for beach residents that was presented at the August 2, 2018 meeting.

Dave Ellis introduced himself and said he was running for Circuit Court.

Mike Riordon encouraged all to visit the No Boss Mayor website and opposed the Strong Mayor initiative.

Lisa Lanza opposed the Strong Mayor initiative and said that no economic impact study was conducted as part of the process. She said the Suncoast Jazz Festival will be held in November.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve State Housing Initiatives Partnership (SHIP) Program Annual Report and Local Housing Incentive Certification for the closeout year 2015-2016 and interim years 2016-2017 and 2017-2018 and authorize the appropriate officials to execute same. (consent)
- 7.2** Approve Production Sponsorship Agreement from February 1, 2019 through April 1, 2021 with ESPN Production, Inc. to host three softball events at the Eddie C. Moore Softball Complex and authorize the appropriate officials to execute same. (consent)
- 7.3** Authorize the award of Invitation to Bid 23-18 to POP Umpires Management, Inc. for baseball umpire scheduling services, in the annual amount of \$60,000 for a one-year term, with two annual renewal terms at the City's option and authorize the appropriate officials to execute same. (consent)

- 7.4** Approve the Eleventh Amendment between the Chi Chi Rodriguez Youth Foundation, Inc. (Foundation) and the City of Clearwater (City) for the operation of the Chi Chi Rodriguez Golf Course and Driving Range and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve Maintenance Agreement between Pinellas County (County) and City of Clearwater (City) for the installation and maintenance of a landscaped median located at Drew Street, north of St. Petersburg College and East Library and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve a one-year Agreement with Juvenile Welfare Board (JWB) and the City of Clearwater (City) for funding of youth programs and approve a third quarter budget amendment of \$453,032 in special program 181-99872, Coordinated Child Care Ross Norton and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve a License Agreement between the School Board of Pinellas County (Board) and the City of Clearwater (City) providing for the use of Jack Russell Stadium for Clearwater High School Baseball, the use of Eddie C. Moore Softball Complex for Clearwater High School Softball and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve acceptance of University of North Florida Training and Services Institute, Inc, d/b/a Institute of Police Technology and Management (IPTM), High Visibility Enforcement (HVE) for Pedestrian and Bicycle Safety Grant Award in the amount of \$50,000 for police overtime, and that the appropriate officials be authorized to execute same. (consent)
- 7.9** Approve renewal of the TriTech Software Support Agreement, in the amount of \$185,293.10, for a 12-month period, October 1, 2018 through September 30, 2019, and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2018-2019 in the amount of \$176,279.96 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the East Gateway District, Town Lake District, and Downtown Core District, encompassed by the Community Redevelopment Area to address quality of life issues, drug dealing, prostitution, and homelessness and authorize the appropriate officials to execute same. (consent)
- 7.11** Approve Supplemental One work order to Engineer of Record (EOR) Jones Edmunds and Associates for the East Water Reclamation Facility (WRF) Biochemical Oxygen Demand (BOD) Spikes Investigation Phase 2 (17-0034-UT) in the amount of \$115,000 and authorize the appropriate officials to execute same. (consent)
- 7.12** Award a construction contract to TLC Diversified Inc. of Palmetto, FL, in the amount of \$131,065.00 for the Marshall Street WRF Blend Tank Cleaning (18-0012-UT) and

authorize the appropriate officials to execute same. (consent)

- 7.13** Approve the First Amendment to the Business Lease Contract between the City of Clearwater and Jolley Trolley Transportation of Clearwater, Inc. for the lease of city-owned property located at 410 North Myrtle Avenue and authorize the appropriate officials to execute same. (consent)
- 7.14** Approve an Interlocal Agreement for Library Services in Pinellas County for a term of five years, effective October 1, 2018, with a possible extension for an additional five years and authorize the appropriate officials to execute same. (consent)
- 7.15** Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2018-2019 in the amount of \$97,260 to underwrite activities in the Clearwater Main Library that support community learning in the areas of Science, Technology, Engineering and Math, Entrepreneurship and small business growth and authorize the appropriate officials to execute same. (consent)
- 7.16** Approve a Purchase Order with R.C. Beach and Associates of Dunedin, Florida in the amount of \$121,765.00 for 4 WEIR/Floway 14DKH Transfer Pumps and authorize the appropriate officials to execute same. (consent)
- 7.17** Approve a Purchase Order with Xylem Water Solutions USA, Inc. in the amount of \$304,495.00 for replacement of the Flygt Mud-well Pumps and Backwash Pumps at the Marshall Street WRF and the replacement Flygt Pump at Lift Station 58 and authorize the appropriate officials to execute same. (consent)
- 7.18** Authorize the award of Request for Proposals 06-18, for city-wide elevator maintenance services to, ThyssenKrupp Elevator, in a not-to-exceed annual amount of \$200,000, including two, three-year renewal terms at the City's discretion and authorize the appropriate officials to execute same. (consent)
- 7.19** Approve the award of Invitation to Bid 25-18 to Biomass Services and Transport LLC, of Tampa, FL, in the annual amount of \$200,000 for yard waste hauling, effective for a one-year term with two, one-year renewal terms at the City's option and authorize the appropriate officials to execute same. (consent)
- 7.20** Approve the award of Invitation to Bid 26-18 to IES Sales and Service, LLC of Opa Locka, FL, in the annual amount of \$50,000 for the purchase of roll-off containers, effective for a one-year term with two, one-year renewal terms at the City's option and authorize the appropriate officials to execute same. (consent)
- 7.21** Appoint Kelly McLeay to the Library Board to fill the remainder of an unexpired term until

February 28, 2019. (consent)

7.22 Appoint one at-large member to the Sister Cities Advisory Board with term to expire September 30, 2022.

7.23 Appoint two members to the Brownfields Advisory Board, Julie Phillips to fill the remainder of an unexpired term through June 30, 2021 as the government representative and Eleanore Lyda as the Clearwater resident with a term to expire September 30, 2022. (consent)

7.24 Reappoint Caitlein Jammo to the Clearwater Housing Authority Board with term to expire September 30, 2022. (consent)

7.25 Appoint Mark Wright to the Environmental Advisory Board with term to expire September 30, 2022. (consent)

7.26 Approve an Interlocal Agreement with the Community Redevelopment Agency (CRA) to provide staffing, Information Technology services and telephone services for the CRA, provide for the reimbursement of certain expenses by the CRA to the City, and authorize the appropriate officials to execute same. (consent)

7.27 Request for authority to initiate foreclosure actions on behalf of the City to recover amounts owed on municipal liens imposed against certain real property. (consent)

7.28 Approve additional funds not to exceed \$35,000 in outside counsel contract for Thompson, Sizemore, Gonzalez and Hearing, for representation in two employee arbitrations. (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 Set final millage rate of 5.9550 mills for fiscal year 2018/19 against non-exempt real and personal property within the City of Clearwater and pass Ordinance 9193-18 on first reading.

In accordance with Chapter 200 of the Florida Statutes, which defines requirements for the Determination of Millage and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearings to adopt a final millage rate for the new fiscal year. The adoption of this ordinance to establish the millage rate and the two related budget ordinances are an integral part of fulfilling these requirements.

The City Council set a tentative millage rate of 5.9550 mills on July 19, 2018, which is the rate that appeared on the TRIM bill notices mailed to taxpayers in August. The millage rate of 5.9550 mills represents a 22.32% increase from the rolled back rate of 4.8684 mills.

Ordinance 9193-18 is presented in order to adopt the millage rate of 5.9550 mills to support the operating and capital improvement budgets for the 2018/19 fiscal year.

Budget Manager Kayleen Kastel provided a PowerPoint presentation.

In response to questions, Ms. Kastel said the City's consultant showed a 10-year model of the proposed millage rate that will balance the budget for the next ten years. Finance Director Jay Ravins said if a 0.4 millage rate increase is pursued this year, another 0.3 millage increase would be needed in three years, with another 0.3 millage increase in three years. The City's reserve level would be minimum and would not provide much flexibility. He said if the proposed 0.8 millage rate increase is approved, a millage increase is not anticipated for another nine years. Ms. Kastel said the current millage rate has not changed for nine years. Deputy City Manager Jill Silverboard said the proposed millage increase is predicated on a percentage growth that is moderate. Mr. Ravins said the model takes into account the additional homestead exemption. The forecast model notes deficits in the last three fiscal years; the proposed 0.8 millage increase provides a better reserve level at the end of the ten years than the 0.3 millage rate increase every three years. He said implementing a 0.3 millage increase every three years assumes there is support for the millage increases. The City Manager said the proposed 0.8 millage rate increase is based on the City's financial needs.

Councilmember Cundiff moved to amend the proposed millage increase to 0.4 mills. The motion failed for lack of a second.

Two individuals spoke in opposition.

One individual suggested decreasing utility fees.

Discussion ensued with comments made that the reserve fund balance has been depleted and that the budget forecast assumes no additional FTEs. Support was expressed to pursue a gradual millage increase.

Councilmember Hamilton moved to set final millage rate of 5.9550 mills for fiscal year 2018/19 against non-exempt real and personal property within the City of Clearwater. The motion was duly seconded and carried with the following vote:

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

Nays: 1 - Councilmember Cundiff

Councilmember Cundiff moved to amend the ordinance to set the millage increase to 0.4. The motion failed for lack of a second.

Ordinance 9193-18 was presented and read in full. Councilmember Allbritton moved to pass Ordinance 9193-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

8.2 Approve the City of Clearwater Annual Operating Budget for the 2018/19 fiscal year and pass Ordinance 9194-18 on first reading.

In accordance with Chapter 200 of the Florida Statutes and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearings to adopt the budget. The adoption of this ordinance and the related ordinances adopting the 2018/19 millage rate and the Capital Improvement Budget are an integral part of fulfilling these requirements.

On June 29, 2018, the City Manager provided the City Council with a Preliminary Annual Operating and Capital Improvement Budget that outlined estimates of revenues and expenditures for the 2018/19 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 19, 2018, and at the August 2, 2018 Special Budget Council meeting for Council

discussion and citizen input.

The following changes have been made to the Preliminary Operating Budget and are included in the ordinances for adoption of the operating budget:

- General Fund revenues reflect an increase of \$530,470 to Ad Valorem Tax revenues based upon 2018 preliminary values received on June 29th which were greater than early estimates.
- Operating expenditures in the Airpark Fund are reduced by \$20,000 representing savings in grounds maintenance costs which were mistakenly left out of preliminary budget figures.
- In the Special Development Fund, Ad Valorem Tax (road millage) revenues are increased by \$26,540 based upon 2018 preliminary property tax values received from the County on June 29, 2018 which were greater than early estimates. Special Development Fund expenditures reflect an increase in transfers to the capital fund by \$824,090 based upon updated projections of road millage revenues.

Vice Mayor Caudell moved to approve the City of Clearwater Annual Operating Budget for the 2018/19 fiscal year. The motion was duly seconded and carried unanimously.

Ordinance 9194-18 was presented and read by title only.

Councilmember Cundiff moved to pass Ordinance 9194-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

8.3 Adopt the Fiscal Year 2018/19 Annual Capital Improvement Budget, establish a six-year plan for the Capital Improvement Program (CIP) and pass Ordinance 9195-18 on first reading.

In accordance with Chapter 200 of the Florida Statutes and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearing to adopt the final budget. The adoption of this ordinance and the related ordinances adopting the 2018/19 millage rate and operating budget are an integral part of fulfilling these requirements.

On June 29, 2018, the City Manager provided the City Council with a Preliminary Annual Operating and Capital Improvement that outlined estimates of revenues

and expenditures for the 2018/19 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 19, 2018, and at the August 2, 2018 Special Budget Council meeting for Council discussion and citizen input.

The total fiscal year 2018/19 Capital Improvement Fund budget presented here reflects an increase of \$824,090 from the preliminary budget. This change is due to the increased road millage revenues anticipated which fund the Streets and Sidewalks project (ENRD180004). This is the only change to the Preliminary Capital Improvement budget at this time.

Councilmember Hamilton moved to adopt the Fiscal Year 2018/19 Annual Capital Improvement Budget, establish a six-year plan for the Capital Improvement Program (CIP). The motion was duly seconded and carried unanimously.

Ordinance 9195-18 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9195-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

8.4 Approve the recommended Penny for Pinellas project list, as revised for Fiscal Years 2018/19 through 2019/20.

On March 6, 1997, the City Council adopted Ordinance 6137-97. The ordinance established the requirement for a special hearing prior to adoption of the capital improvement budget to discuss the use of Penny for Pinellas tax, and at any time in which there is any proposed change to the Penny for Pinellas project funding of \$500,000 or more.

Changes to Penny for Pinellas projects that meet this criterion in the proposed 2018/19 capital improvement budget and six-year plan include the following:

- Ruth Eckerd Hall - This project has been established in the amount of \$3 million to be funded in fiscal year 2018/2019 and 2019/2020. This funding will provide for specific capital improvements and enhancements necessary for the renovation, repair and operation of this City owned facility.
- Downtown Intermodal Facility - This project is being eliminated from the project list due to the postponement of the project shifting it outside of this Penny cycle. This represents a decrease of \$2,425,000 in Penny for Pinellas funding planned in

fiscal year 2019/2020.

- Crest Lake Park Improvements - This project is being funded with settlement funds from the BP Deepwater Horizon oil spill, which eliminates the need for Penny funds. This represents a decrease of \$750,000 in Penny for Pinellas funding planned in fiscal year 2018/2019.

Vice Mayor Caudell moved to approve the recommended Penny for Pinellas project list, as revised for Fiscal Years 2018/19 through 2019/20. The motion was duly seconded and carried unanimously.

- 8.5** Approve a Future Land Use Map Amendment from the Residential Urban (RU), Residential Medium (RM), Residential High (RH), Residential/Office General (R/OG), Institutional (I), Commercial General (CG), and Recreation/Open Space (R/OS) categories to the Central Business District (CBD) category for 968 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan, and pass Ordinance 9143-18 on second reading. (LUP2017-09004)

This Future Land Use Map amendment involves 968 parcels totaling 172.488 acres which are generally located south of Drew Street, east of Prospect Avenue, north of Court Street, and west of Highland Avenue. The properties are comprised of a mix of uses, including single and multi-family residential, office and commercial, among others, and 33 of the parcels are vacant. The area is largely built out and has an older housing stock, although some intermittent redevelopment has occurred, including the Country Club Townhomes on Drew Street. Commercial uses are found mostly along the Cleveland Street and Gulf to Bay Boulevard corridors.

The request is to amend the Future Land Use Map designations of this area from Residential Urban (RU), Residential Medium (RM), Residential High (RH), Residential/Office General (R/OG), Institutional (I), Commercial General (CG), and Recreation/Open Space (R/OS) to Central Business District (CBD). The City is initiating this amendment to establish a uniform land use designation across the Downtown Gateway and Prospect Lake Character Districts consistent with the Downtown Plan. A companion rezoning application proposes to amend the properties' zoning to the Downtown (D) District (REZ2017-09005, Ordinance 9144-18).

This future land use amendment and companion rezoning (REZ2017-09005) were passed on first reading by City Council on June 7, 2018. Ordinance 9143-18 was amended on first reading to remove a parcel description from the

ordinance title that was inadvertently advertised as the parcel in question already had the correct Central Business District (CBD) future land use designation applied. This will ensure that the ordinance reflects the correct number of parcels and the correct acreage being amended.

The Planning and Development Department previously determined that the proposed amendment is consistent with the provisions of Clearwater Community Development Code, Clearwater Comprehensive Plan, and the Countywide Plan Rules.

As required by Florida Statutes, the proposed Future Land Use Map amendment was submitted to the Florida Department of Economic Opportunity (DEO) and other required State agencies and Pinellas County for review and comment. The Planning and Development Department received responses from DEO, Florida Department of Transportation, Florida Department of Environmental Protection, Pinellas County, Tampa Bay Regional Planning Council, and the Southwest Florida Water Management District stating they had no comments on and/or objections to the proposed amendments. Therefore, no changes to the proposed Future Land Use Map amendment were required.

Councilmember Cundiff moved to approve a Future Land Use Map Amendment from the Residential Urban (RU), Residential Medium (RM), Residential High (RH), Residential/Office General (R/OG), Institutional (I), Commercial General (CG), and Recreation/Open Space (R/OS) categories to the Central Business District (CBD) category for 968 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan. The motion was duly seconded and carried unanimously.

Ordinance 9143-18 was presented and read by title only.

Councilmember Hamilton moved to pass Ordinance 9143-18 on second reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.6** Approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Office (O), Commercial (C), Institutional (I) and Open

Space/Recreation (OS/R) Districts to the Downtown (D) District for 969 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan, and pass Ordinance 9144-18 on second reading. (REZ2017-09005)

In 2004, the City updated the Clearwater Downtown Redevelopment Plan (Downtown Plan) to incorporate the "Gateway Expansion Area" [expanded Community Redevelopment Area (CRA)] into the East Gateway, Town Lake Residential, and Town Lake Business Park Character Districts. However, due to certain requirements for Special Area Plans at the time, the City decided not to pursue amendments to the future land use designations or zoning districts for many of the properties in the expanded CRA, so they remained a mix of categories although they were governed by the Downtown Plan. More recently, the City has completed another update to the Downtown Plan, adopted by City Council March 1, 2018 (Ordinance 9103-18). This update addressed the need to unify areas of the now Downtown Gateway and Prospect Lake Character Districts with the rest of Downtown by amending the properties' land use and zoning to Central Business District (CBD) future land use and Downtown (D) District zoning.

This Zoning Atlas amendment involves 969 parcels totaling 174.788 acres which are generally located south of Drew Street, east of Prospect Avenue, north of Court Street, and west of Highland Avenue, including one parcel located at the southeast corner of Myrtle Avenue and Chestnut Street that has a portion not zoned as Downtown (D). The request is to change the properties' Zoning Atlas designations from the Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Office (O), Commercial (C), Institutional (I) and Open Space/Recreation (OS/R) Districts to the Downtown (D) District. The City is initiating this amendment to establish a uniform zoning district across the Downtown Gateway and Prospect Lake Character Districts consistent with the Downtown Plan, as well as the companion land use amendment to the Central Business District (CBD) District (LUP2017-09004, Ordinance 9143-18).

This rezoning and companion future land use amendment (LUP2017-09004) were passed on first reading by City Council on June 7, 2018. Ordinance 9144-18 was amended on first reading to update the number of parcels from 968 to 969 in order to add one parcel that was already designated with the correct future land use designation but needed the proposed Downtown (D) District zoning to be designated.

The Planning and Development Department previously determined that the proposed amendment is consistent with the provisions of Clearwater Community Development Code, Clearwater Comprehensive Plan, and the Countywide Plan Rules.

Councilmember Allbritton moved to approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Office (O), Commercial (C), Institutional (I) and Open Space/Recreation (OS/R) Districts to the Downtown (D) District for 969 parcels located in the Prospect Lake and Downtown Gateway Character Districts of the Clearwater Downtown Redevelopment Plan. The motion was duly seconded and carried unanimously.

Ordinance 9144-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9144-18 on second reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.7** 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 3030 Lake Vista Drive, 3059 Merrill Avenue, 3041 Terrace View Lane, 3047 Grand View Avenue and 3060 Glen Oak Avenue N; and pass Ordinances 9170-18, 9171-18, and 9172-18 on first reading. (ANX2018-06007 and ANX2018-07009)

These voluntary annexation petitions involve 1.067 acres of property consisting of five parcels of land occupied by single family homes. The parcels are located generally north of Drew Street, south of SR 590, and within ¼ mile west of McMullen Booth Road. The applicants are requesting annexation in order to receive sanitary sewer service from the City and will be connected to the city sanitary sewer as part of the Kapok Terrace Sanitary Sewer Extension Project. The properties are located within an enclave and are contiguous to existing city limits along at least one boundary. It is proposed that the properties be assigned a Future Land Use Map designation of Residential Low (RL) and be assigned a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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

- The properties currently receive water service from the City. Collection of solid waste will be provided to the properties by the City. The applicants will be connected to the City's sanitary sewer service when it is made available, and are aware of the fee that must be paid in order to connect and of the financial incentives available. The properties are located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to these properties by

Station #49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve these properties with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexations will not have an adverse effect on public facilities and their levels of service; and

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

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

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

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

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

Councilmember 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 3030 Lake Vista Drive, 3059 Merrill Avenue, 3041 Terrace View Lane, 3047 Grand View Avenue and 3060 Glen Oak Avenue N. The motion was duly seconded and carried unanimously.

Ordinance 9170-18 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9170-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

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

Councilmember Allbritton moved to pass Ordinance 9171-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9172-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9172-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 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 2643 Morningside Drive and pass Ordinances 9173-18, 9174-18, and 9175-18 on first reading. (ANX2018-06008)

This voluntary annexation petition involves a 0.201-acre property consisting of one parcel of land occupied by a single-family dwelling. The property is located on the south side of Morningside Drive approximately 60 feet west of Cardinal Drive. 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 boundaries 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 Community Development Code Section 4-604.E as follows:

- The property currently receives water service from the Pinellas County. The closest sanitary sewer line is located in the adjacent Morningside Drive 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 by the City of Clearwater. The property is located within Police District III and service will be administered through the district headquarters located at 2851 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 property will continue to receive water service from 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 the 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 the Low Medium Density Residential (LMDR) District. 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 boundaries on 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 2643 Morningside Drive. The motion was duly seconded and carried unanimously.

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

Councilmember Hamilton moved to pass Ordinance 9173-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

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

Councilmember Allbritton moved to pass Ordinance 9174-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9175-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9175-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.9** Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1251 Sedeeva Circle North and approve the annexation, initial Future Land Use Map designations of Residential Urban (RU), Preservation (P) and Drainage Feature Overlay and initial Zoning Atlas designations of Medium Density Residential (MDR) and Preservation (P) for 1923 North Betty Lane; and pass Ordinances 9180-18, 9181-18, and 9182-18 on first reading. (ANX2018-07010)

These voluntary annexation petitions involve 1.510 acres of property consisting of two parcels of land, one being occupied by a single-family home and the other being vacant. The parcels are located generally north of Sunset Point Road, west of Kings Highway, south of Union Street, and east of Douglas Avenue. The applicants are requesting annexation in order to receive sanitary sewer and solid waste service from the City. The properties are located within an enclave and are contiguous to existing city limits along at least one boundary. It is proposed that 1251 Sedeeva Circle North be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Low Medium Density Residential (LMDR) and that 1923 North Betty Lane be assigned the Future Land Use Map designations of Residential Urban (RU), Preservation (P) and Drainage Feature Overlay and Zoning Atlas designations of Medium Density Residential (MDR) and Preservation (P).

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

- The property at 1251 Sedeeva Circle North currently receives water service from the City. The closest sanitary sewer line to that property is in the adjacent Sedeeva Circle North right-of-way, and the applicant is aware of the impact and assessment fees that must be paid in order to connect to the City's system. Water service will be provided to 1923 North Betty Lane when the property is developed. The applicant indicated the intent is to construct multi-family residential (triplexes). The

closest sanitary sewer line to that property is in the adjacent North Betty Lane right-of-way. The applicant is aware that the property owner is responsible for evaluating the proper method to connect to the City's sewer and water systems, as well as for the additional costs to extend and connect to the sewer system and any for upgrades to the existing system that may be necessary to receive additional wastewater flows. Collection of solid waste will be provided to the properties by the City. 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, water, 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 Urban (Urban) Future Land Use Map category to be assigned to both properties is consistent with the Countywide Plan designation. This designation primarily permits residential uses at a density of 7.5 units per acre. The proposed Preservation (P) and Drainage Feature Overlay Future Land Use Map categories to be applied to 1923 North Betty Lane recognize the stormwater system along the southern boundary of the property. The proposed zoning district to be assigned to 1251 Sedeeva Circle North is Low Medium Density Residential (LMDR), and the zoning districts to be assigned to 1923 North Betty Lane are Medium Density Residential (MDR) and Preservation (P). The use of the property at 1251 Sedeeva Circle North is consistent with the uses allowed in the Low Medium Density Residential (LMDR) District and the proposed multi-family (triplex) development at 1923 North Betty Lane will be consistent with the uses allowed in the Medium Density Residential (MDR) District. The properties exceed the District's minimum dimensional requirements. The proposed annexations are therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and

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

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1251 Sedeeva Circle North and approve the annexation, initial Future Land Use Map designations of Residential Urban (RU), Preservation (P) and Drainage Feature Overlay and initial Zoning Atlas designations of Medium Density Residential (MDR) and Preservation (P) for 1923 North Betty Lane. The motion was duly seconded and carried unanimously.

Ordinance 9180-18 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9180-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9181-18 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9181-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9182-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9182-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

8.10 Approve the annexation, initial Future Land Use Map designation of Residential Medium (RM) and initial Zoning Atlas designation of Medium Density Residential (MDR) District for 2444 Sharkey Road and pass Ordinances 9186-18, 9187-18 and 9188-18 on first reading. (ANX2018-07012)

This voluntary annexation petition involves 0.990 acres of property consisting of

one parcel of land which is currently vacant. The parcel is located on the north side of Sharkey Road approximately 745 feet west of North Old Coachman Road. The applicant is requesting annexation in order to receive sanitary sewer, solid waste and water service from the City. The property is located within an enclave and is contiguous to existing city limits to the west, south and east. It is proposed that the property be assigned a Future Land Use Map designation of Residential Medium (RM) and be assigned a Zoning Atlas designation of Medium Density Residential (MDR).

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 applicant will connect to the City's sanitary sewer and water service upon site development and is aware of the sewer and water impact and assessment fees that must be paid in order to connect to the City's systems. The closest sanitary sewer line to that property is in the adjacent Sharkey Road right-of-way. The applicant is aware that the property owner is responsible for evaluating the proper method to connect to the City's sewer and water systems, as well as for the additional costs to extend and connect to the systems and any for upgrades to the existing sanitary sewer system that may be necessary to receive additional wastewater flows. Solid waste collection will also be provided to the property upon site development. 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 the property by Station #48 located at 1700 North Belcher Road. The City has adequate capacity to serve the property with sanitary sewer, solid waste, water, 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 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.

- The proposed Residential Medium (RM) Future Land Use Map category is consistent with the Countywide Plan designation of the property. This designation primarily permits residential uses at a density of 15 units per acre. The proposed zoning district to be assigned to the property is Medium Density Residential (MDR). The property exceeds the District's minimum dimensional requirements and any future development on the site will need to comply with the applicable requirements of the

Community Development Code. 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, 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 Medium (RM) and initial Zoning Atlas designation of Medium Density Residential (MDR) District for 2444 Sharkey Road. The motion was duly seconded and carried unanimously.

Ordinance 9186-18 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9186-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9187-18 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9187-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9188-18 was presented and read by title only. Vice Mayor Caudell moved to pass Ordinance 9188-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

8.11 Approve a 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 pursuant to Beach by Design; adopt Resolution 18-11, and authorize the appropriate officials to execute same. (HDA2018-04001)

Site History:

The City Council approved a Development Agreement for this property along

with a concept plan and elevations on March 2, 2017 as part of application HDA2016-09001. That approval was valid until March 9, 2018 by which time site plan approval was supposed to have been obtained pursuant to Development Agreement Section 6.1.3.2. Unfortunately, the applicant allowed the extension deadline to pass without submitting an application for site plan approval and the approval of the Development Agreement expired.

Development Proposal:

No changes have been made to the Development Proposal presented at the August 14, 2018 council meeting.

The owners propose to utilize the 17 hotel units otherwise permitted by the Resort Facilities High Future Land Use classification and incorporate an additional 10 units from the Hotel Density Reserve through *Beach by Design* resulting in a total of 27 units (78 units per acre).

Consistency with the Community Development Code:

No changes have been made to the Conceptual Site Plan presented at the August 14, 2018 Council meeting. The Conceptual Site Plan continues to appear to be consistent with the CDC with regard to:

- Minimum Lot Area and Width
- Minimum Setbacks
- Maximum Height
- Minimum Off-Street Parking
- Landscaping

Consistency with Beach by Design:

No changes have been made to the Conceptual Site Plan presented at the August 14, 2018 Council meeting. The Conceptual Site Plan continues to appear to be consistent with the *Beach by Design* with regard to:

- Design Guidelines
- Hotel Density Reserve

Standards for Development Agreements:

The proposal is in compliance with the standards for development agreements and is consistent with the Comprehensive Plan.

The proposed Development Agreement would 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;
- 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;
- Provides evidence that the development complies with the Metropolitan Planning Organization's (MPO) countywide approach to the application of concurrency management for transportation facilities, and includes a transportation analysis conducted for the development;
- Provides that all units in a hotel receiving units from the Reserve shall be made available to the public as overnight transient hotel guests at all times through the required hotel reservation system;
- That no hotel room in a hotel allocated units from the Reserve will have a full kitchen;
- 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; 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.

Changes to Development Agreements:

Pursuant to Section 4-606.I., CDC, a Development Agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Section 4-206 are followed. Revisions to conceptual site plans and/or architectural elevations (exhibits to this Development Agreement) shall be governed by the provisions of Section 4-406, CDC. Minor revisions to such plans may be approved by the Community Development Coordinator. Other revisions not specified as minor shall require an amendment to this Development Agreement.

The Planning and Development Department is recommending APPROVAL of this Development Agreement for the allocation of up to 10 units from the Hotel Density Reserve under *Beach by Design*.

Councilmember Cundiff moved to approve a 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 pursuant to Beach by Design. The motion was duly seconded and carried unanimously.

Resolution 18-11 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 18-11. The motion was duly seconded and upon roll call, the vote was:

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

9. Second Readings - Public Hearing

9.1 Adopt Ordinance 9155-18 on second reading, amending Ordinance 9120-18 which

annexed certain real properties whose post office addresses are 601 Moss Avenue, 807 Glen Oak Avenue East, 3006 and 3007 Lake Vista Drive, 3030 and 3065 Hoyt Avenue, 3035 Grand View Avenue, 3058, 3070 and 3076 Merrill Avenue and 3120 and 3124 Wolfe Road, all in Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said additions to account for the proper legal description of 3006 Lake Vista Drive and the proper parcel identification number for 3007 Lake Vista Drive.

Ordinance 9155-18 was presented and read by title only.

Councilmember Allbritton moved to adopt Ordinance 9155-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.2** Adopt Ordinance 9156-18 on second reading, amending Ordinance 9121-18, which amended the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 601 Moss Avenue, 807 Glen Oak Avenue East, 3006 and 3007 Lake Vista Drive, 3030 and 3065 Hoyt Avenue, 3035 Grand View Avenue, 3058, 3070 and 3076 Merrill Avenue and 3120 and 3124 Wolfe Road, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Urban, to account for the proper legal description of 3006 Lake Vista Drive and the proper parcel identification number for 3007 Lake Vista Drive.

Ordinance 9156-18 was presented and read by title only. Vice Mayor Caudell moved to adopt Ordinance 9156-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.3** Adopt Ordinance 9157-18 on second reading, amending Ordinance 9122-18, which amended the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 601 Moss Avenue, 807 Glen Oak Avenue East, 3006 and 3007 Lake Vista Drive, 3030 and 3065 Hoyt Avenue, 3035 Grand View Avenue, 3058, 3070 and 3076 Merrill Avenue and 3120 and 3124 Wolfe Road, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR), to account for the proper legal description of 3006 Lake Vista Drive and the proper parcel identification number for 3007 Lake Vista Drive.

Ordinance 9157-18 was presented and read by title only.

Councilmember Cundiff moved to adopt Ordinance 9157-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.4** Adopt Ordinance 9158-18 on second reading, amending Ordinance 9034-18, which annexed certain real properties whose post office addresses are 1500 Country Lane West and 1505 Country Lane East, all in Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition, to account for the proper legal descriptions of the properties.

Ordinance 9158-18 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9158-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.5** Adopt Ordinance 9159-18 on second reading, amending Ordinance 9135-18, which amended the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 1500 Country Lane West and 1505 Country Lane East, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL), to account for the proper legal descriptions of the properties.

Ordinance 9159-18 was presented and read by title only. Councilmember Allbritton moved to adopt Ordinance 9159-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.6** Adopt Ordinance 9160-18 on second reading, amending Ordinance 9136-18, which amended the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 1500 Country Lane West and 1505 Country Lane East, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR), to account for the proper legal descriptions of the properties.

Ordinance 9160-18 was presented and read by title only. Vice Mayor Caudell moved to adopt Ordinance 9160-18 on second and final

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

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

- 9.7** Adopt Ordinance 9167-18 on second reading, vacating a portion of Gulfview Boulevard right-of-way lying in the Southwest ¼ of Section 8, Township 29 South, Range 15 East, Pinellas County, Florida, subject to special conditions.

Two individuals spoke in opposition.

One individual spoke in support.

Ordinance 9167-18 was presented and read by title only. Councilmember Cundiff moved to adopt 9167-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

10. City Manager Reports

- 10.1** Approve the Complete Drew Street Concept Plan, a Complete Streets concept plan for Drew Street, from North Osceola Avenue to US Highway 19, authorize transmittal to Forward Pinellas and other jurisdictions for the completion of the Forward Pinellas Complete Streets Grant Program agreement (approved via Resolution 17-23) and adopt Resolution 18-12.

In March 2017, the City was awarded a Complete Street concept planning grant from Forward Pinellas for a portion of Drew Street project from North Osceola Avenue to US Highway 19. The objective of the Complete Drew Street Project is to evaluate how Drew Street could be reconfigured to balance accessibility for all modes of transportation, enhance safety, comfort and function for all users and encourage economic revitalization and reinvestment along Drew Street and within surrounding neighborhoods. Kimley-Horn and Associates was selected as the consultant for the project. The project was broken into three segments consistent with the land use characteristics of the corridor: Downtown (segment 1 from North Osceola Avenue to Myrtle Avenue), Neighborhood (segment 2 from Myrtle Avenue to Keene Road) and Commercial (segment 3 from Keene Road to US Highway 19). The development of the Complete Drew Street project concept scenarios involved significant public input and multi-agency coordination.

On July 30, 2018, staff and Kimley-Horn presented multiple concept scenarios and identified the public preference for each segment of Drew Street. City Council provided direction regarding their preferred concept for each segment of the corridor. By adopting Resolution 18-12, City Council is approving the Final Report and preferred scenarios. Staff will be transmitting the Final Report to Forward Pinellas, as well as FDOT and Pinellas County. The Final Report (Exhibit A of Resolution 18-12) includes the preferred concept scenarios for the Project as well as provides supporting data.

Consultant Jared Schneider provided PowerPoint presentation.

In response to questions, Mr. Schneider said PSTA (Pinellas Suncoast Transit Authority) supported bump-outs in strategic areas. The city segment runs from Osceola Avenue to Myrtle Avenue; the State segment runs from Myrtle Avenue to NE Coachman Road; the County segment runs from NE Coachman Road to US Highway 19. He said one speed study showed significant speeding in the area in front of the golf course. Transportation Planner Rick Hartman said the existing speed at Highland Avenue and Betty Lane was 55 mph during the day. Mr. Schneider said the travel time during the p.m. peak was over a two-minute delay coming out of Downtown. He said intersections are the pinch point for any road diet; the Department of Transportation would have to look at Missouri Avenue and Betty Lane intersections in order to achieve consistent travel times. Mr. Hartman said Traffic Operations will be implementing ATMS/ITS signals along Drew Street and will assist with the traffic flow.

Three individuals spoke in support.

One individual spoke in opposition.

Discussion ensued with a concern expressed that other options were not considered.

Vice Mayor Caudell moved to approve the Complete Drew Street Concept Plan, a Complete Streets concept plan for Drew Street, from North Osceola Avenue to US Highway 19, authorize transmittal to Forward Pinellas and other jurisdictions for the completion of the Forward Pinellas Complete Streets Grant Program agreement

(approved via Resolution 17-23). The motion was duly seconded and carried with the following vote:

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

Nays: 1 - Mayor Cretekos

Resolution 18-12 was presented and read by title only. Councilmember Allbritton moved to adopt Resolution 18-12. The motion was duly seconded and upon roll call, the vote was:

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

Nays: 1 - Mayor Cretekos

- 10.2**Endorse the application for Project Armor and commit the City of Clearwater to provide local financial support (Local Match) not to exceed \$25,000, which is ten percent of the eligible tax refund, upon certification by State of Florida Department of Economic Opportunity and adopt Resolution 18-02.

The Florida Legislature created Florida Statute, Section s.288.106 to encourage the growth of Florida's high-wage, value-added employment. This program is commonly known as the Qualified Target Industry Tax Refund Program (QTI Program). This law authorizes Enterprise Florida, Inc. to accept, review and recommend applications for consideration by State of Florida Department of Economic Opportunity (DEO) for tax refunds to qualified target industry businesses. Pursuant to Florida Statute, Sections s.288.075 and s.288.106, the applicant requests certain information, including the name of the company, remain confidential until such time as is required under statute or desired by the applicant. Project Armor is the alias name of the applicant company.

This Resolution provides a commitment of the city to support the QTI Program which provides a performance-based incentive. The incentive is negotiated in advance of Project Armor commitment to expand its operations in the City of Clearwater. It does not guarantee payment until such time as the terms of the contract made between DEO and Project Armor are met, subject to limitations described below.

QTI Program Description

The QTI Program works as an inducement to encourage companies to locate or expand in Florida. In accordance with the QTI Program eligibility criteria, no

commitment to expand in Florida has been made at this time. The incentive may not exceed that which is requested in the application.

As required by the QTI Program, the Project Armor expansion will increase the Company's employment in Florida by greater than ten percent (10%) and, as evidenced by staff's economic impact analysis the proposed new jobs will make a significant economic contribution to the area economy.

Description of Project

Project Armor is seeking State, County and City inducement to expand operations and to create additional jobs in the City of Clearwater. The Company projects to add 50 jobs over three years beginning in 2019. Project Armor job creation schedule is as follows:

Phase New Jobs Date by which jobs will be created

1	20	12/31/2019
2	20	12/31/2020
3	10	12/31/2021
Total	50	

Below are the types of jobs expected to be created by this Corporate Headquarters:

Business Unit Activities	NAICS Code(s)	Project Function
Corporate, Finance, Accounting	541219	60%
	\$62,500	
IT and Computer Engineering Services	541512	20%
	\$70,000	
Power and Communication Line Construction Mgt	237130	20%
	\$80,000	
Average Wage		100%
	\$67,500	

Average wages of all new jobs created by Project Armor is to be no less than \$53,298, which is 115% of the Statewide Annual Average Wage for the year ended December 31, 2016.

QTI Program Request & Local Match Commitment

The requested tax refund is to be paid to the applicant each state fiscal year (July 1- June 30) for a period of six years. If approved by DEO, Pinellas County and the City of Clearwater, the applicant will receive a refund for each new job created in the City of Clearwater. The QTI Program allows for a refund of eligible taxes paid that will equal a maximum of \$3,000 per new job created and \$2,000 for the DEO High Impact Sector Bonus. Eighty percent of this award is provided by the State of Florida, with a Local Match of ten percent from the City

of Clearwater and ten percent from Pinellas County. Therefore, the maximum Local City of Clearwater Match award per new job created is \$500 for a total Local Match of \$25,000.

Payment Schedule

Disbursement of the twenty-five percent Local Match is paid out over a six-year period for each phase in which the jobs are created. The schedule is as follows:

	PHASE	# JOBS	ELIGIBLE AWARD	FY19-20	FY20-21	FY21-22
	FY22-23	FY23-24	FY24-25			
YR1	20	\$10,000	2,500	2,500	2,500	2,500
YR2	20	\$10,000	2,500	2,500	2,500	2,500
YR3	10	\$5,000	1,250	1,250	1,250	1,250
TOTAL	25,000	2,500	5,000	6,250	6,250	3,750
				1,250		

The payment schedule is subject to the applicant continuing to meet all eligibility criteria which is verified each year by the DEO, the City of Clearwater and Pinellas County. Upon verification, the DEO requests the Local Match disbursement check from the City up to the maximum yearly allowed amount. The DEO then provides the disbursement to the applicant.

Conditions of Limitation & Termination

During the term of the agreement, the Local Match may be lowered under the following conditions:

- If in any year the applicant does not achieve the job creation schedule but achieves at least eighty percent of the required new jobs, the company will receive a pro-rated refund less five percent penalty of the schedule award amount for that year.
- If the total of the eligible taxes paid by the company is less than the maximum eligible refund amount awarded, the Local Match will be reduced on a pro-rated basis. The refunded amount will not exceed the amount of eligible taxes paid by the company.

The Local Match may be eliminated under the following conditions:

- If job creation falls below 80% of the required jobs, the company will not receive a refund and will be terminated from the program.
- If the average wage falls below \$53,298, the company will not receive a refund and will be terminated from the program.

APPROPRIATION CODE AND AMOUNT:

For fiscal year 2019/20, funds are available in special program 181-99846, Economic Development - QTI. Future year funding will be allocated during the City's annual budget process.

Vice Mayor Caudell moved to endorse the application for Project Armor and commit the City of Clearwater to provide local financial support (Local Match) not to exceed \$25,000, which is ten percent of the eligible tax refund, upon certification by State of Florida Department of Economic Opportunity. The motion was duly seconded and carried unanimously.

Resolution 18-02 was presented and read by title only. Councilmember Cundiff moved to adopt Resolution 18-02. The motion was duly seconded and upon roll call, the vote was:

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

- 10.3** Approve the purchase of excess liability, excess workers compensation, and numerous specialty insurance policies from October 1, 2018 through September 30, 2019 at an amount not to exceed \$815,000 and authorize the appropriate officials to execute same.

The Risk Management Division of the Finance Department purchases certain excess and specialty insurance policies through the efforts of Arthur J. Gallagher and Company.

These policies include an excess liability package through Lloyds's of London for coverages including General Liability, Automobile Liability, Employee Benefits Liability, Public Officials Liability, Personal Injury Law Enforcement Liability, Marine Operator's Liability, EMS Liability, and Compressed Natural Gas Liability; an excess workers compensation package through Safety National for coverages including Workers Compensation and Employer Liability; and additional excess policies for Third Party Storage Tank Liability, Hull Protection and Indemnity, Cyber Liability and numerous flood policies.

Due to the City's favorable loss history, the premium increased only 2.58% to \$278,500 on the City's excess package policies and they have agreed to keep the renewal premium rate through 2020.

The premium for excess Workers Compensation coverage increased by 4.50% to \$313,334 for fiscal 2019. Safety National also agreed to keep the renewal premium rate through 2021. The City's renewal premium was driven by an increase in salaries.

Risk Management is also estimating an increase of 10% for the additional excess policies, and a 20% increase for the various flood policies.

This request includes a contingency of \$13,122.84 to accommodate any other unforeseen increases.

The total requested not-to-exceed amount of \$815,000 is a 7.2% increase over the fiscal 2018 not-to-exceed of \$760,000.

APPROPRIATION CODE AND AMOUNT: 5907590-545100
\$815,000

Councilmember Cundiff moved to approve the purchase of excess liability, excess workers compensation, and numerous specialty insurance policies from October 1, 2018 through September 30, 2019 at an amount not to exceed \$815,000 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 10.4** Award construction contracts for the 2018 Sewer Point Repairs and Improvements project (17-0060-UT) in the annual amount of \$12,600,000 for an initial one-year term with an option for three renewal terms on a unit price basis to the following contractors: Granite Inliner, LLC of Sanford, FL, and Rowland, Inc. of Pinellas Park, FL, and authorize the appropriate officials to execute same.

The City has initiated a comprehensive maintenance program to clean, inspect, rehabilitate and repair existing sanitary sewer pipelines and manholes throughout the City of Clearwater. The goal is to maintain the integrity of the sanitary sewer system and minimize inflow and infiltration of groundwater and stormwater.

Bids for the 2018 Sewer Point Repairs & Improvements (17-0060-UT) were reviewed by city staff based on unit prices and are awarded to the lowest responsible bids received in accordance with plans and specifications.

Granite Inliner, Inc. will be contracted to perform Sanitary Sewer Trenchless Reconstruction. This work includes cured in place pipe lining of selected sanitary sewer pipelines to rebuild the pipe's structural integrity according to City specifications, reducing inflow and infiltration for an amount not to exceed \$1,000,000.00 per one-year term.

Rowland, Inc. will be contracted to perform: Emergency/Non-Emergency Repairs and Improvements of Gravity Sewers, Force Mains and Manholes for an amount not to exceed \$10,000,000.00 per one-year term; Manhole Surfacing - Cementitious Coating for an amount not to exceed \$400,000.00 per one-year term; Manhole Surfacing - Epoxy Coating for an amount not to exceed \$400,000.00 per one-year term; Cleanout and Sewer Lateral Repairs and/or Replacement for an amount not to exceed \$500,000.00 per one-year term; and

Sewer Lateral Cured in Place Pipe Lining for an amount not to exceed \$300,000 per one-year term.

The City of Clearwater will direct contractors to high priority areas as established in the Public Utilities Department Capital Improvement Plan, the Waste Water Collection System Master Plan, and ongoing Inflow and Infiltration investigations.

The City of Clearwater's Public Utilities Department is responsible for owning, operating and maintaining the wastewater collection system including all gravity sewer, force main pipelines and manholes that convey raw sewage to the lift stations and/or City Water Reclamation Facilities.

APPROPRIATION CODE AND AMOUNT:

3277327-563800-96665 \$1,000,000
3277327-563800-96665 \$7,000,000
3277327-563800-96664 \$1,000,000
3217321-563800-96212 \$2,000,000
3277327-563800-96665 \$ 400,000
3277327-563800-96665 \$ 400,000
3277327-563800-96665 \$ 500,000
3277327-563800-96665 \$ 300,000

A third quarter budget amendment will transfer \$1,180,000 from Utility Renewal and Replacement project 96217, Pump Station Repair and Replacement, to 96665, Sanitary Sewer Repair and Replacement.

Funding is available in Utility Renewal and Replacement Projects in amounts of \$1,000,000 in 96664, WPC Repair and Replacement and \$8,420,000 in 96665, Sanitary Sewer Repair and Replacement and \$2,000,000 in Capital Improvement Project 96212, Sanitary Sewer Upgrades/Improvements to fund expenditures in FY2019. Funding of \$12,600,000 will be included in FY20 through FY22 Capital Improvement Project budgets and Utility Renewal and Replacement Project budgets to fund these contracts.

Councilmember Hamilton moved to award construction contracts for the 2018 Sewer Point Repairs and Improvements project (17-0060-UT) in the annual amount of \$12,600,000 for an initial one-year term with an option for three renewal terms on a unit price basis to the following contactors: Granite Inliner, LLC of Sanford, FL, and Rowland, Inc. of Pinellas Park, FL, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 10.5** Award a contract by purchase order to Pinellas County Solid Waste for an operating expenditure of \$3,600,000 for the disposal of solid waste at the Pinellas County waste-to-energy plant/landfill for the period October 1, 2018 through September 30, 2019, as provided in the City's Code of Ordinances, Section 2.564 (1) (d) - Services

provided by Other Governmental Entities, and authorize the appropriate officials to execute same.

Pinellas County Solid Waste operates the only waste-to-energy plant and landfill in the county. All putrescible solid waste collected by the city is taken to this facility.

APPROPRIATION CODE AND AMOUNT:

Funds are requested as part of the FY 2018/19 Operating Budget of the Solid Waste Fund. The expenditure allocation is as follows:

- 4242082-543500 (Solid Waste - Residential Collection Dump Fees)
\$1,160,800
- 4242083-543500 (Solid Waste - Commercial Collection Dump Fees)
\$1,578,600
- 4242089-543500 (Solid Waste - Roll-Off Collection Dump Fees)
\$860,600

Councilmember Allbritton moved to award a contract by purchase order to Pinellas County Solid Waste for an operating expenditure of \$3,600,000 for the disposal of solid waste at the Pinellas County waste-to-energy plant/landfill for the period October 1, 2018 through September 30, 2019, as provided in the City's Code of Ordinances, Section 2.564 (1) (d) - Services provided by Other Governmental Entities, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 10.6** Ratify and confirm an Agreement with Ultimate CNG, LLC (Agreement No. 1) in the amount of \$99,715 to provide mobile compressed natural gas services at the Clearwater natural gas filling station; ratify and confirm a second agreement with Ultimate CNG, LLC (Agreement No. 2), in the amount of \$197,600 for mobile compressed natural gas services; approve a purchase order with Ultimate CNG in the amount of \$297,315 and authorize the appropriate officials to execute same.

Ultimate CNG, LLC is currently providing temporary Compressed Natural Gas (CNG) refueling services, via a mobile CNG storage truck, at the CNG Filling Station located at 1020 North Hercules Avenue. This purchase order was originally approved by the City Manager in August 2018, in the amount of \$99,715. The mobile unit assists in the refueling of city garbage and light-duty trucks that currently use CNG fuel, along with WastePro, Waste Management, Frontier and other outside CNG customers.

Staff is asking Council to ratify and confirm a 2nd agreement with Ultimate CNG in the amount of \$197,600, for a new total of \$297,315. Agreement #2 will extend their services for an additional eight weeks for the period August 18

through October 12, 2018. The reason for the increase is a result of the primary CNG compressor experiencing a mechanical failure after a repair was made in August. Subsequently, additional parts failed after the repair was completed and now those parts need to be replaced. The parts are currently on order and waiting on them to be manufactured and shipped. The compressor was originally manufactured in England, UK and several of the parts needed are not available in the USA.

Ultimate CNG, LLC was selected as staff was unable to find another vendor that could supply the same portable CNG services and meet daily pumping requirements.

The backup CNG compressor has run successfully over this time period, however, it does not have enough capacity to refuel the increased quantity of CNG vehicles that use the station on a daily basis. As of August 2018, there are approximately 135 vehicles that use the CNG station and pump over 50,000 gasoline equivalent gallons per month.

The long-term plan is to purchase a 3rd CNG compressor, so when a compressor goes down for repairs/maintenance, there will still be two functioning compressors.

Universal Air Products, located in Virginia, is the distributor of the compressor unit. Once the parts are received, they will install them in the compressor. Staff hopes to have the compressor operational by the end of September 2018.

APPROPRIATION CODE AND AMOUNT:

Funds are budgeted and available in project code 315-96387, CNG Filling Station.

Vice Mayor Caudell moved to ratify and confirm an Agreement with Ultimate CNG, LLC (Agreement No. 1) in the amount of \$99,715 to provide mobile compressed natural gas services at the Clearwater natural gas filling station; ratify and confirm a second agreement with Ultimate CNG, LLC (Agreement No. 2), in the amount of \$197,600 for mobile compressed natural gas services; approve a purchase order with Ultimate CNG in the amount of \$297,315 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

11. City Attorney Reports

12. Other Council Action

- 12.1** Authorize the execution of a Memorandum of Agreement between the City of Clearwater and the members of the Tampa Bay Regional Planning Council to create a Tampa Bay Regional Resiliency Coalition and adopt Resolution 18-17.

Vice Mayor Caudell moved to authorize the execution of a Memorandum of Agreement between the City of Clearwater and the members of the Tampa Bay Regional Planning Council to create a Tampa Bay Regional Resiliency Coalition. The motion was duly seconded and carried unanimously.

Resolution 18-17 was presented and read by title only. Councilmember Hamilton moved to adopt Resolution 18-17. The motion was duly seconded and upon roll call, the vote was:

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

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

Councilmember Cundiff said it is great to see growth in the City; The Strand is getting filled in and Patel's university is getting developed. Once the university is up and running, 1000 people will be hired and 400 students a year will graduate each year. He said Burt Reynolds, a famous Floridian, passed away today.

Councilmember Hamilton said he would not be at the next Council meeting as he will be on a trip celebrating his birthday.

14. Closing Comments by Mayor

Mayor Cretekos reviewed recent and upcoming events.

15. Adjourn

The meeting adjourned at 9:45 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Draft