

City of Clearwater

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



Meeting Minutes

Thursday, August 17, 2023

6:00 PM

Main Library - Council Chambers

City Council

Roll Call

Present: 5 - Mayor Brian Aungst Sr., Vice Mayor Mark Bunker, Councilmember David Allbritton, Councilmember Kathleen Beckman and Councilmember Lina Teixeira

Also Present: Jennifer Poirrier – City Manager, Michael Delk – Assistant 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 Aungst

2. Invocation – Rev. Matt Walls from First United Methodist Church Clearwater

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 August Service Awards

Three service awards were presented to city employees.

The August 2023 Employee of the Month Award was presented to Jillian Sparks, Public Works.

5. Approval of Minutes

5.1 Approve the minutes of the August 3, 2023 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Beckman moved to approve the minutes of the August 3, 2023 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

Mr. Holuba opposed amending the rules of decorum, as it violates Council's pledge to uphold the Constitution.

The Council recessed from 6:11 p.m. 6:12 p.m.

Daniel McDonald provided Councilmembers with copies of a photograph commemorating Independence Day at Coachman Park. He said he hopes to have the photo available for purchase, with proceeds to benefit arts and culture youth programs in the community.

Patrick Raftery opposed the obscene gesture at the Police Chief's swearing in and said it should not be tolerated. He suggested Council Rule 15 be strengthened by including language that does not allow any political statement at a council meeting.

Frederick Gow, Jason Wallace, Denny Salkeld, and Steve Sarnoff expressed concerns with the treatment and unfair wages of CWA employees.

Peyton Hoey expressed concerns with CWA employees working in unsafe conditions and said CWA employees feel undervalued and underpaid.

Ali Abdul Kader and Suzanne Cerfus said CWA employees are essential workers who run the city, but are underpaid and cannot afford to live within city limits.

Kathy Flaherty expressed concerns with dumpsters near Stevenson Creek overflowing with trash and urged Council to address the matter.

Wayne Carothers expressed safety concerns with Nursery Road and urged Council to meet with the residents and listen to the items discovered.

Jennifer Haithcock said she is one face of the city's unhoused residents and urged Council to allocate funding for shelters, affordable housing, and mental health services.

The City Manager said she appreciated those who came to support CWA

employees and said she was unaware of the issues raised. She said she will reach out to the CWA Executive Board for clarification.

Kathleen Agnew submitted an email requesting a referendum on the proposed new City Hall (see page 22).

7. Consent Agenda – Approved as submitted, less Ite,s 7.4, 7.8, and 7.11.

- 7.1** Approve the Utility Easement conveyance request from DD Gulf to Bay, LLC., to install, repair, and maintain as affecting real property at 2975 Gulf to Bay Boulevard located in Clearwater, Florida. (consent)
- 7.2** Authorize an increase on purchase order to Charter Communications dba Spectrum Enterprise (Spectrum) of St. Louis, MO, for cable, internet access and point-to-point data network services in the amount of \$31,500.00, from \$320,000.00 to \$351,500.00, through September 30, 2023; authorize a purchase order to Charter Communications dba Spectrum Enterprise (Spectrum) of St. Louis, MO, for cable, internet access and point-to-point data network services in the not-to-exceed amount of \$155,000.00 from October 1, 2023 through September 30, 2024 pursuant to Clearwater Code of Ordinances Section 2.563 (1)(d), Impractical, and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve a Purchase Order to Polydyne Inc., of Riceboro, GA, for cationic dewatering polymer to be used at the City's three Wastewater Reclamation Facilities (WRF) in the annual not-to-exceed amount of \$915,000.00 with the option for three, one-year renewals, pursuant to ITB 17-23 Cationic Dewatering Polymer, and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve Change Order 2 to Poole and Kent Company of Florida, in Tampa, FL, for Marshall Street Water Reclamation Facility (MS WRF) Process Control Gates Repairs (City Project 18-0047-UT) in the amount of \$287,416.00, increasing the contract amount to \$3,765,152.02 and extend project completion by 270-days from July 3, 2023 through April 8, 2024; approve Supplemental Work Order 3 to Engineer of Record (EOR) Brown and Caldwell in the amount of \$351,570.00 for additional engineering services during construction, increasing the work order total to \$784,128.00; and authorize the appropriate officials to execute same. (consent)

See below.

- 7.5** Approve a Purchase Order(s) to Ferguson Waterworks of Tampa, FL and Fortiline, Inc. of Tampa, FL, for ductile iron pipes, fittings, mechanical joint restraints, and polyethylene tubing in the cumulated annual not-to-exceed amount of \$386,000.00 for the term August 18, 2023, to August 17, 2024, with two, one-year renewal options pursuant to ITB 25-23 Ductile Iron Pipes, Fittings, Mechanical Joint Restraints, and Polyethylene Tubing and

authorize the appropriate officials to execute same. (consent)

- 7.6** Authorize the purchase of vehicles (heavy and light duty) and equipment in the not-to-exceed amount of \$10,097,700.00, budgeted in the Fiscal Year (FY) 24 budget, pursuant to Clearwater Code of Ordinances Section 2.563(1)(c) Piggyback or Cooperative Purchasing, 2.563(1)(d) Non-competitive purchases, and 2.561(5) Small Purchases; declare the vehicles and equipment being replaced as surplus and authorize for disposal at auction or trade-in, whichever is in the best interest of the City, pursuant to Clearwater Code of Ordinances Sections 2.623(6), (7)(c), (7)(e), and (8); authorize lease purchase under the City's Master Lease Purchase Agreement or internal financing via an interfund loan from the Capital Improvement Fund, whichever is deemed to be in the City's best interest and authorize the appropriate officials to execute same. (consent)
- 7.7** Declare list of vehicles and equipment surplus and authorize disposal through auction pursuant to Clearwater Code of Ordinances Sections 2.623(6) and (8) and authorize the appropriate officials to execute the same. (consent)
- 7.8** Authorize a contract to Waste Connections of Florida, Inc., for a period of one year, for the processing of municipal single stream recycling commodity at the contractors' Materials Recovery Facilities in a cumulative not to exceed amount of \$1,020,000.00, pursuant to Invitation to Negotiate 29-23 and authorize the appropriate officials to execute same. (consent)
See below.
- 7.9** Reappoint Frank Persechino to the Nuisance Abatement Board with a term to expire September 1, 2027. (consent)
- 7.11** Appoint Emily Pano to the Sister Cities Advisory Board with a term to expire August 17, 2027. (consent)
See Below.
- 7.12** Appoint Jarvis Sheeler to the Brownfields Advisory Board, as the Government/Agency representative, to fill an unexpired term through June 30, 2025. (consent)
- 7.13** Appoint Mahalee Marshall to the Brownfields Advisory Board to a term set to expire August 17, 2027. (consent)
- 7.14** Appoint Daniela Sherrod to the Nuisance Abatement Board with a term to expire September 1, 2027. (consent)
- 7.15** Appoint Phillip Rugari to the Marine Advisory Board to fill the remainder of an unexpired term through March 31, 2025. (consent)
- 7.16** Appoint Jonathan Barnes to the Public Art and Design Board as the Clearwater Arts

Alliance representative to fill the remainder of an unexpired term through March 31, 2026. (consent)

- 7.17 Approve the Second Amendment to the Contract for Sale of Real Estate between the City of Clearwater, the DeNunzio Group and Gotham Property Acquisitions to provide for a mutual extension of due diligence regarding the purchase of the old City Hall site and authorize appropriate officials to execute same. (consent)

Vice Mayor Bunker moved to approve the Consent Agenda as submitted, less Items 7.4, 7.8, and 7.11, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 7.4 Approve Change Order 2 to Poole and Kent Company of Florida, in Tampa, FL, for Marshall Street Water Reclamation Facility (MS WRF) Process Control Gates Repairs (City Project 18-0047-UT) in the amount of \$287,416.00, increasing the contract amount to \$3,765,152.02 and extend project completion by 270-days from July 3, 2023 through April 8, 2024; approve Supplemental Work Order 3 to Engineer of Record (EOR) Brown and Caldwell in the amount of \$351,570.00 for additional engineering services during construction, increasing the work order total to \$784,128.00; and authorize the appropriate officials to execute same.

The MS WRF Process Control Gates project involves replacing existing slide gates within aeration basins 4 through 13. While the basins are isolated and drained for gate replacement, all accumulated grit is removed, damaged or missing elements of the diffused air system replaced, and structural defects within the basins repaired.

June 16, 2022, City Council approved a construction contract to Poole and Kent Company of Florida for the MS WRF Process Control Gates Repairs in the amount of \$3,161,578.20, pursuant to Invitation to Bid (ITB) 18-0047-UT.

On July 10, 2023, City Manager approved Change Order 1 to Poole & Kent in the amount of \$316,157.82, increasing the contract total to \$3,477,736.02, due to an increase in required concrete structural repairs.

Change Order 2 to Poole & Kent in the amount of \$287,416.00 is to replenish available project contingency, increasing the contract total to \$3,765,152.02. In addition, approval is needed to extend the construction period by 270 days. The increase is mainly due to delays related to ordering, manufacturing, and delivering the replacement control gates.

Supplemental Work Order #3 to Brown and Caldwell, in the amount of \$351,570.00, is for additional engineering services associated with the extended construction period.

The City of Clearwater's Public Utilities Department is responsible for owning, operating, and maintaining the MS WRF.

APPROPRIATION CODE AND AMOUNT:

3217321-546700-96213 \$ 287,416.00

3217321-530100-96213 \$ 351,570.00

Funds are available in capital improvement project 96213, Marshall Street Upgrade Rollup, to fund the contract and supplemental work order.

In response to questions, Public Utilities Director Rich Gardner said Change Order 1 was within the City Manager's authority and Change Order 2 would be presented to Council because it would exceed the city manager's spending authority. The item before Council would approve the use of the funds, if needed. He said he is a licensed engineer and a licensed contractor in the state of Florida. He said he would question the contingency request and amount after thorough review. Seeking the city manager's approval takes time and the item before Council provides efficiency when an inspection is being conducted and an issue is identified. He said the issue was identified during a FDEP inspection, which identified the gates did not open/close properly. Staff based the estimate on similar work at other sites with similar aged tanks but grossly underestimated the dollar amount and the work needed as the tank was in poorer condition.

Councilmember Teixeira moved to approve Change Order 2 to Poole and Kent Company of Florida, in Tampa, FL, for Marshall Street Water Reclamation Facility (MS WRF) Process Control Gates Repairs (City Project 18-0047-UT) in the amount of \$287,416.00, increasing the contract amount to \$3,765,152.02 and extend project completion by 270-days from July 3, 2023 through April 8, 2024; approve Supplemental Work Order 3 to Engineer of Record (EOR) Brown and Caldwell in the amount of \$351,570.00 for additional engineering services during construction, increasing the work order total to \$784,128.00; and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 7.8** Authorize a contract to Waste Connections of Florida, Inc., for a period of one year, for the processing of municipal single stream recycling commodity at the contractors' Materials Recovery Facilities in a cumulative not to exceed amount of \$1,020,000.00, pursuant to Invitation to Negotiate 29-23 and authorize the appropriate officials to execute same.

On April 25, 2023, an evaluation committee composed of Staff from Solid Waste & Recycling, Public Utilities Department, and the Office of Management & Budget reviewed proposals submitted from Waste Connections of Florida, Inc. (WC) and Waste Management Inc. of Florida (WM) for Invitation to Negotiate #29-23, Single Stream Recycling Processing, and recommended negotiations to commence with both respondents.

During these negotiations, WM's initial proposal was \$159.33/ton for the Tampa (Ybor) Materials Recovery Facility (MRF) and \$189.63/ton for the Clearwater transfer station with 100% revenue share. After a second meeting with WM, the proposal was lowered to \$154/ton for the Tampa (Ybor) MRF facility and \$183/ton for the Clearwater transfer station with 100% revenue share. WM declined to offer a rate without revenue share. Additionally, WC's initial proposal was \$140/ton with no revenue share for their St. Petersburg MRF facility. After a second meeting, the proposal was lowered to \$120/ton with revenue share on a sliding scale.

One individual suggested the agreement clearly define "contamination load" prior to it being executed and questioned if now is the appropriate time to consider purchasing additional trucks.

One individual said the city attorney was advised of the notice of cancellation on November 21, 2022 due to a lack of reliable deliveries.

One individual spoke in support and said it is hard to defend some of the recent actions of the department but noted it was easier when the recyclables were limited. He said all communities who pursued single-stream recycling are facing the same issue.

In response to a question, Solid Waste Director Kervin St. Aime said the Department has two operational trucks and a back-up truck from the transfer station. A new truck has been ordered. Assistant City Manager Daniel Slaughter said the agreement includes language that addresses the contamination rate.

Councilmember Allbritton moved to authorize a contract to Waste Connections of Florida, Inc., for a period of one year, for the processing of municipal single stream recycling commodity at the contractors' Materials Recovery Facilities in a cumulative not to exceed amount of \$1,020,000.00, pursuant to Invitation to Negotiate 29-23 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 7.11** Appoint Emily Pano to the Sister Cities Advisory Board with a term to expire August 17, 2027.

BOARD: **Sister Cities Advisory Board**
TERM: 4 years

APPOINTED BY: Sister Cities Advisory Board
FINANCIAL DISCLOSURE: Not Required
RESIDENCY REQUIREMENT: One member of the City Council
MEMBERS: 6 + 1 At-large member
CHAIRPERSON: Pamela Benton - Vice Chair
MEETING DATES: Quarterly
PLACE: Council Chambers
APPOINTMENTS NEEDED: 1
SPECIAL QUALIFICATIONS: Representatives of Clearwater Sister Cities, Inc., the local business community, the School Board's World Language Coordinator or designee, and the Clearwater Arts Alliance shall not be required to reside within the City of Clearwater.
THE FOLLOWING ADVISORY BOARD MEMBER TERM HAS EXPIRED AND NOW REQUIRES APPOINTMENT BY A NEW APPOINTEE:

1. Sallie Park - 1328 Michigan Ave. Palm Harbor, FL 34683- **CL Arts Alliance representative**
Original Appointment: 4/19/12
Term ended: 4/30/2023

THE FOLLOWING APPLICATION HAS BEEN SUBMITTED FOR COUNCIL'S CONSIDERATION:

1. Emily Pano -1845 McCauley Road Clearwater, FL 33765 - **CL Arts Alliance representative**

Zip codes of current members:

- 1 - 33763
- 1 - 33710
- 1 - 33755
- 1 - 34683
- 1 - 33761
- 1 - 33767

Item Pulled.

The City Clerk said Ms. Pano wished to remain on the Building Flood Board of Adjustment and Appeals and respectfully pulled her application.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1 Approve State Housing Initiatives Partnership (SHIP) Program Annual Report and Local Housing Incentive Certification for the closeout year 2020-2021 and interim year 2021-2022 and allow appropriate officials to execute same.

Through the SHIP Program, the Economic Development and Housing Department has provided funding for the following housing activities: Purchase assistance in the form of downpayment and closing costs assistance to existing and newly constructed structures; the construction of new dwellings; the rehabilitation of owner-occupied single-family dwellings; and the rehabilitation of rental properties.

All local governments receiving SHIP funds must submit their annual report to the Florida Housing Finance Corporation by September 15 of each year. The annual report provides details of expended and encumbered funds. The report also provides information on the strategies funded, the number of households served, and income category, age, family size, race and other data regarding special needs populations such as homeless persons, persons with disabilities and the elderly. The report is submitted electronically to the State of Florida. SHIP is a unique funding program. Qualifying local governments (Grantees) are allocated formula-derived amounts annually from a dedicated funding source. The State encourages grantees to spend these funds in the form of loans, rather than grants, so future revenue from repayment of loans (Program Income) can be used in addition to annual allocations. Grantees are given three years to expend an annual allocation and Program Income received during the same program year. With each SHIP report, the closeout year must be fully expended. Negative carryover results from project expenditures spanning more than one year. That is, projects in FY2020-2021 (closeout year) utilized funds from FY2020-2022 and FY2022-2023.

For program year 2020-2021, Governor DeSantis vetoed the annual SHIP allocation statewide citing concerns of impacts caused by the pandemic, so the City did not receive an annual distribution. However, \$433,175.22 was received in Program Income and related interest. The negative balance of \$77,959.86 was carried forward from the previous year, resulting in total funds available for FY2020-2021 of \$355,215.36. The city expended \$362,187.85 to assist nine (9) families utilizing its approved strategies and to support administration of the SHIP Program. The city expended \$45,300.00 in purchase assistance, \$103,314.88 on construction of one new single-family home, \$182,455.63 to rehabilitate seven single-family units, and \$31,117.34 on administration. Expenses exceeding total funding yielded a negative carryover of \$6,972.49 into FY2021-2022.

SHIP funding has a positive impact on the City's economy, as evidenced by activities in closeout year 2020-2021, where the City expended \$331,070.51 on SHIP strategies in SHIP dollars to leverage \$272,443.08 in other funds.

Background:

The Florida Legislature enacted the William E. Sadowski Affordable Housing Act

(Act) in 1992. The Act created a dedicated revenue source for state and local housing trust funds including the State Housing Initiatives Partnership (SHIP) Program.

Councilmember Beckman moved to approve State Housing Initiatives Partnership (SHIP) Program Annual Report and Local Housing Incentive Certification for the closeout year 2020-2021 and interim year 2021-2022 and allow appropriate officials to execute same. The motion was duly seconded and carried unanimously.

8.2 Approve the annexation, initial Future Land Use Map designations of Residential Estate (RE) and Drainage Feature Overlay and initial Zoning Atlas designation of Low Density Residential (LDR) District for an unaddressed parcel on Tanglewood Drive, and pass Ordinances 9684-23, 9685-23, and 9686-23 on first reading. (ANX2023-05005)

This voluntary annexation petition involves a 0.456-acre property consisting of one parcel of vacant land. The property is located on the north side of Tanglewood Drive approximately 675 feet west of Oak Creek Drive East. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the city. The applicant has indicated a desire to construct a detached dwelling on the property but no plans have been submitted at this time. The property is contiguous to existing city boundaries to the north and east. It is proposed that the property be assigned Future Land Use Map designations of Residential Estate (RE) and Drainage Feature Overlay and Zoning Atlas designation of Low Density Residential (LDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Community Development Code Section 4-604.E as follows:

- The property currently receives water service from the Pinellas County. The closest sanitary sewer line is located in the Oak Creek Drive North right-of-way to the north of the subject property, which the property owner plans to extend to via a private line. The applicant is aware that the city's sewer impact and assessment fees must be paid in full prior to connection and of the additional costs to extend city sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station #50 located at 2681 Countryside Boulevard. The city has adequate capacity to serve this property with sanitary sewer, solid waste, police, and fire and EMS service. The property will continue to receive water service from Pinellas County. The proposed annexation will not have an adverse effect on public facilities

and their levels of service; and

- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

Objective A.2.2 Future land use in the City of Clearwater shall be guided by the city's Future Land Use Map, which shall be consistent with the Countywide Plan for Pinellas County (The Countywide Plan) including the Countywide Plan Map and shall be implemented through the city's Community Development Code.

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban

service area shall be promoted through application of the Clearwater Community Development Code.

Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.

Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.

- The proposed Residential Estate (RE) Future Land Use Map category is consistent with the current Countywide Plan designation of the property. This designation primarily permits residential uses at a density of 1 unit per acre. The Drainage Feature Overlay proposed to be applied to the property will recognize the existing drainage easement on the east side of the property. The proposed zoning district to be assigned to the property is the Low Density Residential (LDR) District. The use of the subject property is consistent with the uses allowed in the districts and the property exceeds the district's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city boundaries to the north and east; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

One individual said his property is adjacent to the subject property and

he has using the driveway to access to his property for over 30 years. He requested Council consider a 6-month stay so he can install a new driveway.

One individual spoke in support.

The City Attorney said the annexation ordinance governs the standards for when annexation should be granted, or not. The standards are not arbitrary. The concerns raised this evening do not fall within the standards established in the annexation ordinance.

Ordinances 9684-23, 9685-23, and 9686-23 were presented and read by title only.

Vice Mayor Bunker moved to approve the annexation, initial Future Land Use Map designations of Residential Estate (RE) and Drainage Feature Overlay and initial Zoning Atlas designation of Low Density Residential (LDR) District for an unaddressed parcel on Tanglewood Drive, and pass Ordinances 9684-23, 9685-23, and 9686-23 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Aungst Sr., Vice Mayor Bunker, Councilmember Allbritton, Councilmember Beckman and Councilmember Teixeira

- 8.3** Approve the annexation, initial Future Land Use Map designations of Residential Estate (RE) and Water and initial Zoning Atlas designation of Low Density Residential (LDR) District for an 1862 McCauley Road, and pass Ordinances 9694-23, 9695-23, and 9696-23 on first reading. (ANX2023-06006)

This voluntary annexation petition involves a 1.261-acre property consisting of one detached dwelling. The property is located on the west side of McCauley Road approximately 790 feet southeast of Sunset Point Road. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the city. The property is not contiguous to existing city limits; however, it is in an enclave surrounded by city property on all sides (Type A) and is eligible for annexation pursuant to the Interlocal Service Boundary Agreement with Pinellas County. It is proposed that the property be assigned Future Land Use Map designations of Residential Estate (RE) and Water and Zoning Atlas designation of Low Density Residential (LDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Community Development Code Section 4-604.E as follows:

- The property currently receives water service from Pinellas County. The closest sanitary sewer line is located in the adjacent McCauley Road right-of-way. The applicant is aware that the city's sewer impact and assessment fees must be paid in full prior to connection and of the additional costs to extend city sewer service to this property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station #48 located at 1700 North Belcher Road. The city has adequate capacity to serve this property with sanitary sewer, solid waste, police, and fire and EMS service. The property will continue to receive water service from Pinellas County. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policies of the Clearwater Comprehensive Plan:

Objective A.2.2 Future land use in the City of Clearwater shall be guided by the city's Future Land Use Map, which shall be consistent with the Countywide Plan for Pinellas County (The Countywide Plan) including the Countywide Plan Map and shall be implemented through the city's Community Development Code.

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.

Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.

Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.

Policy A.7.2.4 Allow voluntary annexations for noncontiguous properties that are within an enclave as defined by Section 171.031(13)(a), Florida Statutes (Type A enclaves) and as authorized by the 2014 Interlocal Service Boundary Agreement (ISBA) between Pinellas County and municipalities, including the City of Clearwater.

- The proposed Residential Estate (RE) Future Land Use Map category is consistent with the current Countywide Plan designation of the property. This designation primarily permits residential uses at a density of 1 unit per acre. The Water designation proposed to be applied to the property will recognize the existing lake on the west side of the property. The proposed zoning district to be assigned to the property is the Low Density Residential (LDR) District. The use of the subject property is consistent with the uses allowed in the district and the property exceeds the district's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is not contiguous to City boundaries but is located in a Type A Enclave; therefore, the annexation is consistent with the Interlocal Service Boundary Agreement authorized by Florida Statutes Chapter 171.204.

Ordinances 9694-23, 9695-23, and 9696-23 were presented and read by title only.

Councilmember Teixeira moved to approve the annexation, initial Future Land Use Map designations of Residential Estate (RE) and Water and initial Zoning Atlas designation of Low Density Residential (LDR) District for an 1862 McCauley Road, and pass Ordinances 9694-23, 9695-23, and 9696-23 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Aungst Sr., Vice Mayor Bunker, Councilmember Allbritton, Councilmember Beckman and Councilmember Teixeira

Council recessed from 7:34 p.m. to 7:41 p.m.

9. City Manager Reports

- 9.1** Approve \$250,000 for startup and one-year ongoing operating expenses of AMPLIFY Clearwater Tourism Incubator to be located at 1346 S Ft Harrison Ave, Clearwater.

On September 1, 2022, City Council approved an allocation of \$250,000 in American Rescue Plan Act - Local Fiscal Recovery Funds to AMPLIFY Clearwater for the establishment of a business incubator.

On July 27, 2023, AMPLIFY Clearwater submitted a comprehensive and detailed Business Plan (Exhibit A) for the establishment and operation of an incubator with a mission to cultivate a vibrant and sustainable tourism ecosystem. With a strategic partnership with locally owned and operated

Economic Impact Catalyst, the incubator's objectives are to nurture growth stage tourism companies, provide support and resources to accelerate business growth, facilitate collaboration and knowledge-sharing, foster a culture of innovation and sustainability, and drive equitable and inclusive economic development in the Tampa Bay region.

Elements of the plan include:

1. Executive Summary
2. Leadership, Team and Management
3. Introduction & Background
4. Elements of the Incubator Model
5. Incubator Services
6. Research of Leading Incubator Models
7. Curriculum Design
8. Mentorship and Network Design
9. Eligibility and Intake
10. Target Market
11. Ideal Business
12. Tourism Profile
13. Marketing Strategy
14. Operations and Infrastructure
15. Financial Plan
16. Fundraising Strategy
17. Legal & Regulatory Considerations
18. Risks & Mitigation
19. Evaluation & Success Metrics
20. Timeline

Staff reviewed the Business Plan and recommends funding support of \$250,000 payable to The Greater Clearwater Regional Chamber of Commerce d/b/a AMPLIFY Clearwater as follows:

1. \$150,000 upon approval of Council to support startup costs as described in the Financial Plan.
2. \$50,000 upon launch of Cohort 1 on or about October 2, 2023, to support ongoing expenses in Year 1.
3. \$50,000 upon launch of Cohort 2 on or about April 15, 2024, to support ongoing expenses in Year 2.

APPROPRIATION CODE AND AMOUNT:

ARPA-LFRF 1817552-581000-G2219

Amplify Clearwater President/CEO Amanda Payne and Economic Impact Catalyst (EIC) CEO David Ponraj provided a PowerPoint presentation.

In response to questions, Mr. Ponraj said the cohort size will be ten individuals. There is no cost to participate in the cohort, which levels the playing field. Requiring businesses to put up money automatically excludes the businesses the program is targeting. He said EIC does not expect long-term financial support from the City. The \$250,000 will be

to start the program. Ms. Payne said Amplify has approached Pinellas County Economic Development and Visit Saint Pete-Clearwater for funding and will seek funding from private foundations. Mr. Ponraj said the proposed incubator expects the mentor community to step up. The first cohort will establish the baseline, allowing the program to measure business success.

One individual spoke in support and requested funding for his business incubator concept.

Councilmember Allbritton moved to approve \$250,000 for startup and one-year ongoing operating expenses of AMPLIFY Clearwater Tourism Incubator to be located at 1346 S Ft Harrison Ave, Clearwater. The motion was duly seconded and carried unanimously.

9.2 Approve a street name change from Wistful Vista Drive to Chabad Drive and adopt Resolution 23-11.

Tabacinic Chabad Center (Chabad of Clearwater) requested a street name change.

The current street name is Wistful Vista Drive; the requested future name is Chabad Drive.

Pinellas County Safety & Emergency Services on June 6, 2023, approved this name change.

Chabad of Clearwater is the only property or person using Wistful Vista Drive for business.

Pinellas County and USPS confirmed no other entity uses the Wistful Vista Drive address.

No city utilities will be affected by this street name change.

City staff have reviewed and approved this request.

Resolution 23-11 was presented and read by title only.

Councilmember Beckman moved to approve a street name change from Wistful Vista Drive to Chabad Drive and adopt Resolution 23-11. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Aungst Sr., Vice Mayor Bunker, Councilmember Allbritton, Councilmember Beckman and Councilmember Teixeira

9.3 Approve issuing customer credits/refunds for recycling service charges for the period of July 2022 through December 2022.

At the January 30, 2023, Council Work Session, Interim Solid Waste/Recycling Director Micah Maxwell presented a Recycling Program Update in response to the findings that collected material from the city's single stream recycling program were not being disposed of as a recyclable commodity. As part of that presentation, staff provided projected credit amounts for solid waste customers who were charged a recycling service fee for the six-month period of July 2022 through December 2022.

Staff is recommending any approved credit be issued in the form of a customer fee adjustment applied to future charges.

A credit of all collected recycling charges for residential, multifamily, and commercial customer accounts would result in a total adjustment of \$1,123,417.91, and a projected credit of \$20.28 per residential customer. Credit amounts for multifamily and commercial customer accounts would be calculated individually, subject to the level of service that is provided by the city. Additionally, credit projections exclude required transfers by council policy including PILOT payments.

Additionally, projected refund amounts for each partner municipality that received recycling services from the city were calculated for the six-month period of July 2022 through December 2022 as follows:

A refund for all collected recycling charges for the Town of Belleair would result in a total adjustment of \$14,120.42, which excludes collection costs for curbside solid waste service that was provided by the city. As of June 2, 2023, Town of Belleair stopped using City of Clearwater Solid Waste/Recycling services.

A refund for all collected recycling charges for the City of Safety Harbor would result in a total adjustment of \$62,925.63. As of March 24, 2023, City of Safety Harbor stopped using City of Clearwater for recycling processing.

APPROPRIATION CODE AND AMOUNT:

A third quarter budget amendment will reduce recycling fee revenues by the total credit estimated based upon action approved by the Council.

Solid Waste and Recycling Division Controller Jeff Kuhl provided a PowerPoint presentation.

One individual supported the refund go back to 2018, when administration was first informed of the problem.

The City Manager said the city was told by then administration that the Department was recycling and that all collected recyclables were going to Waste Management and not being burned. Administration now knows the problem was not corrected and the Department continued to burn the recyclables. She said there were contamination issues, requiring the materials to be incinerated. Staff worked with the residents to educate on how to improve recycling efforts and decrease the city's contamination rate. She said staff inspected loads to identify where the contaminated materials originated. She said the current staff acknowledged the problem, implemented changes, and created a dashboard to keep the City accountable.

Vice Mayor Bunker moved to approve issuing customer credits/refunds for recycling service charges for the period of July 2022 through December 2022. The motion was duly seconded and carried unanimously.

Ayes: 5 - Mayor Aungst Sr., Vice Mayor Bunker, Councilmember Allbritton, Councilmember Beckman and Councilmember Teixeira

- 9.4** Appoint an individual to fill an unexpired term through April 30, 2025 on the Public Art and Design Board in the Resident knowledgeable in fields of public art, education, or community affairs category.

BOARD: Public Art and Design Board

TERM: 4 years

APPOINTED BY: City Council

FINANCIAL DISCLOSURE: Not Required

RESIDENCY REQUIREMENT: City of Clearwater resident except for the Clearwater Arts Alliance, Inc., *formerly, Clearwater Arts Foundation*, and the Creative Pinellas representative

MEMBERS: 7

Liaison: Amber Brice, Cultural Affairs Coordinator

CHAIR:

MEETING DATE: Quarterly - January, March, June, Sep.

TIME/PLACE: 2:00 PM/Chambers

APPOINTMENTS NEEDED: 1

THE FOLLOWING ADVISORY BOARD MEMBER HAS RESIGNED AND SEAT NOW REQUIRES REAPPOINTMENT:

- Jonathan Barnes - 1613 Maple St. 33765 - **Resident knowledgeable in fields of public art, education, or community affairs**

Original Appointment: 11/7/2019

(was serving 1st term set to expire 4/30/2025)

THE NAMES BELOW ARE BEING SUBMITTED FOR CONSIDERATION TO FILL THE RESIDENT KNOWLEDGEABLE IN FIELDS OF PUBLIC ART, EDUCATION, OR COMMUNITY AFFAIRS CATEGORY:

1. Karen Cunningham - 3178 Eagles Landing Circle W., 33761 - Retired Transportation Planner
2. Lisa Bilz - 1660 Pine Place, 33755 - Graphic Design
3. Matthew Estes - 1682 Oak Place, 33755 - Music Director
4. Rebekka Ervin - 920 N Osceola Ave. Unit 407, 33755 - Business Owner
5. Sharon Reid-Kane - 2730 Burning Tree Lane - REH Chief Education and Community Engagement Officer

Zip codes of current members:

- 2 - 33755
- 1 - 33761
- 2 - 33765
- 1 - 33764

Councilmember Teixeira moved to appoint Lisa Bilz to fill an unexpired term through April 30, 2025 on the Public Art and Design Board in the Resident knowledgeable in fields of public art, education, or community affairs category. The motion was duly seconded and carried unanimously.

10. City Attorney Reports – None.

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

Councilmember Beckman thanked the Church of Scientology for allowing the City to use the parking lot on the east side of Osceola Avenue for patrons of the Main Library. She said approximately 50 spaces have been dedicated for the library. She thanked staff who attended the Clearwater Neighborhood Coalition's virtual meeting and walked participants through the strategic plan and budget process. She congratulated the city of Ixmiquilpan for becoming a Sister City.

Vice Mayor Bunker also thanked the Church of Scientology for the parking spaces and thanked Leah Remini for launching a lawsuit against Scientology and its leader David Miscavige for harassing her over the years. He thanked the unionized employees for attending and expressing their concerns.

Councilmember Teixeira said she supported Council's direction to amend the rules of decorum. She said there is an alarming decrease of sea grass in the Tampa Bay area, with a majority of the loss experienced in mid-Tampa. She said Clearwater has shown signs of sea grass growth. The Tampa Bay Regional Planning Council is partnering with USF to develop and implement plans for reducing greenhouse gas emissions. She thanked the employees who attended Karaoke Night.

Councilmember Allbritton said PSTA was honored with a nationwide Outstanding Public Transportation System Award.

12. Closing Comments by Mayor

The Mayor reviewed recent and upcoming events and thanked all for attending tonight's evening.

13. Adjourn

The meeting adjourned at 8:52 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Call, Rosemarie

From: Robert and Kathleen Agnew <bk3155@yahoo.com>
Sent: Thursday, August 3, 2023 9:30 AM
To: Call, Rosemarie
Subject: question

Follow Up Flag: Follow up
Flag Status: Flagged

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.

Why has the City of Clearwater not called for a vote on the proposition for a new City Hall? The amount I have heard certainly sounds like we, the people should get a vote. Our City has just spent at least \$84 million on Imagine Clearwater and should we not take time to regroup and look at other projects that might need consideration. Our monies are not endless and I truly believe the citizens should get a "vote". What about a referendum on the spring election.

Many thanks,

Kathleen Agnew
3155 Masters Drive
Clearwater 33761