

City of Clearwater

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



Meeting Agenda

Thursday, November 16, 2023

6:00 PM

Main Library - Council Chambers

City Council

Welcome. We are glad to have you join us. If you wish to address the Council, please complete a Comment Card. Comment Cards are on the right-hand side of the dais by the City Clerk. When recognized, please hand your card to the Clerk, approach the podium and state your name. Persons speaking before the City Council shall be limited to 3 minutes unless otherwise noted under Public Hearings. For other than "Citizens to be heard regarding items not on the Agenda," a spokesperson for a group may speak for 3 minutes plus an additional minute for each person in the audience that waives their right to speak, up to a maximum of 10 minutes. Prior to the item being presented, please obtain the form to designate a spokesperson from the City Clerk. Up to 60 minutes of public comment will be allowed for an agenda item. No person shall speak more than once on the same subject unless granted permission by the City Council. The City of Clearwater strongly supports and fully complies with the Americans with Disabilities Act (ADA). Please advise us at least 48 hours prior to the meeting if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. Kindly refrain from using cell phones and electronic devices during the meeting.

Citizens wishing to provide comments on an agenda item are encouraged to do so in advance through written comment. The City has established the following two options:

1) eComments via Granicus - eComments is integrated with the published meeting agenda. Individuals may review the agenda item details and indicate their position on the item. You will be prompted to set up a user profile to allow you to comment, which will become part of the official public record. The eComment period is open from the time the agenda is published. All comments received by 5:00 p.m. the day before the meeting will become part of the official record.

2) Email - Individuals may submit written comments or videos to ClearwaterCouncil@myclearwater.com. All comments received by 5:00 p.m. the day before the meeting will become part of the official record.

1. Call to Order

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.)

- 4.1 [ID#23-1307](#) November Service Awards
- 4.2 [ID#23-1445](#) Citizens Academy Graduation
- 4.3 [ID#23-1391](#) Children's Grief Awareness Day Proclamation November 16, 2023 - Kathleen Quance, Empath Grief Care Manager
- 4.4 [ID#23-1410](#) Environmental Advisory Board Presentation - Jared Leone, EAB Chair

5. Approval of Minutes

- 5.1 [ID#23-1441](#) Approve the minutes of the November 2, 2023 City Council Meeting as submitted in written summation by the City Clerk.

6. Consent Agenda

The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. These items are not discussed, and may all be approved as recommended on the staff reports. Council questions on these items were answered prior to the meeting. The Mayor will provide an opportunity for a Councilmember or a member of the public to ask that an item be pulled from the Consent Agenda for discussion. Items pulled will receive separate action. All items not removed from the Consent Agenda will be approved by a single motion of the council.

- 6.1 [ID#23-1272](#) Approve a proposal from Engineer of Record Moffat and Nichol, Inc. of Tampa, FL for the design and permitting of Clearwater Harbor Marina Wave Attenuator Project (23-0030-MA) in the amount of \$302,106.00 and authorize the appropriate officials to execute same. (consent)
- 6.2 [ID#23-1328](#) Approve a Contract for Purchase of Real Property located at 1399 Pineapple Lane, Clearwater, FL, in an amount not to exceed \$620,000.00; transfer funds from Open Space Impact Fees to Park Land Acquisition (CIP 315-93133) at first quarter and authorize the appropriate officials to execute same. (consent)
- 6.3 [ID#23-1433](#) Approve professional service agreement with Broaddus and Associates, Inc., of Austin, TX, to provide Owners Representative services for the new City Hall project (22-0019-EN) in the amount of \$1,105,181 pursuant to Request for Qualifications (RFQ) 54-23 and authorize the appropriate officials to execute same. (consent)
- 6.4 [ID#23-1378](#) Authorize a purchase order to Municipal Emergency Services (MES) of Pinellas Park, FL, for personal protective equipment, tools and equipment, communication system, SCBA parts, and miscellaneous items for Clearwater Fire and Rescue (CFR) personnel and apparatus in an amount of \$600,000.00, for term October 1, 2023 through September 30, 2024, pursuant to City Clearwater Code of Ordinances Section 2.563 (1)(c), Piggyback, and authorize the appropriate officials to execute same. (consent)
- 6.5 [ID#23-1413](#) Declare list of vehicles and equipment surplus and authorize disposal through auction pursuant to Clearwater Code of Ordinances Section 2.623(6) and (8) and authorize the appropriate officials to execute same. (consent)
- 6.6 [ID#23-1434](#) Disband the Charter Review Committee. (consent)

- 6.7 [ID#23-1398](#) Authorize the City Attorney to retain the law firm of Luke Charles Lirot, PA to represent the City in the Federal appeal of the denial of Plaintiffs' request for a preliminary injunction in the case of Florida Preborn Rescue, Inc., Allen Tuthill, Antoniette M. Migliore, Scott J. Mahurin, and Judith Goldsberry v. City of Clearwater, Case No. 8:23-cv-01173-MSS-AAS, and authorize final payment for legal services during the preliminary injunction phase. (consent)

Public Hearings - Not before 6:00 PM

7. Administrative Public Hearings

- *Presentation of issues by City staff*
- *Statement of case by applicant or representative (5 min.)*
- *Council questions*
- *Comments in support or opposition (3 min. per speaker or 10 min maximum as spokesperson for others that have waived their time)*
- *Council questions*
- *Final rebuttal by applicant or representative (5 min.)*
- *Council disposition*

- 7.1 [ID#23-1420](#) Approve the Substantial Amendment to City of Clearwater's Fiscal Year 2021/2022 Annual Action Plan, which includes the HOME-ARP Allocation Plan, and authorize the City to modify existing agreements and enter into new agreements with organizations approved for funding. (APH)
- 7.2 [ANX2023-09010](#) Approve the annexation, initial Future Land Use Map designation of Residential Medium (RM) and initial Zoning Atlas designation of Medium Density Residential (MDR) District for 2634 South Drive, together with abutting unincorporated right-of-way of South Drive, and pass Ordinances 9722-23, 9723-23, and 9724-23 on first reading. (ANX2023-09010)

8. Second Readings - Public Hearing

- 8.1 [9727-23 2nd rdg](#) Adopt Ordinance 9727-23 on second reading, amending Clearwater Code of Ordinances, Chapter 21, Offenses, repealing Section 21.18 relating to prohibiting soliciting, begging, or panhandling in the Clearwater Downtown Core Redevelopment Zone and the Clearwater Beach Core Tourist Zone.

9. Citizens to be heard re items not on the agenda - For purposes of this role, “items pertaining to city business” includes any matter within the Council’s or the City Manager’s power to act, any matter that the Council previously voted on or discussed at the dais, or any matter discussed by or scheduled to be considered by another governmental entity that affects the operation of the City. Each person who wishes to address the Council shall complete a comment card and submit the card to the City Clerk (right-hand side of dais) before the speaker will be permitted to speak. However, if the speaker has just arrived or decided to speak, the Chair may allow the card to be filled out after speaking. Individuals will limit their comments to a maximum of three minutes. The Mayor shall advise the speaker that their time has expired. If the person remains at the podium, thereby interfering with other persons who may wish to be heard, the speaker’s microphone may be turned off, or the Mayor may rule the person out of order in accordance with Rule 15.

10. City Manager Reports

- 10.1 [Ord 9725-23](#) Amend Clearwater Code of Ordinances, Appendix A, Schedule of fees, Article XXIV, Sections 1, 3, and 4 to increase miscellaneous fees related to temporary service deposits, impact fees and miscellaneous user fees such as, special meter readings, turn-on services, meter changes and other special services that benefit a specific customer and pass Ordinance 9725-23 on first reading.
- 10.2 [ID#23-1436](#) Approve 2024 State Legislative Agenda.
- 10.3 [ID#23-1251](#) Discuss revisions to artificial turf ordinance.

11. City Attorney Reports

- 11.1 [ID#23-1428](#) Resolution 23-18 Supporting Israel - Councilmember Teixeira

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

13. Closing Comments by Mayor

14. Adjourn