City of Clearwater

City Hall
112 S. Osceola Avenue
Clearwater, FL 33756

Meeting Minutes

Thursday, December 4, 2014
6:00 PM

Council Chambers

City Council

Roll Call
1
Present: Mayor George N. Cretekos, Vice Mayor Doreen Hock-DiPolito, Councilmember Bill Jonson, Councilmember Hoyt Hamilton and Councilmember Jay E. Polglaze

Also Present: William B. Horne II - City Manager, Jill S. Silverboard - Assistant City Manager, Rod Irwin, 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.

DRAFT

1. Call to Order - Mayor Cretekos

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

2. Invocation – Rev. Dr John R. Thompson from Countryside Christian Center

3. Pledge of Allegiance - Vice Mayor Hock-DiPolito

4. Special recognitions and awards (Proclamations, service awards, or other special recognitions) - Given.

   4.1 FDOT Presentation of Gateway Express Projects - Eyra Cash, Consultant Project Manager

      Ms. Cash provided a PowerPoint presentation on the Gateway Expressway capital improvement project. The Pinellas Suncoast Transit Authority will hold a public hearing on February 26, 2015. Ms. Cash said construction is fully funded and will begin in Fall 2016. The project should be completed within five years. The toll revenues are used for operating expenses; surplus revenues would be considered for transit corridors.

   4.2 Clearwater Jr. Tornadoes - Tatishka Musgrove, President Clearwater Jr. Tornadoes

      Ms. Musgrove reviewed their fundraising efforts for the proposed press box and presented the City with a $66,000 check.
4.3 Clearwater for Youth - Amy Connors, Vice Chair

Ms. Connors said Clearwater for Youth matched funds raised by the Junior Tornadoes for the press box at the Joe DiMaggio Sports Complex and presented the City with a $34,000 check.

4.4 Greenwood Panthers - Joe Marshall, Greenwood Panthers President

Mr. Marshall thanked the City for their support and reviewed accomplishments of the girls cheerleading and boys football programs.

4.5 Turkey Trot - Skip Rogers, West Florida Y Runners Club, Race Director

Mr. Rogers thanked the City for their continued support. Online registrations doubled since last year and approximately $110,000 went to charities last year, with twenty-nine scholarships to local graduates.

4.6 Parks and Recreation Advisory Board Annual Report – Ric Ortega, Chair

Mr. Ortega thanked the Council for funding longer operating hours at **city pools** and reviewed recent accomplishments. Board members are visiting all city park locations and looking forward to advocating for the implementation of the Parks Master Plan.

4.7 Annual Utilities We Care Fund Appeal - Cynthia Boyd, Utility Customer Service

Ms. Boyd encouraged all to donate to the We Care Fund. Individuals seeking assistance for their utility billing are referred to the Salvation Army, who reviews their financial status and coordinates financial planning assistance.

5. Approval of Minutes

5.1 Approve the minutes of the November 20, 2014 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Jonson moved to approve the minutes of the November 20, 2014 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 - None.
7. **Consent Agenda - Approved as submitted.**

   7.1 Approve a Contract with Corrpro Companies, Inc., in the amount of $313,424.62, for consulting and system maintenance services, and authorize the appropriate officials to execute same. (consent)

   7.2 Approve a twoyear renewal of the city paid life insurance benefit with the current carrier (Unum) at an increase of 74.8% ($103,927) over the current budgeted cost and authorize the appropriate officials to execute same. (consent)

   7.3 Approve an Engineer of Record (EOR) work order to URS Corporation in the amount of $170,352 for the Resident Initiated Reclaimed Water Project Phase II (140038UT) and the Raw Water Main Project (100039UT), and authorize the appropriate officials to execute same. (consent)

   7.4 Accept two Drainage Easements conveyed by owners of property at 20000 and 20162 US Highway 19, North to improve an existing drainage ditch. (consent)

   7.5 Approve a Work Order to Engineer of Record King Engineering Associates, Inc. for Engineering Services for Clearwater Memorial Causeway Subaqueous Pipelines $336,746.00, and authorize the appropriate officials to execute same. (consent)

   7.6 Approve Department of Environmental Protection (DEP) Agreement MV149 for CVA14720, Clean Vessel Act Grant Program funding for the operation, maintenance and repair of the Clearwater Beach Marina pump out vessel and authorize the appropriate officials to execute same. (consent)

   7.7 Approve a work order with Excergy Corporation of Denver Colorado, for a fee not to exceed $170,715.00 for phase one (of three) in determining the feasibility of implementing Advanced Metering Infrastructure, and authorize the appropriate officials to execute same. (consent)

   7.8 Appoint Eric D. Spaulding to the Marine Advisory Board as the Ex Officio member with term to expire December 31, 2018. (consent)

   7.9 Schedule a special work session for January 21, 2015 to obtain public input on Urban Land Institute’s recommendations for downtown. (consent)

   **Vice Mayor Hock-DiPolito 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 – None.**

9. **Second Readings**  Public Hearing
9.1 Adopt Ordinance 8603-14 on second reading, amending the Zoning Atlas of the city by rezoning certain property whose post office address is 2854 Sunstream Lane, Clearwater, Florida 33759, from Low Density Residential (LDR) to Low Medium Density Residential (LMDR).

Ordinance 8603-14 was presented and read by title only. Councilmember Polglaze moved to adopt Ordinance 8603-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.2 Adopt Ordinance 8604-14 on second reading, annexing certain real property whose post office address is 1601 Long Street, Clearwater, Florida 33755, together with all abutting right-of-way of Long Street, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8604-14 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8604-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.3 Adopt Ordinance 8605-14 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate certain real property whose post office address is 1601 Long Street, Clearwater, Florida 33755, together with all abutting right-of-way of Long Street, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 8605-14 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8605-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze
9.4 Adopt Ordinance 8606-14 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1601 Long Street, Clearwater, Florida 33755, together with all abutting right-of-way of Long Street, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8606-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Ordinance 8606-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.5 Adopt Ordinance 8608-14 on second reading, annexing certain real property whose post office addresses are 1244 Palm Street and 1301 Idlewild Drive, together with certain abutting Right-of-way of Idlewild Drive, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8608-14 was presented and read by title only. Councilmember Polglaze moved to adopt Ordinance 8608-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.6 Adopt Ordinance 8609-14 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate certain real property whose post office addresses are 1244 Palm Street and 1301 Idlewild Drive, together with certain abutting Right-of-way of Idlewild Drive, upon annexation into the City of Clearwater, as Residential Urban (RU).

Ordinance 8609-14 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8609-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze
9.7 Adopt Ordinance 8610-14 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office addresses are 1244 Palm Street and 1301 Idlewild Drive, together with certain abutting Right-of-way of Idlewild Drive, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8610-14 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8610-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.8 Adopt Ordinance 8613-14 on second reading, annexing certain real property whose post office address is 815 Woodruff Avenue, Clearwater, Florida 33756, together with all abutting right-of-way of Woodruff Avenue, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8613-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Ordinance 8613-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.9 Adopt Ordinance 8614-14 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate certain real property whose post office address is 815 Woodruff Avenue, Clearwater, Florida 33756, together with all abutting right-of-way of Woodruff Avenue, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 8614-14 was presented and read by title only. Councilmember Polglaze moved to adopt Ordinance 8614-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze
9.10 Adopt Ordinance 8615-14 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 815 Woodruff Avenue, Clearwater, Florida 33756, together with all abutting right-of-way of Woodruff Avenue, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8615-14 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8615-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.11 Adopt Ordinance 8616-14 on second reading, annexing certain real property whose post office address is 2107 Bell Cheer Drive, Clearwater, Florida 33764, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 8616-14 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8616-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.12 Adopt Ordinance 8617-14 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate certain real property whose post office address is 2107 Bell Cheer Drive, Clearwater, Florida 33764, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 8617-14 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Ordinance 8617-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

9.13 Adopt Ordinance 8618-14 on second reading, amending the Zoning Atlas of the city
by zoning certain real property whose post office address is 2107 Bell Cheer Drive, Clearwater, Florida 33764, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 8618-14 was presented and read by title only. Councilmember Polglaze moved to adopt Ordinance 8618-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

Adopt Ordinance 8620-14 on second reading, amending Ordinances 367484 and 691501 regarding Reserve Requirements for future Water and Sewer revenue bonds.

Ordinance 8620-14 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8620-14 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

10. City Manager Reports

10.1 Designate 2506 Countryside Boulevard, formerly known as Countryside Executive Golf Course, as a Brownfield Area for the purpose of environmental rehabilitation and economic development and adopt Resolution 14-34.

The owner, 25 Countryside West, LLC, (Applicant) purchased the subject property on December 27, 2013, as recorded in O.R. Book 18306 Page 2595 Pinellas County, Florida. The aforementioned 44.277 MOL acre site was formerly the location of the Countryside Executive Golf Course which closed in 2005. The site has been vacant and unused since that time.

The Applicant requests that the City of Clearwater exercise its authority for designation of a Brownfield area proposed by a person other than the local government entity as set forth in Chapter 376.80(2)(c) Florida Statutes and designate the above parcel a Brownfield Area under the Florida Brownfield Redevelopment Program.

Upon designation by the City, the Owner, hereinafter the Person Responsible
for Brownfield Site Rehabilitation (PRFBSR), will enter into a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection (FDEP) and notify the City Brownfield Coordinator when such an agreement has been reached. The PRFBSR will 1) conduct the remediation under the direction of FDEP and 2) complete the redevelopment and reuse of the existing zoning, Medium Density Residential (MDR), and future land use planned classification, Residential Urban (RU), to accommodate urban multifamily residential.

The rehabilitation and redevelopment of the proposed Brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the Brownfield site that are fulltime equivalent positions not associated with the implementation of the BSRA and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed Brownfield site or area.

This designation shall not, however, render the City of Clearwater liable for the cost of site rehabilitation or source removal, as those terms are defined in Sections 376.70 (17) and (18), Florida Statutes, for other costs in excess of those attributable to the City as administrator of a Brownfields Program; or as a property owner, if the City hereafter acquires any realty within the designated Brownfield Area.

The requirements of the aforementioned statute have been satisfied by the applicant and, based upon the information presented; staff recommends adoption of Resolution 14-34.

Councilmember Jonson moved to designate 2506 Countryside Boulevard, formerly known as Countryside Executive Golf Course, as a Brownfield Area for the purpose of environmental rehabilitation. The motion was duly seconded and carried unanimously.

Resolution 14-34 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Resolution 14-34. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

10.2 Authorize the negotiated sale of not to exceed $27,550,000 Water and Sewer Revenue Refunding Bond, Series 2014 and adopt Resolution 14-38.
Currently there is outstanding $26,430,000 par value of Water and Sewer Revenue Bonds, Series 2006, with maturities in years 2019 - 2032 and interest rates ranging from 4.25% to 4.625% that are callable on December 1, 2015. Current bond market conditions present an opportunity to advance refund these bonds to achieve a present value savings of approximately $2,242,720 (8.49%).

The City’s debt management policy states, “As a general rule, the present value savings of a particular refunding should exceed 5%.”

In anticipation of the refunding, the City through its Financial Advisor, Stifel Nicolaus and Company, Inc., issued a Request for Proposals (RFP) soliciting proposals from qualified investment companies to provide a bank loan.

This resolution authorizes the negotiated sale of not to exceed $27,550,000 par value at a fixed interest rate of 3.18% of Revenue Refunding Bonds, Series 2014, to TD Bank, N.A., the firm submitting the most favorable response to the RFP.

Councilmember Polglaze moved to authorize the negotiated sale of not to exceed $27,550,000 Water and Sewer Revenue Refunding Bond, Series 2014. The motion was duly seconded and carried unanimously.

Resolution 14-38 was presented and read by title only. Councilmember Hamilton moved to adopt Resolution 14-38. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

10.3 Approve and accept an Interlocal Agreement/Franchise with the City of Oldsmar in order to provide natural gas service to the citizens of Oldsmar and adopt Resolution 14-39.

On November 18, 2014, the City of Oldsmar Commission approved the Interlocal Agreement with the City of Clearwater, which provides a franchise for the Clearwater Gas System to provide natural gas service in Oldsmar. The Clearwater Gas System has provided service within the City of Oldsmar for the past 30 years under a prior franchise agreement.

The Interlocal Agreement provides the City of Clearwater an additional 20 year right to continue to construct, operate and maintain all facilities necessary to supply natural gas to the City of Oldsmar.
The Interlocal Agreement provides for a 5% franchise fee to be paid by the consumers of natural gas within the City of Oldsmar. The prior franchise fee was 4.5%.

Councilmember Jonson moved to approve and accept an Interlocal Agreement/Franchise with the City of Oldsmar in order to provide natural gas service to the citizens of Oldsmar. The motion was duly seconded and carried unanimously.

Resolution 14-39 was presented and read by title only. Vice Mayor Hock-DiPolito moved to adopt Resolution 14-39. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze

10.4 Amend Chapter 2, Article V, Division 6, Section 2.506 of the City of Clearwater Code of Ordinance and Section 8.3 of the City of Clearwater Money Purchase Plan complying with the Internal Revenue Code and pass Ordinance 8650-14 on first reading.

The ordinance amends Section 8.3, Lump Sum Payments, requiring the Plan Administrator to make a lump sum payment for contributions exceeding $1000 to an individual retirement plan of a designated trustee if the distributee has failed to make an election after termination of employment.

Councilmember Polglaze moved to amend Chapter 2, Article V, Division 6, Section 2.506 of the City of Clearwater Code of Ordinance and Section 8.3 of the City of Clearwater Money Purchase Plan complying with the Internal Revenue Code. The motion was duly seconded and carried unanimously.

Ordinance 8650-14 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 8650-14 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5  Mayor Cretekos, Vice Mayor Hock-DiPolito, Councilmember Jonson, Councilmember Hamilton and Councilmember Polglaze
10.5 Approve preliminary funding in the amount of $500,000 for establishment of the ULI Report Implementation special program; and approve the transfer of $500,000 in General Fund reserves to the Special Programs Fund to fund the program.

This request is to establish a designated program and initial seed money appropriation to underwrite implementation of the ULI Advisory Services Panel Report, as reflected in the ULI Implementation Matrix with Priority (P) items designated for initial implementation.

It would be intended that this program would be supplemented periodically as circumstances warrant, as costs for implementation of specific items are further defined, and as items in the Implementation Matrix are added to the Priority (P) list.

**APPROPRIATION CODE AND AMOUNT:**
Funding for this item will be provided by a first quarter budget amendment allocating General Fund reserves in the amount of $500,000 to establish special program 18199888, ULI Report Implementation.

The balance in General Fund reserves is approximately $17.3 million, or 14.8% of the 2014/15 General Fund operating budget. A total of $1,651,214 of General Fund reserves has been used to date to fund expenditures in the 2014/15 operating budget.

*In response to a question, Assistant City Manager Rod Irwin said staff will provide Council with a brief abstract for each project component that identifies cost estimates, projected timelines and completion dates for the January 21, 2015 meeting.*

Vice Mayor Hock-DiPolito moved to approve preliminary funding in the amount of $500,000 for establishment of the ULI Report Implementation special program; and approve the transfer of $500,000 in General Fund reserves to the Special Programs Fund to fund the program. The motion was duly seconded.

A concern was expressed with the requested funding amount and lack of detailed project descriptions.

Councilmember Jonson moved to reduce the amount of Item 10.5 to $100,000 and defer the consideration of the remaining $400,000 to December 18, 2014. The motion was duly seconded.

*In response to questions, Mr. Irwin said the City Manager does not want to incur costs that are not authorized. Staff wants to move forward with the*
boating plan and hire the consultant as soon as possible. Activating the library recommendations may or may not incur any expenses in the next 90 days. Any funds incurred for the library would not be budgeted and would require funds.

It was stated the item before Council allows staff to move forward with the priority items that require funding.

Upon the vote being taken, Councilmember Jonson voted “Aye”; Mayor Cretekos, Vice Mayor Hock-DiPolito, and Councilmembers Hamilton and Polglaze voted “Nay.”

Motion failed.

Main motion to approve:
The motion carried unanimously.

11. City Attorney Reports – None.

12. Other Council Action – None.

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

Councilmember Polglaze wished his spouse a Happy Birthday.

Vice Mayor Hock-DiPolito encouraged all to be more positive, smile and share positive energy with others.

Councilmember Jonson said he was impressed with the youth who attended tonight’s meeting and appreciated the parents’ and coaches’ efforts in making a difference in the community. He was pleased to see Dr. Patel’s project moving forward and supported the new LED lights in the Countryside area.
14. **Closing Comments by Mayor**

   Mayor Cretekos wished former Councilmember J.B. Johnson a Happy Birthday and reviewed recent and upcoming events.

15. **Adjourn**

   The meeting adjourned at 7:26 p.m.

__________________________________________

Mayor
City of Clearwater

Attest
City Clerk