

City of Clearwater

*Main Library - Council Chambers
100 N. Osceola Avenue
Clearwater, FL 33755*



Meeting Minutes

Wednesday, September 4, 2024

6:00 PM

City Council

Roll Call

Present: 5 - Mayor Bruce Rector, Vice Mayor David Allbritton, Councilmember Ryan Cotton, Councilmember Michael Mannino and Councilmember Lina Teixeira

Also Present: Jennifer Poirrier – City Manager, Daniel Slaughter – Assistant City Manager, David Margolis – City Attorney, Rosemarie Call – City Clerk and Nicole Sprague – Deputy City Clerk.

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

Unapproved

1. Call to Order – Mayor Rector

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

2. Invocation

3. Pledge of Allegiance

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 Hunger Action Month Proclamation, September 2024 - Sen. Nick DiCeglie, Hope Villages of America, CEO
- 4.2 Ovarian Cancer Awareness Month Proclamation - September 2024 - Claudette Carlan, Chairman of Celma Mastry Ovarian Cancer Foundation
- 4.3 St. Petersburg/Clearwater International Airport Noise Abatement Task Force - Sean Schrader, Clearwater Representative
- 4.4 NewGen presentation

The City Council has unanimously approved a contract with NewGen to evaluate the affordability, reliability, conservation, and value of electric service provided by Duke Energy, along with options and recommendations regarding the future of electricity in Clearwater. NewGen's multi-disciplinary team will be

led by partner Scott Burnham, who offers over 24 years of experience in the areas of project management, cost of service and rate design, asset valuation, and financial feasibility analysis. As the 9-month study gets underway, Mr. Burnham will be meeting in person with city staff; he will also be presenting to the Council and the public.

NewGen Partner Scott Burnham provided a PowerPoint presentation.

5. Approval of Minutes

- 5.1** Approve the minutes of the August 15, 2024 city council meeting as submitted in written summation by the City Clerk.

Councilmember Cotton moved to approve the minutes of the August 15, 2024 city council meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

6. Consent Agenda – Approved as submitted.

- 6.1** Approve a purchase order to Pinellas County Solid Waste for the disposal of solid waste at the Pinellas County waste-to-energy plant/landfill in the not-to-exceed amount of \$5,100,000.00, for the period October 1, 2024 through September 30, 2025, pursuant to Clearwater Code of Ordinances, Section 2.563 (1)(a), Single Source, and authorize the appropriate officials to execute same. (consent)
- 6.2** Approve funding in the form of a deferred loan in an amount not to exceed \$1,000,000 to be provided by the City of Clearwater to Sunrise Affordable Housing Group for the land acquisition and a portion of the rehabilitation of real property located at 801 Chestnut St., contingent upon the satisfactory outcome of a staff evaluation plan and approval of a tenant relocation plan, and authorize the appropriate officials to execute documents required to affect closing of the loan. (consent)
- 6.3** Approve a one-year Agreement with Juvenile Welfare Board (JWB) and the City of Clearwater for funding youth programs, approve a first quarter budget amendment of \$553,129 in special program G2107, JWB Youth Programming, and authorize the appropriate officials to execute same. (consent)
- 6.4** Approve an agreement with the Pinellas County Sheriff's Office, Largo, Florida, in the amount not to exceed \$528,522.50 for forensic crime scene processing, latent prints, property and evidence storage, and Pinellas Juvenile Assessment Center security services, during the one-year period commencing on October 1, 2024 through

September 30, 2025, and authorize the appropriate officials to execute same. (consent)

- 6.5** Approve a purchase order and renewal agreement to TriTech Software Systems, a CentralSquare Company, for the renewal of TriTech Software Support and Maintenance in the amount of \$236,153.25 from October 1, 2024 through September 30, 2025, pursuant to Clearwater Code of Ordinances Section 2.563(1)(d), Impractical, and authorize the appropriate officials to execute same. (consent)
- 6.6** Approve an Event License Agreement between Jones Lang LaSalle Americas, Inc., in its capacity as agent for the owner of the premises known as Countryside Mall, located at 27001 US Highway 19 North, Clearwater, Florida, and the City of Clearwater Police Department for the purpose of hosting a Shred-A-Thon and Operation Medicine Cabinet event on October 26, 2024, located at the Countryside Mall and authorize the appropriate officials to execute same. (consent)
- 6.7** Approve an Event License Agreement between Jones Lang LaSalle Americas, Inc., in its capacity as agent for the owner of the premises known as Countryside Mall, located at 27001 US Highway 19 North, Clearwater, Florida, and the City of Clearwater Police Department for the purpose of hosting the National Night Out Event on October 1, 2024, located at the Countryside Mall and authorize the appropriate officials to execute same. (consent)
- 6.8** Approve acceptance of University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management (IPTM), High Visibility Education (HVE) and Support Program for Pedestrian and Bicycle Safety Grant Award in the amount of \$27,214.83 for police overtime and authorize the appropriate officials to execute same. (consent)
- 6.9** Approve the form of Standard Interconnection Agreements with Duke Energy Florida for city-owned renewable energy systems and authorize the appropriate officials to execute same. (consent)
- 6.10** Authorize a Guaranteed Maximum Price (GMP) to Bandes Construction, for the installation of roof top solar panels at the Clearwater Gas System Complex and Solid Waste Transfer Station in the cumulative amount of \$1,066,284.00 pursuant to RFQ 40-20, Construction Manager at Risk (CMAR) Continuing Contracts, and authorize the appropriate officials to execute same. (consent)
- 6.11** Authorize purchase orders to Shaw Industries Inc of Dalton, GA and Complete Floor Care Solutions, Inc of Tampa, FL for various floor repairs and replacements, in the cumulative not-to-exceed amount of \$1,500,000.00 through August 9, 2027 with three one-year renewal options in the cumulative annual not-to-exceed amount of \$500,000.00, pursuant to Clearwater Code of Ordinances Sections 2.563(1)(c), Piggyback, and 2.563(1)(a), Single Source, and authorize the appropriate officials to execute same. (consent)

- 6.12** Approve a purchase order with Maire Company (Maire) for services provided under the lease agreement as well as certain additional work outside of the lease in the amount of \$180,800.00, for the third term, beginning October 1, 2024 through September 30, 2025, pursuant to Clearwater Code of Ordinances Section 2.563(1)(d), Non-Competitive Purchases, and authorize the appropriate officials to execute same. (consent)
- 6.13** Authorize purchase orders to multiple vendors as listed, for the purchase of Heating, Ventilation and Air Conditioning (HVAC) replacement and repair parts, in the cumulative annual not-to-exceed amount of \$1,500,000 for Fiscal Year 2025, pursuant to Clearwater Code of Ordinances Sections 2.561(5)(a), Small purchases, 2.563 (1)(b), Micro purchases, and 2.563(1)(c), Piggyback, and authorize the appropriate officials to execute same. (consent)
- 6.14** Authorize a purchase order increase to multiple vendors for the purchase of vehicle parts for heavy and light duty city vehicle and equipment in a cumulative not-to-exceed amount of \$250,000.00 bringing the total amount to \$1,950,000.00 pursuant to Clearwater Code of Ordinances Sections 2.563 (1)(c), Piggyback, 2.563(1)(a), Single source, and 2.563(1)(b), Micro purchases, and authorize the appropriate officials to execute same. (consent)
- 6.15** Authorize a purchase order to multiple vendors as listed, for various roof repairs and replacements, in the cumulative annual not-to-exceed amount of \$1,000,000.00 for term October 1, 2024 through September 30, 2025, with the option for four, one-year renewals through the duration of the respective piggyback contract or through the end of September 2029, pursuant to Clearwater Code of Ordinances Section 2.563(1)(c), Piggyback, and authorize the appropriate officials to execute same. (consent)
- 6.16** Approve an Event License Agreement between Jones Lang LaSalle Americas, Inc., in its capacity as agent for the owner of the premises known as Countryside Mall, located at 27001 US Highway 19 North, Clearwater, Florida, and the City of Clearwater for the purpose of hosting the Emergency Vehicle Operations Refresher Course (EVORC) as part of Clearwater Fire and Rescue's vehicle operations training program September 6, 2024 through September 24, 2024, located at the Countryside Mall, and authorize the appropriate officials to execute same. (consent)
- 6.17** Accept Florida Department of Transportation (FDOT) Grant Agreement Amendment (No. 452861-1-94-01) in the amount of \$200,000 for the Design of a Terminal Building at Clearwater Airpark and authorize the appropriate officials to execute same. (consent)
- 6.18** Approve Work Order to American Infrastructure Development, Inc., of Tampa, FL, for Airpark Terminal and Parking Lot Improvements (23-0015-AP) design in the amount of \$432,400.50 pursuant to Request for Qualification (RFQ) 17-24 and authorize the appropriate officials to execute same. (consent)

- 6.19** Approve Supplemental Work Order 1 to CHA Consulting, Inc. (CHA), for the Reclaimed Water Master Plan project (21-0018-UT) in the amount of \$42,998.00, increasing from \$433,583.00 to \$476,581.00 and authorize the appropriate officials to execute same. (consent)
- 6.20** Award a construction contract to TLC Diversified, Inc. of Palmetto, FL, for the East Water Reclamation Facility (WRF) Screw Pump Replacement Project in the amount of \$3,184,500.00 pursuant to Invitation to Bid (ITB) No.22-0028-UT, approve the Consultant Supplemental Work Order to Jones Edmunds and Associates, Inc. (JEA) of Tampa, FL for construction engineering services in the amount of \$213,239.00 bringing the total consulting services to \$429,824.00, and authorize the appropriate officials to execute same. (consent)
- 6.21** Approve Supplemental Work Order 2 (SWO 2) to Jones Edmunds and Associates, Inc., for the East Plant Water Reclamation Facility (WRF) Filter Feed Pump Station and Force Main Improvements project (17-0048-UT), in the amount of \$281,342.88, increasing the work order from \$248,914.00 to \$530,256.88, and authorize the appropriate officials to execute same. (consent)
- 6.22** Appoint Cynthia Ramos-Gonzalez to the Sister Cities Advisory Board, as the Pinellas County School Board's World Language Coordinator, with an unexpired term through February 1, 2028. (consent)
- 6.23** Appoint Heather Rippert to the Sister Cities Advisory Board, as the Clearwater Arts Alliance Representative, with an unexpired term through October 31, 2027. (consent)
- 6.24** Appoint Stephanie Sisti to the Parks and Recreation Advisory Board with a term expiring July 31, 2028. (consent)
- 6.25** Appoint Councilmember Michael Mannino to serve as the second city representative on Forward Pinellas. (consent)

Councilmember Teixeira 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

7. Administrative Public Hearings

- 7.1** Set final millage rate of 5.8850 mills for fiscal year 2024/25 against non-exempt real and personal property within the City of Clearwater and pass Ordinance 9792-24 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 5.8850 mills on July 15, 2024, which is the rate that appeared on the TRIM notices mailed to taxpayers in August. The millage rate of 5.8850 mills represents a 6.81% increase from the rolled back rate of 5.5099 mills.

Ordinance 9792-24 is presented in order to adopt the millage rate of 5.8850 mills to support the operating and capital improvement budgets for the 2024/25 fiscal year.

STRATEGIC PRIORITY:

The budgeting process aligns resource allocation to the advancement of our community in all five strategic priorities: high performing government, economic and housing opportunity, community well-being, environmental stewardship, and superior public service.

Budget Director Kayleen Kastel provided a PowerPoint presentation.

Ordinance 9792-24 was presented and read by title only.

Vice Mayor Allbritton moved to set final millage rate of 5.8850 mills for fiscal year 2024/25 against non-exempt real and personal property within the City of Clearwater and pass Ordinance 9792-24 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton, Councilmember Mannino and Councilmember Teixeira

7.2 Approve the City of Clearwater Annual Operating Budget for the 2024/25 fiscal year and pass Ordinance 9793-24 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 2024/25 millage rate and the Capital Improvement Budget are an integral part of fulfilling these requirements.

On June 28, 2024, 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 2024/25 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 15, 2024, for Council discussion and citizen input. In addition, a Special Budget Work Session was held on August 14, 2024, for Council discussion of the proposed budget.

The following changes have been made to the preliminary operating budget and are included in the ordinance for adoption of the fiscal year 2024/25 operating budget.

In the General Fund:

- Revenues are adjusted, netting to zero, to account for revenues in the correct categories.
- Expenditures are adjusted, netting to zero, decreasing the City Manager's Office budget by \$361,047 to transfer the Neighborhoods Division to Public Communications.

In the Water & Sewer Fund:

- Revenues are adjusted to recognize the use of fund reserves/equity of \$3,053,470 necessary to balance the budget.
- Expenditures are adjusted, increasing the Wastewater Collection program by \$7,811,880 to account for transfers to the capital improvement fund for the Ft. Harrison Improvements and Public Works Complex projects.

STRATEGIC PRIORITY:

The budgeting process aligns resource allocation to the advancement of our community in all five strategic priorities: high performing government, economic and housing opportunity, community well-being, environmental stewardship, and superior public service.

Ordinance 9793-24 was presented and read by title only.

Councilmember Mannino moved to approve the City of Clearwater Annual Operating Budget for the 2024/25 fiscal year and pass Ordinance 9793-24 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton, Councilmember Mannino and Councilmember Teixeira

- 7.3** Approve the fiscal year 2024/25 Annual Capital Improvement Budget, establish a six-year plan for the Capital Improvement Program (CIP), and pass Ordinance 9794-24 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 2024/25 millage rate and operating budget are an integral part of fulfilling these requirements.

On June 28, 2024, 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 2024/25 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 15, 2024, for Council discussion and citizen input. In addition, a Special Budget Work Session was held on August 14, 2024, for Council discussion of the proposed budget.

No changes have been made to the Preliminary Capital Improvement Budget.

STRATEGIC PRIORITY:

The budgeting process aligns resource allocation to the advancement of our community in all five strategic priorities: high performing government, economic and housing opportunity, community well-being, environmental stewardship, and superior public service.

Ordinance 9794-24 was presented and read by title only.

Councilmember Cotton moved to approve the fiscal year 2024/25 Annual Capital Improvement Budget, establish a six-year plan for the Capital Improvement Program (CIP), and pass Ordinance 9794-24 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton, Councilmember Mannino and Councilmember Teixeira

- 7.4** Approve the recommended Penny for Pinellas project list, as revised for fiscal years

2024/25 through 2029/30.

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.

There are no changes proposed to Penny for Pinellas project funding in the fiscal year 2024/2025 budget.

STRATEGIC PRIORITY:

The budgeting process aligns resource allocation to the advancement of our community in all five strategic priorities: high performing government, economic and housing opportunity, community well-being, environmental stewardship, and superior public service.

Councilmember Teixeira moved to approve the recommended Penny for Pinellas project list, as revised for fiscal years 2024/25 through 2029/30. The motion was duly seconded and carried unanimously.

- 7.5** Amend Appendix A, Clearwater Code of Ordinances, Schedule of Fees, Rates and Charges, Article XXIV, Public Works Fees, Rates and Charges, Section (3)(c) Solid Waste Collection Rates, Section (3)(d) Recycling Rates, and Section (5) Other Miscellaneous Charges; Increase specific collection fees for Solid Waste and Recycling annually by 3.75% effective October 1, 2024, October 1, 2025, October 1, 2026, October 1, 2027, and October 1, 2028; and pass Ordinance 9788-24 on first reading.

Earlier this year Stantec Consulting Services Inc. of Tampa, FL performed a rate sufficiency analysis (RSA) on the City's Solid Waste and Recycling Utility Enterprise Fund. Stantec conducted similar studies during 2019 and 2021. The objectives for this study included evaluation of the utility's current rates and identifying a new multi-year plan of increases that provides sufficient revenues to fund operations and maintenance costs, capital improvement costs, adjustments to scenarios evaluated in prior studies related to timing and costs, and to ensure adequate operating reserves over the entire five year planning period (Fiscal Year 2025 - Fiscal Year 2029) and ten year projection period (Fiscal Year 2030 - Fiscal Year 2034). Staff provided historical and budgeted financial information for the utility, assumptions regarding growth, interest earning rates, and policies affecting the utility to Stantec for the study. Based on Stantec's study and analysis of rate increase scenarios discussed

with staff, it is recommended that fees for Solid Waste and Recycling be increased by 3.75% for the fiscal years 2025 through 2029.

Residential solid waste and recycling rates will increase as follows:

Monthly	Current	10/1/2024	10/1/2025	10/1/2026	10/1/2027	10/1/2028
Solid Waste	\$34.62	\$35.92	\$37.27	\$38.67	\$40.12	\$41.62
Recycling	\$ 3.51	\$ 3.64	\$ 3.78	\$ 3.92	\$ 4.07	\$ 4.22
Total	\$38.13	\$39.56	\$41.05	\$42.59	\$44.19	\$45.84

Appendix A of the Code of Ordinances currently contains a listing of various residential, commercial and roll-off collection fees for Solid Waste and Recycling. Therefore, staff is recommending that the Appendix A of the Code of Ordinances be amended to increase rates in accordance with the attached rate study prepared by Stantec.

APPROPRIATION CODE AND AMOUNT:

N/A

USE OF RESERVE FUNDS:

N/A

STRATEGIC PRIORITY:

This item falls under the following objectives: 1.1 (evidence-based measurement tools) and 1.3 (adopt responsive levels of service for public facilities and amenities) within High Performing Government, and 4.2 (waste reduction practices) within Environmental Stewardship.

Ordinance 9788-24 was presented and read by title only.

Vice Mayor Allbritton moved to amend Appendix A, Clearwater Code of Ordinances, Schedule of Fees, Rates and Charges, Article XXIV, Public Works Fees, Rates and Charges, Section (3)(c) Solid Waste Collection Rates, Section (3)(d) Recycling Rates, and Section (5) Other Miscellaneous Charges; Increase specific collection fees for Solid Waste and Recycling annually by 3.75% effective October 1, 2024, October 1, 2025, October 1, 2026, October 1, 2027, and October 1, 2028; and pass Ordinance 9788-24 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton, Councilmember Mannino and Councilmember Teixeira

7.6 Amend the Clearwater Community Development Code, Section 3-1508, relating to the regulation of noise and pass Ordinance 9790-24 on first reading.

The police department is the primary city department that is tasked with

addressing complaints of excessive noise. Section 3-1508- Noise was last amended on August 7, 2014. Since the last amendment, growth and development within the city has caused a need to amend the ordinance to adhere with the current public needs regarding noise regulations.

Certain items are recommended to be changed in the ordinance such as the operation of any blower fan or power fan will now only be allowed between 7 a.m. and 6 p.m. The revision to the ordinance also creates clarity that a person or entity can be issued a violation.

STRATEGIC PRIORITY:

1.4 Foster safe and healthy communities in Clearwater through first-class public safety and emergency response services

Ordinance 9790-24 was presented and read by title only.

Councilmember Mannino moved to amend the Clearwater Community Development Code, Section 3-1508, relating to the regulation of noise and pass Ordinance 9790-24 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton, Councilmember Mannino and Councilmember Teixeira

- 7.7** Approve the Joint Participation Agreement (JPA) G3137 between the City of Clearwater and the State of Florida Department of Transportation (FDOT), Construction of Terminal and FBO Building at the Clearwater Airpark, authorize the appropriate officials to execute same, and adopt Resolution 24-12.

On January 12, 2023, City Council approved the Lease and Property Operating Agreement (Operating Agreement) with FlyUSA to manage the Clearwater Airpark, and subsequently approved the First Amendment to the Lease and Property Operating Agreement on March 7, 2024.

As part of the public-private partnership, the City and FlyUSA seek to redevelop the Terminal and FBO building. In accordance with the Operating Agreement, specifically article 12, the City and FlyUSA agreed to seek FDOT funding to support capital improvements such as the Terminal and FBO building. Additionally, the City committed in the agreement to pay a maximum of \$750,000 towards the Airpark terminal and cover, subject to reimbursement by FlyUSA, the cash match associated with any FDOT grant funding.

FDOT JPA Agreement G3137 provides for a \$1,500,000 grant for the

construction of a new terminal and FBO building, with a \$1,500,000 cash match. The \$1,500,000 cash match associated with FDOT JPA Agreement G3137 will be covered by Penny for Pinellas funding providing \$760,000, and Airpark Reserves providing \$740,000. As stated, FlyUSA will reimburse the City for \$750,000 of the cash match portion in accordance with the Operating Agreement.

The estimated cost to redevelop the terminal and FBO building is \$6,000,000. The City intends to seek additional grant dollars from FDOT in the next grant cycle. FlyUSA is responsible to reimburse the City for any additional cash match for grants or cover 100% of the remaining costs to redevelop the terminal and FBO building if no additional FDOT grants are awarded.

APPROPRIATION CODE AND AMOUNT:

A third quarter budget amendment will increase capital improvement project 302-G2307, Aviation Operation Center, by \$2,250,000 recognizing \$1,500,000 in grant funding and \$750,000 in reimbursement revenues.

USE OF RESERVE FUNDS:

Airpark reserves of \$740,000 will be allocated to capital improvement project G2307 and will be replenished with reimbursement from FlyUSA.

STRATEGIC PRIORITY:

High Performing Government

1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.

Economic & Housing Opportunity

2.2 Cultivate a business climate that welcomes entrepreneurship, inspires local investment, supports eco-friendly enterprises, and encourages high-quality job growth.

2.3 Promote Clearwater as a premier destination for entertainment, cultural experiences, tourism, and national sporting events.

Resolution 24-12 was presented and read by title only.

Councilmember Cotton moved to approve the Joint Participation Agreement (JPA) G3137 between the City of Clearwater and the State of Florida Department of Transportation (FDOT), Construction of Terminal and FBO Building at the Clearwater Airpark, authorize the appropriate officials to execute same, and adopt Resolution 24-12. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton,

Councilmember Mannino and Councilmember Teixeira

7.8 Appoint Diane Achinelli to the Community Development Board to a term expiring February 29, 2028. (consent)

APPOINTMENT WORKSHEET

BOARD: Community Development Board
TERM: 4 years
APPOINTED BY: City Council
FINANCIAL DISCLOSURE: Yes
RESIDENCY REQUIREMENT: City of Clearwater
MEMBERS: 7 & 1 alternate
CHAIRPERSON: TBD
MEETING DATES: 3rd Tues., 1:00 p.m.
PLACE: Main Library
APPTS. NEEDED: 1

SPECIAL QUALIFICATIONS: Board shall include members qualified and experienced in the fields of architecture, planning, landscape architecture, engineering, construction, planning & land use law and real estate.

THE FOLLOWING ADVISORY BOARD MEMBER COMPLETED A PARTIAL TERM AND IS ELIGIBLE TO BE APPOINTED FOR A FULL TERM:

1. Diane T. Achinelli - 904 Brigadoon Drive, 33759, Senior Project Administrator
 Original Appointment: 03/02/2023, partial term

Zip Codes of current members:

3 at 33759
1 at 33761
1 at 33764
1 at 33756
2 at 33767

Current categories:

Real Estate Developer
Sr. Project Administrator
Engineer
Construction/Real Estate
Real Estate Broker/Developer
Real Estate Law
Civil Engineer

One individual requested the item be continued as Ms. Achinelli works for McKim and Creed, who is currently contracted by the City.

In response to questions, the City Attorney said Florida law defines what is a conflict of interest; what the public may perceive as a conflict of interest may not be how the Legislature has defined it. He said Ms. Achinelli must be aware of legitimate issues if she continues to serve on the board. Any member of the CDB who has a financial stake in the outcome on what is being voting on is required by state law to recuse themselves. For example, if a developer comes forward with a project and McKim and Creed is the engineer, Ms. Achinelli will be required to recuse herself. He said the board attorney is a board certified expert in local government and will advise board members accordingly. If the City does do business with McKim and Creed, Ms. Achinelli cannot participate in any way with the City's procurement process. He said neither scenario makes Ms. Achinelli ineligible to serve on the CDB.

Discussion ensued with comments made that Ms. Achinelli has the qualifications needed to serve on the board and that the CDB board attorney works with each member on identifying and handling conflicts of interest.

Councilmember Teixeira moved to appoint Diane Achinelli to the Community Development Board to a term expiring February 29, 2028. The motion was duly seconded and carried unanimously.

7.9 Amend Council Rules and adopt Resolution 24-15.

As directed by City Council at the August 12 work session, the City Attorney has prepared a draft resolution relating to the annual performance reviews of the City Manager and City Attorney. Council may accept, reject, or modify the draft resolution.

One individual spoke in support and suggested that the existing form be amended so that the questions are not subjective and includes the handling of vacancies as a measurement tool.

Discussion ensued with comments made that councilmembers meet with the city manager and city attorney weekly, which act as weekly evaluations

throughout the year and that the annual evaluation process is for the citizens.

The City Manager said the SMART goals are still part of the evaluation process and Council will discuss the SMART goals at the next meeting.

In response to a question, the City Manager said the strategic planning sessions will begin in January and is part of the budget process.

Resolution 24-15 was presented and read by title only.

Vice Mayor Allbritton moved to amend Council Rules and adopt Resolution 24-15. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Rector, Vice Mayor Allbritton, Councilmember Cotton, Councilmember Mannino and Councilmember Teixeira

8. City Manager Reports

8.1 North Beach Update

Public Works Director Marcus Williamson said the tidal valves and pump installed near the Carlouel Yacht Club (Carlouel) were able to keep up with the flow of water during the storm. Staff is investigating why the groundwater pressure is bubbling up through the asphalt by Carlouel. He said the recent intense rains are being felt by all, not just Clearwater, and staff continues to look at how to address the high-volume areas as part of the permanent pump design.

9. City Attorney Reports – None.

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

Councilmember Teixeira thanked all those who attended the Uncommon Couture exhibit opening yesterday.

Councilmember Cotton encouraged all to visit the Main Library and see the Uncommon Couture exhibit, which is fascinating.

11. Closing Comments by Mayor

Mayor Rector reviewed recent and upcoming events and encouraged all to sign up for Visit St. Pete-Clearwater's FunShine Savings Passport to access to 50 deals across the county. He congratulated Glenwood

Estates for celebrating their 100th year anniversary.

12. Adjourn

The meeting adjourned at 7:55 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Draft