

City of Clearwater

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



Meeting Minutes

Thursday, August 1, 2024

6:00 PM

Main Library - Council Chambers

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 – Father Bob Swick from St. Francis of Assisi**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 Diversity Poster Contest Presentation - Karen Swafford, H.R. Diversity Manager; Michelle Sheldon, H.R. Analyst

Mses. Sheldon and Swafford provided a PowerPoint presentation.

- 4.2 US Coast Guard Appreciation Month Proclamation, August 2024 – Lt. Thomas Usseglio
- 4.3 End of Session Report - Representative Berfield
- 4.4 End of State Session Report - Peter Dunbar and Martha Edenfield, Jones Walker Law Firm

5. Approval of Minutes

- 5.1 Approve the minutes of the July 15, 2024 city council meeting as submitted in written

summation by the City Clerk.

Councilmember Cotton moved to approve the minutes of the July 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, less Items 6.4, 6.7, and 6.9.

- 6.1** Approve the First Amendment to Contract for Sale of City-Owned Vacant Land between the City of Clearwater and Habitat for Humanity of Pinellas County, Inc./Clearwater Neighborhood Housing Services, Inc. for real property located at 1454 South Martin Luther King Jr. Avenue and authorize the appropriate officials to execute same. (consent)
- 6.2** Authorize a purchase order to W.W. Grainger of Lake Forest, IL., for citywide purchases of maintenance, repair, and operating supplies in the not to exceed amount of \$1,700,000.00, from August 1, 2024 through November 8, 2026, with two, one-year renewal options of \$800,000.00 per year, per Clearwater Code of Ordinances Section 2.563(1)(c), Piggyback purchasing, and authorize the appropriate officials to execute same. (consent)
- 6.3** Declare list of vehicles and equipment surplus and authorize disposal through auction pursuant to Clearwater Code Sections 2.623(6) and (8) and authorize the appropriate officials to execute same. (consent)
- 6.4** Approve a purchase order to ArborPro Inc., of Yorba Linda, CA, for Tree Assessment/Inventory Survey, on a unit price basis, in the cumulative amount of \$200,000.00 for a five-year term beginning October 1, 2024 through September 30, 2029, pursuant to Invitation to Bid 27-24 and authorize the appropriate officials to execute same. (consent)

See below.

- 6.5** Authorize a purchase order to ICON Supply, Inc. of Tampa FL for the purchase of Yaskawa Variable Frequency Drives in the annual not-to-exceed amount of \$200,000.00 for term July 16, 2024 through July 15, 2025, with two, one-year renewals at the City's discretion pursuant to ITB 42-24 and authorize the appropriate officials to execute same. (consent)
- 6.6** Approve a purchase order to Ferguson Enterprises, LLC of Tampa, FL for Neptune Ultrasonic Meters in the not-to-exceed amount of \$278,000.00 for the term of August 20, 2024 through August 19, 2025, pursuant to Clearwater Code of Ordinances Sections 2.563(1)(d), impractical to bid, and 2.563(1)(c), piggyback purchasing, and authorize the appropriate officials to execute the same. (consent)

- 6.7** Authorize an assignment of a purchase order from Angelo's Aggregate Materials LTD dba Angelo's Recycled Materials (Angelo's) to Wrangler Holdco Corp dba GFL Solid Waste Southeast LLC (GFL SWS) of St. Petersburg, FL for Yard Waste, Class III Waste, and Construction Demolition Debris Disposal, approve an additional two-year renewal option in the amount of \$2,300,000.00 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c) Cooperative purchasing and authorize the appropriate officials to execute same. (consent)

See below.

- 6.8** Authorize purchase orders to Wastequip Manufacturing Company LLC, of Charlotte, NC, and Wazobia Global LLC, of Orlando, FL, to provide front load containers in a cumulative not to exceed amount of \$250,000.00, from September 1, 2024 through August 31, 2025, with two, one-year renewal options at the City's discretion pursuant to Invitation to Bid (ITB) No. 39-24, Front Load Containers, and authorize the appropriate officials to execute same. (consent)

- 6.9** Cancel the October 14, 2024 work session and the October 16, 2024 council meeting. (consent)

See below.

Councilmember Teixeira moved to approve the Consent Agenda as submitted, less Items 6.4, 6.7, and 6.9, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.4** Approve a purchase order to ArborPro Inc., of Yorba Linda, CA, for Tree Assessment/Inventory Survey, on a unit price basis, in the cumulative amount of \$200,000.00 for a five-year term beginning October 1, 2024 through September 30, 2029, pursuant to Invitation to Bid 27-24 and authorize the appropriate officials to execute same. (consent)

In January 2023, the Public Works Department halted the urban forest management program, which included the inventory of the urban forest, after citizen concerns helped identify some operational concerns which included insufficient detail in the assessment/inventory, insufficient public outreach and resident notification, and the lack of a tree-replacement planting program. After an internal review and discussion with the Environmental Advisory Board, city staff prepared a high-level policy for Council's consideration that was adopted on September 18, 2023 (attached). This policy prioritizes the tree, provides a replanting plan, and provides for additional detail in the inventory activities. After Council adopted the revised urban forest management program policy, staff

sought to resume inventory operations with the provider that had been performing those services prior to program being halted. However, that provider was unable to resume operations due to a change in staff, additional detail being requested during the inventory process, and some additional technical challenges.

Therefore, an Invitation to Bid (ITB) #27-24 was issued on May 3, 2024, for a Tree Assessment/Inventory Survey. The goal of the assessment and inventory is to determine the age, species, health, and geographic distribution of hardwood trees in the City of Clearwater Rights of Way (ROW).

The assessment/inventory will be conducted by surveying approximately 3,000 hardwood trees per year. The City is divided into five zones so that one zone per year will be assessed and surveyed. Zone three will be the first zone to be assessed and surveyed which includes Clearwater Beach and Old Clearwater Bay.

The contractor will assess all hardwood trees within the city ROW with a diameter at breast height (DBH) of 6 inches or greater. Palm trees will not be surveyed.

Collected data will include location, tree tagging, species, size, and condition rating for all trees. Field observation will be required for all trees receiving a condition rating of zero to two (0-2). Field observation will document more specific attributes like whether wildlife, bees or overhead utilities are present. The results of the survey will be used to determine the scope and budget necessary for tree removal and replacement services for all trees receiving a condition rating of zero as well as potential locations to plant new or replacement ROW trees.

The City received six qualified bids with ArborPro, Inc. being the lowest and most responsive bid according to the bid specifications.

The contract covers a period of five years, totaling \$200,000.00 (\$40,000.00 per year), beginning October 1, 2024 and ending September 30, 2029, contingent upon the ongoing provision of services.

APPROPRIATION CODE AND AMOUNT:

3157539-530300-M2006 \$200,000.00

Funding for this contract is available in Capital Improvement Project 315-M2006, Right of Way Tree Management Program which is funded by annual allocations of General Fund and Central Insurance Internal Service Fund revenues.

STRATEGIC PRIORITY:

4.3 Protect the conservation of urban forests and public green spaces to

promote biodiversity and reduce our carbon footprint. 4.4 Develop accessible and active transportation networks that enhance pedestrian safety and reduce citywide greenhouse gas emissions.

One individual spoke in opposition.

One individual suggested that the selected contractor should be local.

In response to questions, Public Works Right-of-Way Division Manager Ali Ismailoski said the bid criteria required price, list of references, and the completion of a minimum of six tree assessment inventory projects in Florida with similar scope in the last eight years, with four of the projects ranging from 250 to 500 trees, one project with at least 1,000 trees, and one project with 1,250 to 2,000 trees. The selected contractor conducted six assessment inventories in Florida with similar project scopes in the last eight years. He said staff contacted the Florida references; the nearest one was Sarasota. The company hires arborists with extensive knowledge. References stated the selected vendor was able to rate the trees within the established guidelines.

Vice Mayor Allbritton moved to approve a purchase order to ArborPro Inc., of Yorba Linda, CA, for Tree Assessment/Inventory Survey, on a unit price basis, in the cumulative amount of \$200,000.00 for a five-year term beginning October 1, 2024 through September 30, 2029, pursuant to Invitation to Bid 27-24 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

6.7 Authorize an assignment of a purchase order from Angelo's Aggregate Materials LTD dba Angelo's Recycled Materials (Angelo's) to Wrangler Holdco Corp dba GFL Solid Waste Southeast LLC (GFL SWS) of St. Petersburg, FL for Yard Waste, Class III Waste, and Construction Demolition Debris Disposal, approve an additional two-year renewal option in the amount of \$2,300,000.00 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c) Cooperative purchasing and authorize the appropriate officials to execute same. (consent)

On September 2, 2021, Council approved a purchase order to Angelo's Aggregate Materials LTD dba Angelo's Recycled Materials (Angelo's) in a not-to-exceed amount of \$3,900,000.00 for the term October 1, 2021 through September 30, 2024, pursuant to a cooperative agreement with the City of Largo under Bid No. 21-B-727. The City of Clearwater was part of the cooperative purchase with the City of Largo.

On April 1, 2024, notification was sent to the City informing them that GFL SWS acquired Angelo's. Solid Waste seeks Council's authorization to continue services with GFL SWS for the remainder of the term through September 30, 2024, with \$732,041.78 remaining in the initial amount of \$3,900,000.00. Solid Waste also seeks approval of the additional two-year renewal option in the not-to-exceed amount of \$2,300,000.00.

This vendor is used by Solid Waste and Recycling for the disposal of yard waste, class III waste, and construction demolition debris. Yard waste is collected by Solid Waste and Recycling and directed to GFL SWS as opposed to the Pinellas County landfill. Additionally, collection of construction debris in Clearwater is an open market where contractors can contract with Solid Waste and Recycling or contract with any registered vendor. When contracted for this service, Solid Waste and Recycling collects the debris and directs it to GFL SWS to be processed for materials that can be recycled. City of Clearwater departments are required to use Solid Waste and Recycling for City of Clearwater construction projects.

APPROPRIATION CODE AND AMOUNT:

Funding for the current year's portion of this award is budgeted in the FY23/24 operating budget for Solid Waste/Recycling Utility Enterprise Fund cost codes:

- 4242082-543500 (Solid Waste - Residential Collection Dump Fees)
- 4242089-543500 (Solid Waste - Roll-Off Collection Dump Fees)

Additional funding for departments outside Solid Waste and Recycling will come from various operating cost centers. Funding will be provided by the General Fund for Parks and Recreation, Streets & Sidewalks, Engineering and Urban Forestry. Contract usage by Public Utilities is funded by the Water and Sewer Utility Enterprise Fund and Clearwater Gas will be funded by the Gas Utility Enterprise Fund revenues).

Funding for future years will be requested as part of the annual budget process.

STRATEGIC PRIORITY:

This item falls under objective 1.3 (adopt responsive levels of service for public facilities and amenities) within High Performing Government and objective 4.2 (waste reduction practices) within Environmental Stewardship.

One individual spoke in opposition.

Councilmember Mannino moved to authorize an assignment of a purchase order from Angelo's Aggregate Materials LTD dba Angelo's Recycled Materials (Angelo's) to Wrangler Holdco Corp dba GFL Solid Waste Southeast LLC (GFL SWS) of St. Petersburg, FL for Yard Waste, Class III Waste, and Construction Demolition Debris Disposal, approve an additional two-year renewal option in

the amount of \$2,300,000.00 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c) Cooperative purchasing and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

6.9 Cancel the October 14, 2024 work session and the October 16, 2024 council meeting.

Staff is requesting to cancel the October 14, 2024 work session and the October 16, 2024 council meeting to accommodate Council's trip to Nagano, Japan. The Sister City relationship with the City of Nagano was established in 1959 and is one of the oldest relationships in Florida. This year's trip marks the 65th anniversary.

One individual spoke in opposition.

One individual spoke in support.

Councilmember Cotton moved to cancel the October 14, 2024 work session and the October 16, 2024 council meeting. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

7. Administrative Public Hearings

- 7.1** Approve the City of Clearwater's FY2024/2025 Annual Action Plan, which is the fifth and final Action Plan of the FY2020/2021 - FY2024/2025 Consolidated Plan, to implement the goals and objectives set forth in the Consolidated Plan and authorize the appropriate officials to enter into agreements with HUD and organizations approved for funding, together with authorization to execute administrative adjustments to same as needed. (APH)

On July 16, 2020, City Council approved the 2020/2021 - 2024/2025 Consolidated Plan (Consolidated Plan) identifying the city's goals and objectives with respect to the city's administration of HOME Investment Partnerships (HOME) and Community Development Block Grant (CDBG) Program funds. Under the Consolidated Plan, the City is required by US Department of Housing and Urban Development (HUD) to create and implement a plan each year to identify the sources and uses of these funds for housing, community programs, and economic development. This plan, referred to as the Annual Action Plan, provides HUD with the City's Housing Division budget and proposed expenditures based on the entitlement funds and estimated program income that the City will receive in the upcoming fiscal year to meet the goals and objectives established in the Consolidated Plan.

Funds will be used to develop viable communities and sustain existing ones. In addition, the funds will be used to provide safe, decent, and affordable housing to assist extremely low- to moderate-income households. This year's Annual Action Plan allocates federal funds to provide housing opportunities to extremely low- to moderate-income households for new and existing homes, construction and/or renovation of public facilities, and to fund public services programs.

The Annual Action Plan serves as a budget for planned projects and identifies unallocated funds available for additional project(s) throughout the budget year. Staff requests authorization to make administrative adjustments during the budget year to fund additional project(s), including shifting funds between projects within budgetary segments.

The FY2024/2025 Annual Action Plan is due to HUD on August 16, 2024. All organizations that will be receiving an allocation will have agreements prepared and executed by October 1, 2024. Staff performs compliance monitoring with funded organizations on an annual basis.

On June 5, a notice of 30-day comment period and public hearings was published in the Tampa Bay Times. On July 9, 2024, the City's Neighborhood and Affordable Housing Advisory Board (NAHAB) hosted the 1st of the 2 required public hearings and passed a motion recommending City Council approval of the FY2024/2025 Annual Action Plan.

Grant Application Process for CDBG Program

The City partners with several non-profit agencies to implement the goals and objectives established in the Consolidated Plan. To obtain these partners, the City annually publishes in February a Notice of Funding Availability in the local newspaper and on its website. This notice informs the public of the resources the City will make available and the eligible uses of those resources. It also informs them of the 30-day application period for requesting funds. The applications were due on March 15, 2024. The city received 32 completed and qualified applications.

A Technical Review Committee (TRC) comprised of a professional in the social service and grants community, a member of the NAHAB, a representative of the Homeless Leadership Alliance, and the City Clerk reviewed and ranked the applications. Applicants were provided an opportunity to present their proposed projects at the April 9, 2024, NAHAB meeting. City Housing staff also reviewed each application to ensure it met HUD's baseline requirements. With guidance from the TRC and NAHAB and based on available funding, City staff prepared recommended funding allocations. The NAHAB met on May 14, 2024, and approved the recommended allocations. NAHAB approval is subject to City Council approval of the Annual Action Plan.

Recommended CDBG Grant Allocations (Competitive)

The City may allocate up to 15% (\$141,072) of its CDBG entitlement funds for Public Services activities. This year the city received thirteen requests for funding subject to the 15% cap. Staff recommends allocation of funding based

on TRC scoring. Requested funding from the three highest-ranked applicants combined narrowly exceeded the \$141,072 cap. The staff recommendation is to distribute available Public Service funds to these three organizations.

The city received twelve requests for funding of Public Facilities improvements. The TRC reviewed each application and recommended funding of the four highest scoring projects. Staff is recommending funding of all eligible components of these four requests (plus project delivery costs paid by the city including inspection fees, environmental review record and other fees). The total staff-recommended allocation for the four projects is \$448,080. These investments will help daily operations of each public service provider with improved facility functionality, efficiency, and safety features.

Other Recommended Allocations (Non-Competitive)

Staff recommends funding of the following additional activities/programs:

- Small business/microenterprise, childcare, and façade improvement activities (\$490,560)
- New Construction, Rehabilitation, Purchase Assistance (f/k/a Down Payment Assistance), Tenant Based Rental Assistance and Community Housing Development Organization (CHDO) set aside funds (\$6,075,506)
- Homeownership Education & Counseling (\$55,000)
- Property Acquisition & Demolition (\$100,000)
- Program administration (\$247,608)

BACKGROUND:

Anticipated Resources

In FY2024-2025, the City will receive \$940,482 in entitlement funds for the CDBG Program and \$400,222 in entitlement funds for the HOME Program. The City is also reprogramming: \$4,325,451 in prior year HOME entitlement and

program income funding; \$172,000 in anticipated FY2024-2025 HOME program income; \$374,797 in prior year CDBG entitlement and program income funding; \$11,448 in anticipated FY2024-2025 CDBG program income; \$1,047,867 in CDBG Revolving Loan Program funds for housing infill and rehabilitation; and \$230,560 in Revolving Loan Program funds for economic development activities.

Funds provided through the CDBG Program may be used for housing, community and economic development, public services and facilities, acquisition, relocation, and administration. Funds provided through the HOME Program are limited to housing-related activities and administration.

STRATEGIC PRIORITY:

Objective 2.4 - Supports equitable housing programs that promote household

stability and reduces the incidence of homelessness within Clearwater.

Economic Development and Housing Assistant Director Chuck Lane provided a PowerPoint presentation.

Vice Mayor Allbritton moved to approve the City of Clearwater's FY2024/2025 Annual Action Plan, which is the fifth and final Action Plan of the FY2020/2021 - FY2024/2025 Consolidated Plan, to implement the goals and objectives set forth in the Consolidated Plan and authorize the appropriate officials to enter into agreements with HUD and organizations approved for funding, together with authorization to execute administrative adjustments to same as needed. The motion was duly seconded and carried unanimously.

7.2 Approve a feasibility study with NewGen in a not-to-exceed amount up to \$504,000.

Every ratepayer in Florida receives electricity from one of three distributors: either the electric utility is municipally owned, or it is an investor-owned utility (IOU), or it is a non-profit electric cooperative. The Public Service Commission (PSC) grants each utility, regardless of ownership, a monopoly to serve as the sole distributor of electricity within a given service area. Water utilities and natural gas utilities operate in a similar way.

To enable private IOU's to access, and often excavate, the public right-of-way, IOU's typically enter into franchise agreements with local governments. These agreements can be customized in several ways, including provisions relating to franchise fees, tree trimming, and municipal buy-out's of the IOU. Many franchise agreements also prohibit the city or county from creating their own utility during the term of the agreement.

In December 1995, the City granted a 30-year electric franchise to the Florida Power Corporation. Florida Power was a Florida company. However, the franchise agreement allowed Florida Power to freely assign and transfer their rights to different entities. In the years that followed, Florida Power was acquired by Duke Energy, a publicly traded North Carolina company. Duke Energy has provided local electric service since 2012.

City staff are aware of local media interest involving Duke Energy. For ease of reference, staff has provided Council with a list of local stories.

As the 30-year franchise nears its conclusion, it is time for the City to consider the future of electricity in Clearwater. For a variety of legal and technical

reasons, it is unlikely the City will be able to join a non-profit cooperative such as the Withlacoochee River Cooperative, which services much of Pasco County, or the Peace River Electric Cooperative, which services much of Manatee County.

However, the City does have the option to provide electric service directly to Clearwater residents and businesses, similar to the way that Clearwater operates its water and sewer utility and the Clearwater Gas Company (CGS). If Clearwater elects to municipalize, it will join 33 other municipally owned electric utilities in Florida. Examples of varying population sizes and topography include Bartow, Jacksonville, Key West, Lakeland, Leesburg, New Smyrna Beach, Ocala, Orlando, Tallahassee, Wauchula, and Winter Park. Alternatively, Clearwater can sign a franchise agreement with Duke Energy.

To make an informed decision, staff recommends NewGen Strategies & Solutions. NewGen brings decades of experience interacting with electric utilities, and the credibility of recent studies recommending municipalization (e.g. San Diego) and studies recommending against it (e.g. Chicago). The cost of the study, which will not exceed \$504,000, equates to 4.8% of one year of franchise fees the City receives from its franchise agreement. The study costs will be paid through available special program funds. If approved by Council, NewGen will advise the City as to the infrastructure needed and probable costs. If municipalization proves financially wise for both the City and for ratepayers, NewGen will offer a sensible process map that recommends a seamless transition for customers. In addition, the study, in collaboration with City staff, will endeavor to answer other important questions:

- Rates and affordability - can the City offer lower rates or cost savings to its residents and businesses?
- Property taxes - will the revenue from electric service allow the City to reduce its dependence on millage, thereby easing the tax burden on property owners?
- Efficiency - will municipalization create a more efficient government through economy of scale and enhanced coordination with CGS and the City's other utilities?
- Customer service - can the City's existing utility customer service framework provide more responsive service for Clearwater businesses and residents? The Tampa Bay Times has reported that Duke had 9x the number of customer complaints, per capita, last year, as Florida Power & Light.
- Public safety - can municipalization improve public safety by allowing the Clearwater Police Department to manage electric service during a police SWAT response, or by allowing the Clearwater Fire Department to disconnect electricity when responding to fires? Will local substations be more secure or less secure with the City deciding appropriate

security measures?

- Staffing - will the City be well positioned to care for Duke's linemen and other employees, especially those who work or live in the City, during and after the transition?
- Undergrounding - as the number and severity of hurricanes continue to increase, is the City more likely or less likely than Duke to invest its profits in undergrounding?
- Tree removal - in places where undergrounding is impractical, is the City more likely or less likely than Duke to preserve the City's tree canopy?

The study will take approximately nine months, culminating in a final public report to the City Council.

APPROPRIATION CODE AND AMOUNT:

A third quarter budget amendment will establish special program M2403, Feasibility Study, recognizing a budget increase of \$504,000 of unallocated special program fund reserves to fund this purchase order.

STRATEGIC PRIORITY:

This furthers the strategic plan supporting the following objectives:

High Performing Government: objectives 1.1 and 1.5

Economic Development: objectives 2.1 and 2.4

Community Well-Being: objectives 3.2 and 3.4

Environmental Stewardship: objectives 4.1, 4.2, and 4.4

The City Attorney said the current franchise agreement expires on December 31, 2025. The city has changed over the past 30 years. He said it is standard practice for the City to hire outside experts when faced with significant negotiations or decision points. The City Council gets to decide the rate modeling with whatever utility the city has (i.e., Clearwater Gas System, water and sewer utility, etc.). If Council decides to provide electric service, Council could tell staff to direct NewGen to put in the rate model an annual dollar amount for Clearwater non-profits. He said special program funds will be used to pay for the study, not property taxes or utility revenues.

In response to a question, the City Attorney said he, Assistant City Manager Dan Slaughter, Clearwater Gas System Executive Director Brian Langille, and Finance Director Jay Ravins met NewGen.

Three individuals spoke in opposition.

Five individuals spoke in support.

Two individuals spoke in support and suggested placing the initiative on a referendum ballot should the feasibility study recommend moving forward.

One individual submitted an email supporting Item 7.2 (see page 17).

Discussion ensued with support expressed to moving forward with the feasibility study.

In response to a question, the City Attorney said the contract is segmented into different disciplines (engineering, financial, and legal), which are handled by three different entities and designed to work in concert. He said the contract includes a not-to-exceed amount. The City is not obligated to spend all funds. He said staff will operate with the assumption that all monies will be spent. There will be opportunities to pause the study.

Vice Mayor Allbritton moved to approve a feasibility study with NewGen in a not-to-exceed amount up to \$504,000. The motion was duly seconded and carried unanimously.

8. Second Readings - Public Hearing

- 8.1** Adopt Ordinance 9773-24 on second reading, amending special conditions of Ordinance 9167-18, referencing 385 S. Gulfview Blvd., 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, as recorded in Plat Book 13, Page 12 of the Official Records of Pinellas County, Florida, subject to special conditions.

On September 6, 2018, the City of Clearwater adopted Ordinance Number 9167-18, which vacated the right-of-way adjacent to 385 S. Gulfview Blvd. subject to several conditions precedent, including the relocation of all utilities outside of the vacated right-of-way at the Property Owner's expense.

During construction, the City's stormwater pipe was rerouted to a new location, and the water and sewer systems were reconstructed in place. All utility systems are now located within the footprint of the building.

As a result, the City staff negotiated a new Easement Agreement by which the Property Owner assumes ownership and maintenance responsibilities

of the stormwater system within the footprint of the building. The City will maintain ownership and maintenance of the water and sewer systems, but the Property Owner will assume liability and indemnify the City for all utilities located within the footprint of the building.

This Ordinance amends the original vacation Ordinance to approve the current location of utilities, subject to the terms of the described Easement Agreement.

City staff reviewed this item and recommend its approval.

STRATEGIC PRIORITY:

This item meets the priority of high performing government by providing efficient services and optimizing city assets and resources.

Ordinance 9773-24 was presented and read by title only. Councilmember Mannino moved to adopt Ordinance 9773-24 on second and final 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

9. City Manager Reports

9.1 North Beach Update

Public Works Director Marcus Williamson said staff is monitoring the storm and anticipating four to eight inches of rain. Additional staff will be placed on standby during the rain events. He said the North Beach Stormwater Improvement Project webpage is online and thanked Public Communications for their assistance. He said Duke Energy is transitioning to the North Beach area.

In response to a question, Mr. Williamson said the lifts that are in the storm drains are on floats. The floats will trigger pump activity notifications. Staff is working with the rental company to improve the notification timeframe.

10. City Attorney Reports – None.

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

Councilmember Teixeira reviewed recent events and wished all a safe

weekend.

Vice Mayor Allbritton said PSTA received the Nationwide Excellence in Inclusive Collaboration Award for the SunRunner, Tampa Bay region's first-of-its-kind bus rapid transit service.

12. Closing Comments by Mayor

Mayor Rector reviewed recent and upcoming events. Thanked the public for attending and offering their thoughts.

13. Adjourn

The meeting adjourned at 8:29 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Call, Rosemarie

From: beth bethrawlins.com <beth@bethrawlins.com>
Sent: Wednesday, July 31, 2024 4:20 PM
To: ClearwaterCouncil
Cc: Teixeira, Lina; Allbritton, David; Mannino, Michael; Cotton, Ryan; Rector, Bruce
Subject: Yes to Municipal Electric Utility feasibility study

CAUTION: This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Beth Rawlins and I live at 2845 Chelsea Place S. Clearwater FL 33759.

I wish I could be there to address you in person because I'm sure that Duke will use their vast resources to pack the chambers with people to speak against municipal electric utilities.

Duke Energy will do anything to protect the profits of their shareholders. I wish they felt a similar obligation to their customers.

I have been a local government consultant for decades and have had the pleasure of working with many municipal electric utilities throughout Florida.

My experience is that they are well-run and far more popular with their customers than investor-owned utilities like Duke and FPL.

Here are just some of the reasons why:

- 1) They are locally owned and operated and offer better customer service than the investor-owned utilities.
- 2) Rates are locally controlled, as are decisions about tree trimming, the undergrounding of lines, and investment into the hardening/resiliency of the system.
- 3) Municipal electrics don't pay shareholder dividends, their profits go into city coffers, lowering the tax burden on city residents and businesses.
- 4) Municipal electric utilities also restore power faster after storms because they focus on their community.
In the event of a widespread event like a hurricane, there are robust mutual aid agreements and other municipal electrics send in linemen and equipment to help.
Don't let Duke's scare tactics convince you otherwise. Muni electrics function just fine.

As a lifelong Clearwater resident, and unhappy forced Duke customer, I wholeheartedly support spending the \$500,000 to study the feasibility of creating a Clearwater municipal electric system.

Please vote in favor.

Beth Rawlins
O (727) 797-9333
C (727) 430-8100

"Never doubt that a small group of committed citizens can change the world. Indeed, it is the only thing that ever has." – Margaret Mead