

City of Clearwater

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



Meeting Minutes

Thursday, April 16, 2020

6:00 PM

Main Library - Council Chambers

City Council

Roll Call

Present: 5 - Mayor Frank Hibbard, Councilmember Hoyt Hamilton, Councilmember David Allbritton, Councilmember Mark Bunker and Councilmember Kathleen Beckman

Also Present: William B. Horne II – City Manager, Micah Maxwell – Assistant City Manager, Michael Delk – Assistant City Manager, Pamela K. Akin City Attorney, and Rosemarie Call – City Clerk.

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

Draft**1. Call to Order**

The meeting was called to order at 6:00 p.m. in Council Chambers at the Main Library. Councilmembers Allbritton, Beckman, Bunker and Hamilton and Assistant City Manager Maxwell attended the meeting using communications media technology. Mayor Hibbard, City Manager Horne, Assistant City Manager Delk, City Attorney Akin and City Clerk Call attended the meeting in Council Chambers.

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 National Library Week Proclamation, April 19-25, 2020 - Jennifer Obermaier, Library Director
- 4.2 International Compost Awareness Week, May 3-9, 2020 - Sheridan Boyle, Sustainability Coordinator

5. Approval of Minutes

- 5.1 Approve the minutes of the April 2, 2020 City Council meeting as submitted in written summation by the City Clerk.

Councilmember Hamilton moved to approve the minutes of the April

2, 2020 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

Lisa Lanza said she has been composting in her yard since 1999 and encouraged all interested in composting to contact her.

7. Consent Agenda – Approved as submitted, less Item 7.1.

- 7.1** Approve a purchase order to Asphalt Paving Systems Inc. of Zephyrhills, Florida, in the amount of \$520,043.70 for Harn Boulevard Roadway Reconstruction (19-0014-EN), pursuant to City of Clearwater Code of Ordinances, Section 2.564 (1)(d) Other Government Entities and authorize the appropriate officials to execute same. (consent)
See below
- 7.2** Approve a proposal from Construction Manager at Risk Keystone Excavators in the amount of \$1,025,378.20 for the construction of David Avenue Property Stormwater Improvements (20-0002-EN) and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve the conveyance of a Distribution Easement to Duke Energy Florida, LLC, d/b/a Duke Energy, for the installation, operation and maintenance of electric facilities to support Duke's new transformers and facility installation at 297 S. Glenwood Avenue and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve Supplemental Work Order 6 to Engineer of Record (EOR) Deuel and Associates, of Clearwater, Florida, in the amount of \$4,800, for Druid Road/ Allen's Creek Drainage Improvement Project (11-0044-EN) and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve an increase to Pinellas County in the amount of \$55,548.15 for the Joint Project Agreement (JPA) between Pinellas County and the City of Clearwater for the Hercules Avenue Sidewalk Phase 2 project from Sherwood Street to Sunset Point Road (City Project Number 18-0002-UT) and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve the First Amendment (Amendment) to that certain Contract for Exchange of Real Property (Contract) between the City of Clearwater (City) and Creative Contractors, Inc. (Creative) and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve purchase orders to ONeils Tree Service, Tip Top Trees Experts LLC, and

Blades of Green for palm pruning and maintenance services, in a total annual combined amount not-to-exceed \$205,000, for contract term April 1, 2020 through March 31, 2021, with two, one-year renewal term options at the City's discretion and authorize the appropriate officials to execute same. (consent)

- 7.8** Authorize a sole source award to Water Specialists Technologies, LLC of Sanford, FL for Copper Precipitant, TR-50, in the annual amount not to exceed \$100,000.00 for the initial contract period from May 1, 2020 through April 30, 2021, with the option for two, one-year term extensions pursuant to City Code Section 2.564(1)(b), and authorize the appropriate officials to execute same. (consent)
- 7.9** Authorize a sole source award to Andritz Separation of Arlington, TX for Centrifuge, Belt Filter Press and Appurtenant Sludge Dewatering Equipment Parts and Service in the annual amount not to exceed \$300,000.00 for the initial contract period of May 4, 2020 through May 3, 2021 with the option for two, one-year term extensions pursuant to City Code Section 2.564 (1)(b) and authorize the appropriate officials to execute same. (consent)
- 7.10** Authorize a sole source award to Premier Magnesia of Wayne, PA for Thioguard in the annual amount not to exceed \$75,000.00 for the initial contract period of April 22, 2020 through April 21, 2021 with the option for two, one-year term extensions pursuant to Clearwater Code of Ordinances Section 2.564 (1)(b) and authorize the appropriate officials to execute same. (consent)
- 7.11** Authorize the award of Invitation to Bid 23-20, Stainless Steel Manhole Inserts, to The Randazzo Group LLC of Clearwater, Florida, in an annual not-to-exceed amount of \$145,600, with the option for two, one-year extensions at the City's discretion, and authorize the appropriate officials to execute same. (consent)
- 7.12** Authorize a purchase order to Siemens Industry Inc. for inspections, maintenance, and repair of fire sprinkler systems, in the not-to-exceed amount of \$275,000 from April 1, 2020 through June 30, 2021, pursuant to Clearwater Code of Ordinances Section 2.564(1)(d) Other Government Entities Contracts and authorize the appropriate officials to execute same. (consent)
- 7.13** Elect Councilmember David Allbritton to serve as Vice Mayor. (consent)

Councilmember Hamilton moved to approve the Consent Agenda as submitted, less Item 7.1, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 7.1** Approve a purchase order to Asphalt Paving Systems Inc. of Zephyrhills, Florida, in the

amount of \$520,043.70 for Harn Boulevard Roadway Reconstruction (19-0014-EN), pursuant to City of Clearwater Code of Ordinances, Section 2.564 (1)(d) Other Government Entities and authorize the appropriate officials to execute same. (consent)

The City of Clearwater included the entirety of Morningside Estates within the annual roadway surfacing program for fiscal year 2019. During the construction process, it was determined that roadway degradation of Harn Boulevard from US Highway 19 to Stewart Avenue far exceeded the surrounding area. The City performed a geotechnical investigation of the subsurface conditions to determine the cause of degradation and concluded roadway reconstruction was needed with restoration of asphalt roadway using a full-depth reclamation process.

Asphalt Paving Systems performs full-depth restoration by recycling the existing asphalt and base material, adding a structural binder, and constructing a new roadway cross-section in one series of construction activities.

Asphalt Paving Systems, Inc. is currently under contract with the City of Largo. The City of Clearwater proposes to piggy-back on the City of Largo Pavement and Roadway Infrastructure Rehabilitation Annual Purchase Agreement No. 19-B-690 effective January 29, 2020 through September 30, 2022.

APPROPRIATION CODE AND AMOUNT:

ENRD180004-CONS-CNSTRC \$520,043.70

Funding is available in Capital Improvement Project ENRD180004, Streets and Sidewalks to fund the purchase order.

One comment in opposition was received electronically and read into the record by the City Clerk (see page 21).

In response to a question, the City Manager said the purchase order is not time sensitive.

Councilmember Hamilton moved to continue Item 7.1 to May 7, 2020. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Second Readings - Public Hearing

- 8.1** Adopt Ordinance 9360-20 on second reading, annexing certain real properties whose post office addresses are 1748 El Trinidad Drive East and 2764 North Terrace Drive, all in Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said additions.

**Ordinance 9360-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9360-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.2** Adopt Ordinance 9361-20 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 1748 El Trinidad Drive East and 2764 North Terrace Drive, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL) and Water/Drainage Feature Overlay.

**Ordinance 9361-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9361-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.3** Adopt Ordinance 9362-20 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 1748 El Trinidad Drive East and 2764 North Terrace Drive, all in Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9362-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9362-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.4** Adopt Ordinance 9363-20 on second reading, annexing certain real properties whose post office addresses are 1919 Chenango Avenue and 1274 Sedeeva Circle North, all in Clearwater, Florida 33755, together with all rights-of-way of Chenango Avenue and Sedeeva Circle North, into the corporate limits of the city and redefining the boundary lines of the city to include said additions.

One individual questioned if the City was increasing code enforcement staffing as properties are being annexed into city limits and stated that is why more individuals are needed on city council.

Ordinance 9363-20 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9363-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.5** Adopt Ordinance 9364-20 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 1919 Chenango Avenue and 1274 Sedeeva Circle North, all in Clearwater, Florida 33755, upon annexation into the City of Clearwater, as Residential Urban (RU).

Ordinance 9364-20 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9364-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.6** Adopt Ordinance 9365-20 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 1919 Chenango Avenue and 1274 Sedeeva Circle North, all in Clearwater, Florida 33755, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9365-20 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9365-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.7** Adopt Ordinance 9366-20 on second reading, annexing certain real properties whose

post office addresses are 24323 and 24479 US Highway 19 North, all in Clearwater, Florida 33763, into the corporate limits of the city and redefining the boundary lines of the city to include said additions.

Ordinance 9366-20 was presented and read by title only.

Councilmember Hamilton moved to adopt Ordinance 9366-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.8** Adopt Ordinance 9369-20 on second reading, annexing certain real property whose post office address is 814 Woodruff Avenue, Clearwater, Florida 33756, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9369-20 was presented and read by title only.

Councilmember Hamilton moved to adopt Ordinance 9369-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.9** Adopt Ordinance 9370-20 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 814 Woodruff Avenue, Clearwater, Florida 33756, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 9370-20 was presented and read by title only.

Councilmember Hamilton moved to adopt Ordinance 9370-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.10** Adopt Ordinance 9371-20 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 814 Woodruff Avenue, Clearwater, Florida 33756, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9371-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9371-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.11** Adopt Ordinance 9375-20 on second reading, annexing certain real property whose post office address is 2730 Daniel Street, Clearwater, Florida 33761, together with a certain portion of Daniel Street, Charles Avenue, SR 580, and McMullen Booth Road rights-of-way, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9375-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9375-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.12** Adopt Ordinance 9376-20 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 2730 Daniel Street, Clearwater, Florida 33761, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 9376-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9376-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.13** Adopt Ordinance 9377-20 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 2730 Daniel Street, Clearwater, Florida 33761, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9377-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9377-20 on**

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

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.14** Adopt Ordinance 9381-20 on second reading, vacating a platted 5-foot utility easement lying in a portion of Lot 8, Block 69, Mandalay, as recorded in Plat Book 14, Page 32, of the Public Records of Pinellas County, Florida.

Ordinance 9381-20 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9381-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.15** Adopt Ordinance 9382-20 on second reading, vacating the west 5-foot portion of a 10-foot platted drainage and utility easement, lying in Lot 12, Landmark Woods of Countryside, as recorded in Plat Book 72, Page 92, of the Public Records of Pinellas County, Florida.

Ordinance 9382-20 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9382-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.16** Adopt Ordinance 9384-20 on second reading, vacating the easterly 5 feet of a platted 10-foot utility easement abutting Landmark Drive, and being a portion of Lot 11, Oakbrook Estates, according to the Plat thereof, recorded in Plat Book 118, Pages 47-48 of the Public Records of Pinellas County, Florida.

Ordinance 9384-20 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9384-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

9. City Manager Reports

- 9.1** Amend the City of Clearwater Code of Ordinances, Sections 32.211 and 32.212, to add definitions, to specifically prohibit hazardous waste pharmaceuticals, to add requirements for dental facilities that remove or replace dental amalgam fillings, to add reporting and waste management practices for dental facilities, to require installation, certification and maintenance of dental vacuum suction systems, and to provide exemptions from these requirements and pass Ordinance 9389-20 on first reading.

In 1999, the City of Clearwater adopted the uniform requirements for the Industrial Pretreatment of wastewater collection and discharge restrictions, as set forth in Chapter 32, Article V, Division 2 of the Code of Ordinances. Based upon requirements in the Dental Amalgam Rule, 40 CFR 441 and the pharmaceutical hazardous waste sewer ban, 40 CFR 266.505, the City of Clearwater finds it necessary to amend its ordinances in order to comply with state and federal law. This amendment will add the following:

Section 32.211(4) - added definitions to include 1) Hazardous waste pharmaceutical; 2) Healthcare facility; 3) Pharmaceutical; and 4) Reverse distributor.

Section 32.212(1)(b)(18) - new subsection to specifically prohibit hazardous waste pharmaceuticals from entering the wastewater facility.

Section 32.212(4) - new subsection to add requirements for dental facilities that remove or replace dental amalgam fillings. These requirements include reporting and waste management practices for dental facilities; installation, certification and maintenance of dental vacuum suction systems; and exemptions from these requirements.

Additionally, Section 32.212, subsections (4)-(6) will be renumbered to (5)-(7).

Councilmember Hamilton moved to amend the City of Clearwater Code of Ordinances, Sections 32.211 and 32.212, to add definitions, to specifically prohibit hazardous waste pharmaceuticals, to add requirements for dental facilities that remove or replace dental amalgam fillings, to add reporting and waste management practices for dental facilities, to require installation, certification and maintenance of dental vacuum suction systems, and to provide exemptions from these requirements. The motion was duly seconded and carried unanimously.

Ordinance 9389-20 was presented and read by title only.

Councilmember Hamilton moved to pass Ordinance 9389-20 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

9.2 Appoint Councilmembers as representatives to serve on regional and miscellaneous boards.

In response to a question, the City Clerk said the Pinellas Collaborative Committee meets as needed and has not met in a few years.

Mayor Hibbard said he would be the city representative on the Committee. There was council consensus for Mayor Hibbard to serve on the Committee.

Five individuals spoke in opposition to Councilmember Bunker being appointed as an ex-officio member to the Downtown Development Board.

Two individuals opposed Councilmember Bunker be appointed to the Downtown Development Board and suggested Mayor Hibbard and Vice Mayor Allbritton be appointed as ex-officio members.

Discussion ensued with comments made that Councilmember Bunker should be given the opportunity to serve and if he creates any disruption, Council can remove him. Vice Mayor Allbritton said he would resign from the DDB as he has been serving on the board for 14 years. In response to a concern, Councilmember Bunker said he wants to start a dialogue with Scientology and be constructive; he would give Scientology a fair hearing and support projects that make sense.

The City Attorney said the city ordinance does not require, or mention, ex-officio members on the DDB. Based on the City Clerk's research, in 1987 the City Council began having ex-officio members and during the same time, there were two DDB members who were ex-officio members to the CRA. The practice of the ex-officio members on the CRA fell off a long time ago but the practice for ex-officio members on the DDB continued.

Councilmember Hamilton moved to appoint Mayor Hibbard and Councilmember Bunker as the ex-officio members on the Downtown Development Board. The motion was duly seconded and carried unanimously.

Councilmember Hamilton moved to approve the slate of appointments as presented. The motion was duly seconded and carried unanimously.

9.3 Amend Council Rules to allow council discussion prior to making a motion and adopt Resolution 20-17.

At the April 2, 2020 council meeting, staff was directed to amend Council Rules to allow council discussion prior to a motion being made.

Staff recommends the following changes:

- Rule 6 - Order of Business

(2) Motion process for agenda items with Ordinances or Resolutions: agenda items will be presented by staff followed by questions by Council, public input, discussion/comments by Council, a motion and second on the agenda item, ~~discussion/comments by Council~~, vote, a motion and second on the ordinance or resolution, discussion/comments by Council, and vote.

Motion process for other agenda items: agenda items will be presented by staff, questions by Council, public input, discussion/comments by Council, a motion and second on the agenda item, ~~discussion/comments by Council~~, and vote.

- Rule 8, 1st paragraph - Debate of Motions, Tie Votes

Council may discuss an agenda item prior to ~~after~~ a motion being made. Such discussion may be interactive between the Councilmembers and may be ended at any time by a motion to call the question. Otherwise, any member of the Council making a motion shall address the Chair and await recognition before speaking. The person making the motion is entitled to the floor first for debate. No one is entitled to the floor a second time on the same motion as long as any other member who has not spoken on the issue desires the floor. The Chair must recognize any person who seeks the floor while entitled to it.

One individual questioned the proposed change.

It was stated that the change allows Council to hold a discussion prior to a motion being made.

Councilmember Hamilton moved to amend Council Rules to allow council discussion prior to making a motion. The motion was duly seconded and carried unanimously.

Resolution 20-17 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 20-17. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

9.4 Provide direction for the establishment of a grant and professional services program for business owners affected by the COVID-19 pandemic.

The COVID-19 pandemic has been declared a national, state, county, and local State of Emergency. Executive orders by the State and County have ordered the closing of several types of businesses, and others be significantly negatively impacted by CDC guidelines for “social distancing”. The orders further restrict public movement. The pandemic is causing severe economic harm to small businesses.

Economic Development and Housing staff have researched best practices, and have engaged peers, partners and small businesses to identify needs and concerns. Staff requests direction for the following:

1. Establishment of grant program(s)
2. Establishment of professional services program as a requirement for certain grants
3. Maximum grant award(s)
4. Payment to agencies for administration of technical services program
5. Eligibility Criteria
 - a. Industries/Sectors
 - b. Business Types
 - i. Brick & Mortar
 - ii. Home-Based
 - c. Maximum number of employees per eligible business

Economic Development and Housing Director Denise Sanderson reviewed the proposed program. She said program concepts include a \$2,500 cash grant to brick and mortar businesses; a \$2,500 cash grant for small business enterprises that may include brick and mortar businesses and home-based or mobile-based businesses; participants agree to complete a professional services agreement engagement with attorneys, CPAs, web design professionals, and marketing professionals. She said partner agencies would manage such engagement and would receive a 10% administrative fee for their services; the partner agencies

include Amplify Clearwater, PROSPERA, and Tampa Bay Black Business Investment Corporation. Staff has identified the following benefits from the program: provide small businesses with overhead expenses, provide professional guidance and support necessary to mitigate the long-term impacts of COVID-19, generate economic activity for service providers, and provide funding for partner agencies who are expected to have operating budget impacts as a result of the pandemic. Ms. Sanderson said the proposed program includes the following criteria: 25 or fewer employees, have a business tax receipt, be a local independently operated business that is registered with the State of

Florida, privately owned and receive no assistance from corporate headquarters outside of Clearwater, business not have more than three franchises or outlets with the same name, and businesses must demonstrate a loss due to COVID-19. Staff is suggesting the following business categories: restaurant, including limited/full service/café; establishments, bars, retail, personal service businesses (i.e. hair salons, barbershops, massage parlors, tattoos and spas), personal care services (i.e. childcare, elderly care, funeral services), laundry services, cleaning services, pet care services, and personal/household goods repair, gyms and travel services.

Ms. Sanderson said staff is recommending \$4 million which would serve 700 businesses as a brick and mortar establishment and an additional 600 businesses would receive the professional services and the opportunity for an additional \$2,500 grant. There is \$800,000 available for the program and a \$3.2 million funding gap that needs to be resolved.

Discussion ensued with support expressed for the program concept and criteria and that it was a good first step. It was stated that additional information related to County funds may be released on April 24 and that Congressmen Bilirakis and Crist have been contacted regarding having some of the funds go directly to municipalities. It was stated that \$2,500 is not a lot but would assist those businesses on the cusp. There was consensus for staff to move forward with the proposed program.

The City Attorney said staff started looking at the proposed program. Attorneys will have concerns with the Florida Constitution and ability to spend or give money to private businesses when looking at these types of programs. Staff has reached out to the St. Petersburg City Attorney and researching the public purpose.

9.5 Imagine Clearwater Update - Michael Delk, Assistant City Manager

The Council recessed from 8:01 p.m. to 8:10 p.m.

Assistant City Manager Michael Delk provided a status update and said over the last several weeks, both Stantec and Williamson Decar have continued to work with Skanska on the establishment and refinement of details, phasing, value engineering, and the budget. The library project is nearing the permitting phase and the overall Imagine Clearwater project review will continue through the end of April. Due to COVID-19, the project may be delayed 2 months. He said the construction manager at risk, Skanska, will be submitting gross maximum prices (GMP) and anticipated completion dates, which Council will review and approve. The City's desire to move forward with the library renovations in advance of the park leads staff to anticipate a separate gross maximum price for that portion of the work. Skanska is also considering the possibility they will be able to move quickly with underground utility work and other items that will help facilitate the development of the overall park. This would come in the form of a second GMP. There will be one final GMP for the overall park project. Mr. Delk said staff will be meeting with the consultant teams at the end of next week and that he has set up one-on-one meetings with Council to go over the project details in depth.

City Manager Bill Horne said he is looking for any definite ideas Council has that staff would benefit from knowing tonight. With new Councilmembers, staff is anticipating concerns or ideas.

Discussion ensued with concerns expressed regarding the cost and the size of the amphitheater as well as the empty Scientology owned store fronts along Cleveland Street. It was suggested the performance venue be moved more north on the property as it will be farther from residential areas and easier to load/unload from Drew Street.

In response to questions, Mr. Delk said the construction management meeting between staff and the consultant teams will cover where the project stands in terms of construction drawings and value engineering process. He said the project is nearing 90% completion of drawings and he will know what, if anything, needs to be addressed with the design of the park after his individual meetings with Council next week.

10. City Attorney Reports

10.1 Confirm emergency rule of procedure for public meetings and adopt Resolution 20-15.

Councilmember Hamilton moved to confirm emergency rule of procedure for public meetings. The motion was duly seconded and carried unanimously.

Resolution 20-15 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 20-15. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

10.2 Confirm COVID-19 Emergency Proclamation and adopt Resolution 20-16.

One comment questioning how members of the task force would be selected was received electronically and read into the record by the City Clerk (see page 24).

Resolution 20-16 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 20-16. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

Mayor Hibbard requested to suspend Council rules for two discussion items regarding the Recovery Task Force and extending the indications of interest for the properties in downtown.

Councilmember Hamilton moved to suspend Council rules to allow for council discussion items. The motion was duly seconded and carried unanimously.

Councilmember Beckman requested clarification on the task force formation and who would be members. She said it is important that organizations the City interacts with reflect the diversity of the community.

Mayor Hibbard clarified the genesis, he said he has been thinking about COVID-19 and how it is affecting the businesses, employees,

neighborhoods and government entities. It is governments responsibility to look down the road and plan for when the crisis is over. He spoke to several people at Amplify Clearwater as he believed them to be the best entity to head a business recovery task force. He is requesting support from City Council for this and clarified this is not a city task force.

Task forces in the past have been led by city staff, everything is noticed and it generally takes 6-9 months to come back with recommendations, and he believes the state will start to open within the next 2-4 weeks. He said the process is inclusive and diverse, while also trying to hit all bases of the different types of businesses. Included on the task force is the CEO of Morton Plant Hospital, the general manager of Countryside Mall, owners of restaurant chains, hotel general managers, and members of Not for Profit organizations. Mayor Hibbard said it is a fairly diverse group, and wanted to have a city staff member to serve as a liaison. Economic Development and Housing Director Denise Sanderson seemed like the logical choice as she is acquainted with Amplify Clearwater. It is an Amplify Clearwater task force in cooperation with the city, and all recommendations chosen will be brought back to the city for comment. A selection committee of four individuals selected the task force members.

In response to a concern, Mayor Hibbard said the number of members on the task force allows work to continue without being too cumbersome. There is a goal to have potential recommendations by April 29, 2020. Amplify has done two listening tours, via Zoom, and all task force members were tasked with talking to other businesses to get recommendations. He said not all recommendations that come back will be financially related, but could be a relaxation of the sign code for a period of time to allow businesses to be more visible.

In regards to the 2nd discussion item, Mayor Hibbard said he would like the city to extend the request for indications of interest on the properties related to Imagine Clearwater; City Hall, CMA site, and the Harborview Center site. He indicated there might be more interest from developers if the time was extended.

Assistant City Manager Michael Delk said he agrees with the extension and there is a roundtable discussion scheduled for next week. Due to COVID-19, he is not sure if the roundtable meeting will still take place, but he will provide an updated schedule once he discusses the details with the consultant.

The City Attorney expressed a concern that any delay in the process might prohibit the City from holding a referendum election in the November general election.

There was consensus to extend the request period.

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

Councilmember Beckman thanked all for following the safer at home order, she thinks it's working and appreciate those staying at home. She encouraged residents to check their voter registration status and sign up for vote by mail. She thanked staff for doing so well in these trying times and urged people to go to myclearwater.com for COVID-19 information.

Councilmember Bunker thanked council for giving him a shot on the Downtown Development Board. He feels the first achievement is to show everyone can sit in the room comfortably together. He said Freedom Magazine is preparing an article about him and said he hopes there can be a constructive relationship and success along the way.

12. Closing Comments by Mayor

Mayor Hibbard encouraged all to complete the Census and reviewed the scheduled school lunch distributions for the coming week. He reminded all that Clearwater Beach and condo swimming pools will remain closed and warned all of potential scams related to the COVID-19 pandemic.

13. Adjourn

The meeting adjourned at 9:09 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Draft

My name is Dab Larkin. I live at 1337 Stewart Blvd and I am a retired field engineer in road construction. I was able to view the work session when the Harn proposal was discussed. I have a few comments.

I don't understand why an RFP was not used as required by the city? I personally witnessed two construction companies walking and measuring the Harn job, but only received this proposal.

Also, Tara Kivett explained the piggybacking of the Largo contract. The Largo project is just about 22% of the Harn job, why is the unit pricing the same? Full Depth Reclamation for Largo was 1,760 SY compared to 8,000 SY on the Harn job. Replace, compact and grade material was the same yardage. The emulsion used by Largo was for 5260 gallons as to 24,000 gallons for the Harn job. When looking at the proposal, the Harn job has the same unit pricing. It stands to reason that when a company does more work (more than 78%) the unit pricing goes down; it does not remain the same. Also, Largo contract did not have a 10% contingency. Harn Blvd 10% contingency is worth over \$47,000.00.

Mayor Hibbard, I agree when you said, during these unusual circumstances we could probably negotiate pricing. I believe with this job we could save over \$100,000 by negotiating the unit pricing and waiving the contingency.

Another thought, I don't know the timeline for construction of the apartments off Harn, however, might it be prudent to wait until the construction of the apartments was completed so that the apartment construction won't tear up our new asphalt?

I do feel this the FDR is a viable solution, I just don't feel we have a competitive contract for our city.

Thank you for your time.

NCV 12 4/15/20
2:36

Call, Rosemarie

From: Deb Larkin <djlarkin210@aol.com>
Sent: Wednesday, April 15, 2020 2:36 PM
To: Call, Rosemarie; ClearwaterCouncil
Subject: Re: comment
Attachments: commentHarn.docx

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.

Rosemarie,

Here are my comments, I sent to clearwatercouncil as well.

Thank you for your help.

Deb Larkin

-----Original Message-----

From: Call, Rosemarie <Rosemarie.Call@myClearwater.com>
To: Deb Larkin <djlarkin210@aol.com>
Sent: Wed, Apr 15, 2020 2:12 pm
Subject: RE: comment

Did it prompt you to register or log in?

From: Deb Larkin <djlarkin210@aol.com>
Sent: Wednesday, April 15, 2020 2:09 PM
To: Call, Rosemarie <Rosemarie.Call@myClearwater.com>
Subject: Re: comment

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.

Yes, I went on to the link for clearwater granicus, clicked on ecomment next to agenda. I made a comment under the Harn agenda item.

-----Original Message-----

From: Call, Rosemarie <Rosemarie.Call@myClearwater.com>
To: Deb Larkin <djlarkin210@aol.com>
Cc: Castelli, Joelle Wiley <Joelle.Castelli@myClearwater.com>
Sent: Wed, Apr 15, 2020 1:55 pm
Subject: RE: comment

Ms. Larkin – was the comment submitted via eComment or <mailto:ClearwaterCouncil@myclearwater.com>?

Rosemarie

From: Castelli, Joelle Wiley <Joelle.Castelli@myClearwater.com>
Sent: Wednesday, April 15, 2020 1:53 PM

To: Call, Rosemarie <Rosemarie.Call@myClearwater.com>
Subject: FW: comment

Can you check for them?

From: Deb Larkin <djlarkin210@aol.com>
Sent: Wednesday, April 15, 2020 1:35 PM
To: Castelli, Joelle Wiley <Joelle.Castelli@myClearwater.com>
Subject: comment

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.

Joelle,

I made a comment to the Harn construction proposal. I wanted to know if it was received?

Thank you,

Deb larkin

2020
10.2

Please Publish an Agenda First

All User Locations ▼

[Download PDF](#) [Download CSV](#) [This Meeting Settings](#) [All Meeting Settings](#)

[eComments Stats](#) [Hide/Show](#)

[eComments Charts](#) [Hide/Show](#)

[eComments](#) [Hide/Show](#)

Meeting	Agenda Item	Name	Comment	Position	Attachments	Submitted
--	--	--	--	--	--	At --
City Council	10.2 ID#20-7712 Confirm COVID-19 Emergency on 2020-04-16 6:00 PM	Maura Hedrich	Thank you for taking a proactive approach in forming a COVID-19 Task Force. As a city, we are facing an uphill challenge and need representatives from every corner of Clearwater to have it be successful. How will the members be chosen to be on the task force? Will all Council members be able to nominate or recommend people? How will diversity be insured by income, age, ethnicity, culture, residency, etc? Will there be a final vote to accept the members by the Council?			04-15-2020 04:39 pm

Meeting	Agenda Item	Name	Comment	Position Attachments Submitted	At
--	--	--	<p>This is a very important position and every corner of Clearwater must be equally represented. Thank you.</p>	--	--