

City of Clearwater

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



Meeting Minutes

Monday, March 17, 2025

6:00 PM

Main Library - Council Chambers

City Council

Roll Call

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

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

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

Unapproved

1. Call to Order – Mayor Rector

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

2. Invocation – Pastor Bob Brubaker from Christ Community Presbyterian Church

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 March Service Awards

The March 2025 Employee of the Month Award was presented to Lisa Perkins, Clearwater Gas.

The March/April Bimonthly Team Award was presented to the 2025 Chill Squad: Kyle Wilson and Charles McAbee, Public Utilities.

4.2 Women Making History Month Proclamation, March 2025- Allison Dolan, Clearwater Historical Society

4.3 Red Star Family Day Proclamation, March 21, 2025 - Jerry Shaffer, Red Star Foundation

4.4 Proclamation for the Fair Housing Symposium, April 2025 - Economic Development & Housing Staff

5. Approval of Minutes

- 5.1** Approve the minutes of the March 6, 2025 City Council meeting as submitted in written summation by the City Clerk.

AND

- 5.2** Approve the minutes of the February 25, 2025 special city council meeting as submitted in written summation by the City Clerk.

Councilmember Cotton moved to approve the minutes of the March 6, 2025 council meeting and the February 25, 2025 special city council meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

6. Administrative Public Hearings

- 6.1** Approve amendments to the Community Development Code to establish standards for artificial turf, require landscaped areas in front yards for residentially zoned properties, and make other associated updates and pass Ordinance 9805-25 on first reading. (TA2024-07002)

Proposed Ordinance No. 9805-25 contains both City Council and staff-initiated amendments to the Community Development Code. Amendments initiated by City Council propose to create regulations to permit the use of artificial turf citywide including general, location, and minimum design standards, permitting, installation, inspection, maintenance, and existing artificial turf.

Other staff-initiated amendments are more clean-up amendments consisting of correcting typographical errors, reordering sections, providing clarification, adding a provision for existing developed lots, creating a front yard residential landscaped area requirement, and adding, deleting, or amending definitions as needed.

The Planning and Development Department has determined that the proposed text amendments to the Community Development Code are consistent with and further the goals, objectives, and policies of the Comprehensive Plan and the Community Development Code.

Staff held a workshop with the Community Development Board (CDB) on December 17, 2024, to discuss the code amendments related to artificial turf. Comments received from the board during that meeting were incorporated into the ordinance prior to the initiation of the public hearing process.

The Community Development Board, in its capacity as the Local Planning Agency (LPA), reviewed the proposed amendments to the Community Development Code at its meeting on January 21, 2025, and recommended approval with certain modifications and considerations as follows:

1. Clarify that the requirement to bring existing lots into compliance with the landscaping standards to the greatest extent practicable if the existing use is improved or remodeled in a value of 25 percent or more, as established by Section 3-1202.A.3.a, is applicable to properties other than single-family or two-family lots.
2. Consider modifying proposed Sections 3-1202.E.2.a.6.v and 3-1202.E.2.b.3.iv to permit the use of artificial turf in required interior and central landscape islands.
3. Consider incorporating licensure requirements into proposed Section 3-1203.E.12 to provide clarity regarding who would qualify as a “professional with experience in installation of artificial turf”.

Additionally, while not incorporated into the Board’s motion for approval, the Board discussed the desire to allow for independent appraisal to be used for the determination of 25 percent of the value of the principal structure, in addition to the value reflected in the property appraiser’s records, as established in Section 3-1202.A.3.a.

Proposed Ordinance No. 9805-25 addresses the Board’s recommended clarification detailed in number 1. above. Additionally, staff has incorporated, for the City Council’s consideration, changes to Sections 3-1202.A.3.a. and 3-1401.B.3.a to provide that an independent appraisal may also be used to determine 25 percent of the value of the primary structure which, if exceeded, would require improvements to landscaping and parking. The considerations specified in 2. and 3., are not recommended by city staff to be incorporated into the ordinance for reasons specified in the staff report.

STRATEGIC PRIORITY:

These proposed amendments support the Environmental Stewardship and Community Well-Being goals of the city’s Strategic Plan by providing amendments to the Community Development Code that aim to maintain aesthetic appeal and permit alternative sustainable practices within the city.

Planning and Development Interim Director Lauren Matzke provided a PowerPoint presentation.

Four individuals spoke in opposition.

Ordinance 9805-25 was presented and read by title only.

Councilmember Teixeira moved to approve amendments to the Community Development Code to establish standards for artificial turf, require landscaped areas in front yards for residentially zoned properties, and make other associated updates and pass Ordinance 9805-25 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

6.2 Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential District for 2039 Poinsetta Avenue and pass Ordinances 9814-25, 9815-25 and 9816-25 on first reading. (ANX2025-01001)

This voluntary annexation petition involves a 0.114-acre property consisting of one parcel of land occupied by a detached dwelling. The property is located on the east side of Poinsetta Avenue approximately 50 feet north of Idlewild Drive. The applicant is requesting annexation in order to receive sanitary sewer. The site is located within an enclave and is contiguous to existing City boundaries to the west. The property be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

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 city has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and Emergency Medical Services (EMS). The property currently receives water service from the city of Clearwater and the closest sanitary sewer line is located in the adjacent Poinsetta Avenue right-of-way. The applicant has paid the city's sewer impact and assessment fees and is aware of the additional costs to extend city sewer service to this property. Collection of solid waste will be provided by the city of Clearwater. The property is located within Police District II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and EMS will be provided to this property by Station #51 located at 1712 Overbrook Avenue. Therefore, the proposed annexation will not have an adverse effect on public services and their levels of service; and
- The proposed annexation is consistent with and promotes the following

objective and policy of Clearwater 2045, the city's Comprehensive Plan:

Objective PI 9.1 Continue to work with Pinellas County in the orderly annexation of the city's existing enclaves.

Policy PI 9.1.2 Continue to process voluntary annexations for single-family residential properties upon request.

- The proposed Residential Urban (RU) Future Land Use Map designation is consistent with the current Countywide Plan designation of the property. This designation primarily permits residential uses at a density of 7.5 units per acre. The proposed Zoning Atlas designation is the Low Medium Density Residential (LMDR) District. The use of the subject property is consistent with the uses allowed in the Low Medium Density Residential (LMDR) 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 contiguous to existing City boundaries to the west therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

STRATEGIC PRIORITY:

This annexation petition supports the Deliver Effective and Efficient Services by Optimizing City Assets and Resources goal of the city's Strategic Plan by reducing enclaves and delivering city services to properties within the city's service boundary. This petition also supports Ensure Exceptional Communities and Neighborhoods Where Everyone Can Thrive goal by better unifying neighborhoods and reducing issues with multiple jurisdictions.

Ordinances 9814-25, 9815-25 and 9816-25 were presented and read by title only.

Vice Mayor Allbritton moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential District for 2039 Poinsetta Avenue and pass Ordinances 9814-25, 9815-25 and 9816-25 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 6.3** Approve the Right of Way (ROW) Vacation request from the Church of Scientology Flag Service Organization to vacate the southern portion of South Garden Avenue between Court Street and Franklin Street, as owned in fee-simple by the City of Clearwater and recorded in Plat Book 5, Page 53 of the Public Records of Pinellas County, and pass Ordinance 9812-25 on first reading.

On December 5, 2024, the Church of Scientology Flag Service Organization submitted an application to vacate City ROW, located at South Garden Avenue between Court Street and Franklin Street.

The City is the fee-simple owner of this land by statute since the right of way has been fully improved and maintained for a significant period. The area proposed to be vacated contains .65 acres more or less, including 22 city-paid parking spaces.

A multi-departmental internal review was completed on January 13, 2025. Said Internal review identified the following utilities or interests on the property:

Stormwater- a 48-inch gravity-fed pipe runs the entire length of the vacated area.

Utility- an 8-inch gravity-fed sanitary sewer pipe with laterals crosses over the vacated area.

Parking- there are 22 paid parking spaces.

Planning & Development - Vacation of this ROW is inconsistent with the Clearwater 2045 Comprehensive Plan Mobility Policies M 1.1.14 and M 1.1.15 and the Downtown Redevelopment Plan, Goal 2 which promotes a connected network with mobility choices and Objective 2A which discourages the vacation of streets unless new public streets and alleys are constructed to replace and service the function of the street being vacated; promotes retaining the existing street grid. However, while the vacation of this right-of-way would be inconsistent with certain policies, the purpose of the request would support other policies. The conceptual site plan appears to maintain access across Garden Avenue for pedestrians, although this would be privatized space, and the current design does not necessarily indicate whether anyone could use/traverse. There may be modifications that could be made to the site plan to better meet the Downtown District standards.

Frontier Communication - submitted a written Notice of having facilities within this area on 11/18/24. The Applicant's representative has stated that an Easement in favor of Frontier will be executed. The proposed ordinance reserves utility easements until such time as new easements as necessary are

conveyed.

PSTA - the PSTA's Proposed Multi-Modal Transit Center had contemplated bus routing using the subject ROW as an alternative option. PSTA has been advised that this application is pending.

The Applicant seeks to vacate this ROW portion as part of an assemblage for development of an Entry Plaza and Performance Hall. Should Council approve to vacate the ROW, Council will consider at the Council work session and Council meeting on March 31, 2025, and April 3, 2025, (respectively), the negotiated conditional sale of this improved ROW in the amount of \$1,375,000 to be paid by the Applicant to the City as fair market value for the Property. Conditions include: 1. Said ROW will become a friendly outdoor gathering space thereby increasing City green space; 2. All construction permits shall be obtained before December 31, 2029; 3. The City shall continue to collect all associated Parking revenue until such time a "TCE" is issued; 4. The Applicant is confirmed as the adjoining property owner; 5. The Applicant shall pay to relocate all identified City utilities if necessary; 6. This vacation Ordinance would not take effect until an Approved Deed is executed and recorded in the Public records of Pinellas County in order to ensure that all conditions are met. Upon Departmental review with having addressed all concerns city staff presents this vacation for Council consideration.

STRATEGIC PRIORITY:

1. High Performing Government: Embrace a culture of innovation that rives continuous improvement
2. Preserve community livability through responsible development standards, proactive code compliance, and targeted revitalization.

Nine individuals spoke in opposition.

Four individuals spoke in support.

Two individuals submitted emails in opposition (see pages 22-24).

In response to comments, the City Attorney said Florida law requires the City to advertise for 30 days prior to disposing any real estate within the community redevelopment area in which this is located. The advertisement indicates that there will be a public hearing on April 3, 2025 as to the sale agreement, if Council approves the vacation ordinance on first reading tonight. The current version of the contract has the purchase price that was approved by the City Manager and requires that a majority of Garden Avenue be developed as green space and is subject to Council's decision or approval. He said, as the City Attorney,

he has confirmed that the subject price meets the city charter requirement that the sale price be at least fair market value. The City Attorney said there will be no closing on the real estate until after the building permits are obtained and the building is substantially complete. As currently drafted, the Buyer is required to obtain building permits and substantially complete the project by the end of 2029; if not, the Buyer has the option to purchase contract extensions for \$300,000 a year. He said the right to purchase extensions expires in 2033 and the extensions are non-refundable.

Discussion ensued with concerns expressed that the privatization of the road goes against the City's plan, that the vacation will impact PSTA's new intermodal center and the new city hall site, and that the vacation is not needed to develop the site. It was suggested that an activation agreement accompany the vacation request that includes a high impact and open access initiative.

Ordinance 9812-25 was presented and read by title only.

Councilmember Mannino moved to approve the Right of Way Vacation request from the Church of Scientology Flag Service Organization to the Southern platted Right of Way portion of S Garden Avenue as Statute owned in fee-simple by the City of Clearwater as further defined "Less and except the Southern Right-of-Way portion of Garden Avenue abutting Lots 6-11 together with that Portion abutting the vacated 15 foot alley lying between Lots 10 and 11 of Court Square Subdivision" as recorded in Plat Book 5, Page 53 of the Public Records of Pinellas County, as containing 0.65 acres ±," and pass Ordinance 9812-25 on first reading. The motion was duly seconded and upon roll call, the motion carried with the following vote:

Ayes: 3 - Vice Mayor Allbritton, Councilmember Cotton and Councilmember Mannino

Nays: 2 - Mayor Rector and Councilmember Teixeira

6.4 Amend the City's fiscal year 2024/25 operating and capital improvement budgets at first quarter and pass Ordinances 9819-25 and 9820-25 on first reading.

The fiscal year 2024/25 operating and capital improvement budgets were adopted in September 2024 by ordinances 9793-24 and 9794-24. Section 2.521 of the City's Code of Ordinances requires the City Manager to prepare a quarterly report detailing income, expenditure estimates, collections, the

explanation of significant variances, as well as the financial status of all capital improvement projects.

STRATEGIC PRIORITY:

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

Ordinances 9819-25 and 9820-25 were presented and read by title only.

Councilmember Cotton moved to amend the City's fiscal year 2024/25 operating and capital improvement budgets at first quarter and pass Ordinances 9819-25 and 9820-25 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 6.5** Approve a Clearwater Interlocal Agreement (ILA) with Pinellas Suncoast Transit Authority (PSTA) for Undergrounding of Duke Electric Utilities along Myrtle Avenue, Cleveland to Court Streets, and authorize the appropriate officials to execute same.

In support of the City's new City Hall and MSB Renovation projects as well PSTA's Multimodal Transit Center, the City wishes to partner with PSTA to initiate removal of Duke's overhead power lines along the west side of Myrtle Avenue from just north of Cleveland Street to just south of Court Street. This will improve aesthetics of the urban landscape, provide a cleaner visual appearance, enhance pedestrian access while also offering increased reliability and safety compared to overhead lines. This undergrounding effort provides opportunity for increased property values, creating a more attractive environment for businesses and residents, stimulating investment and revitalizing the area.

The ILA allows PSTA to pay/reimburse the city for their portion of the Duke undergrounding work. PSTA will be responsible for restoration of their adjacent right-of-way (ROW) and private property and coordinating with the joint users to remove private telecom lines from the Duke-owned power poles once Duke removes the power lines. The proposed undergrounding covers approximately four blocks for \$671,431.56 based on Duke's binding project estimate dated February 15, 2025. The City's portion owed to Duke is \$503,573.56 or 75% of the total for three blocks and PSTA's portion is \$167,858.00 or 25% for one block.

The approval to use \$1 million in CRA funds to cover the City's portion of undergrounding cost, including joint users and restoration, as well as approval of the Duke Underground Conversion Agreement, will be presented to the CRA Trustees at the next CRA work session, March 31, 2025. The city and PSTA will grant Duke various easements to accommodate required switchgear and transformers on city and PSTA property with the power lines typically being directional drilled in the ROW. Duke anticipates a 7-month construction duration once they receive permits.

STRATEGIC PRIORITY:

Investment in undergrounding of overhead power lines in the downtown core supports all five of the strategic priorities below.

One individual suggested that Duke Energy provide some funds for this project.

Councilmember Teixeira moved to approve a Clearwater Interlocal Agreement (ILA) with Pinellas Suncoast Transit Authority (PSTA) for Undergrounding of Duke Electric Utilities along Myrtle Avenue, Cleveland to Court Streets, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.6** Authorize an increase and extension on the purchase order to Gator Grading and Paving LLC, of Palmetto, Florida, for the 2021 Roadway Resurfacing project on a unit price basis in the not-to-exceed amount of \$1,500,000.00 bringing the purchase order total to \$4,050,000.00 and extend by 153 Calendar days, through September 30, 2025, pursuant to Bid (ITB) 19-0045-EN and authorize the appropriate officials to execute same.

The City of Clearwater's annual street resurfacing program is designed to prevent the deterioration of the asphalt road surface, maintain the integrity of the road substructure, and extend the useful lifespan of the roadways.

On December 3, 2020, City Council Approved the 2021 Roadway Resurfacing contract pursuant to ITB 19-0045-EN for one year with an option for three additional one-year renewal terms on a unit price basis.

On February 6, 2025, the City Manager approved an extension of 90 calendar days to the purchase order through April 30, 2025, to continue with the 5-year resurfacing plan and address damage caused by hurricanes Helene and Milton, until a new Resurfacing contract is established.

This extension, as well as the extension previously approved by the City

Manager, includes a price increase for the asphalt items. Asphalt line items have increased yearly due to price fluctuations associated with the petroleum industry and approved based on industry trends. The Transportation Division was able to negotiate recent price increase with the contractor who agreed to only increase the asphalt line items and keep pricing competitive with other local active awarded contracts. The Gator Grading and Paving asphalt unit price is lower (28% to 5%) than active annual resurfacing contracts with the Pinellas County and St. Pete.

An additional 153 calendar day extension, through September 30, 2025, will allow continuation of repair of damage caused by Hurricanes Helene and Milton as well as complete work delayed due to hurricane activity. Public Works will advertise a new resurfacing Invitation to Bid (ITB) this summer to be placed by the end of this fiscal year, by September 30, 2025.

The streets scheduled for resurfacing in this contract were selected from the City's pavement management plan, citizens' requests, and staff observations. Additionally, repairs of Clearwater Beach Parking Lots used as debris management sites after Hurricane Helene and Milton (with the exception of Lot 36/Rockway) will be performed under this contract extension.

This is a unit price contract with a maximum increase of \$1,500,000.00, bringing the total to \$4,050,000.00 for the term ending September 30, 2025.

APPROPRIATION CODE AND AMOUNT:

ENRD180004-CONS-CNSTRC \$1,500,000

Funding is available in capital improvement project ENRD180004, Streets and Sidewalks, to fund this contract. This project is funded annually with Road Millage (Ad Valorem Taxes) and General Fund Revenues.

STRATEGIC PRIORITY:

1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts. 1.4 Foster safe and healthy communities in Clearwater through first-class public safety and emergency response services.

Vice Mayor Allbritton moved to authorize an increase and extension on the purchase order to Gator Grading and Paving LLC, of Palmetto, Florida, for the 2021 Roadway Resurfacing project on a unit price basis in the not-to-exceed amount of \$1,500,000.00 bringing the purchase order total to \$4,050,000.00 and extend by 153 Calendar days, through September 30, 2025, pursuant to Bid (ITB) 19-0045-EN and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.7** Approve a Contract for the Purchase of Real Property located on the Stevenson Creek Shoreline, also known as Parcel Identification Number 10-29-15-00000-120-0100, by the City of Clearwater from current owners, Kumar Kakarlapudi and Prerana Kamalakar Vaidya at the purchase price of \$35,000.00 plus anticipated closing costs of up to \$3,500 for a total expenditure not to exceed \$38,500.00, and authorize the appropriate officials to execute same.

Said parcels as noted above are adjacent to Stevenson Creek consisting of approximately 2.3 acres (100,188 square feet) with over 850 feet of unobstructed waterfront.

This lot is vegetated wetland and provides a buffer between Stevenson Creek and the adjacent residential properties to the north. The purchase of this property will complement adjacent park parcels to the northwest. There are no existing plans to develop the property as the main purpose for purchasing the property is to set aside and preserve these wetlands from future development and intrusion into the Stevenson Creek Watershed Basin. This property will provide unobstructed access to the creek from adjacent park property to the northwest.

An initial appraisal of the lot was completed on December 23, 2024, yielding a market value of \$18,300.00 dollars.

Mr. Robert J. Kasmer, the City of Clearwater Real Estate Service Coordinator by virtue of his Florida Broker Licensure, performed a "Brokers Price Opinion" on said parcel. His opinion is based upon the review of like kind property to reconfirm its justifiable valuation. This value is not intended to replace an Appraisal, but only to present a different perspective of market value. Mr. Kasmer thoroughly evaluated similar parcels and offered an estimation of current market price to be \$35,700.00 dollars.

Funding for this purchase is coming from the Open Space/Recreation Facility Special Development Fund. It's important to note that these funds may only be used for park land purchases. The purchase of this property will allow the city to utilize funds in a timely manner to purchase park property according to the Open Space Recreation Facility Land Ordinance under which these funds were collected and to which the use of such funds are still bound.

The purchase of this land is supported by numerous provisions of the City's Comprehensive Plan found in the "Conservation & Coastal Management" and "Parks and Public Places" elements as well as the Community Development Code.

City staff, including environmental staff, have reviewed and recommend approval of this purchase.

APPROPRIATION CODE AND AMOUNT:

Funds are available in Special Development Fund for this purchase. A first quarter budget amendment will transfer up to \$38,500.00 of Open Space impact fees from the Special Development Fund into project 315-93133 Park Land Acquisition.

STRATEGIC PRIORITY:

Approval of this parkland purchase supports several Strategic Plan Objectives, including:

- 1.2: Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.
- 1.3: Adopt responsive levels of service for public facilities and amenities, and identify resources required to sustain that level of service.
- 1.5: Embrace a culture of innovation that drives continuous improvement and successfully serves all our customers.
- 2.3: Promote Clearwater as a premier destination for entertainment, cultural experiences, tourism, and national sporting events.
- 3.1: Support neighborhood identity through services and programs that empower community pride and belonging.
- 4.1: Support proactive climate resiliency strategies based in science to protect natural and built environments from impacts associated with sea level rise.
- 4.3: Protect the conservation of urban forests and public green spaces to promote biodiversity and reduce our carbon footprint.

Councilmember Mannino moved to approve a Contract for the Purchase of Real Property located on the Stevenson Creek Shoreline, also known as Parcel Identification Number 10-29-15-00000-120-0100, by the City of Clearwater from current owners, Kumar Kakarlapudi and Prerana Kamalakar Vaidya at the purchase price of \$35,000.00 plus anticipated closing costs of up to \$3,500 for a total expenditure not to exceed \$38,500.00, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.8** Approve Vehicle Use Agreement between the School Board of Pinellas County, Florida and the City of Clearwater through August 8, 2025 for the City to utilize Pinellas County

School buses at a cost of \$1.60 per mile plus \$44.00 per hour, for a total estimated cost of \$20,000 and authorize the appropriate officials to execute same. (consent)

The Parks and Recreation Department organizes various field trips for participants, primarily summer camp youth, that require bus transportation. During the summer of 2025, the department will organize approximately 50 field trips that may utilize school bus transportation.

The Pinellas County School System allows municipalities to utilize their fleet of buses and drivers for \$1.60 per mile plus \$44.00 per hour for driver with a four-hour booking minimum.

Comparing a sampling cost of school buses for these trips against the use of private bus lines indicates school buses are generally a less costly mode of transportation.

Approval of this Agreement will allow staff the additional option to use Pinellas County School System buses when determining the most cost-effective source of transportation for participants.

This agreement is similar to previous agreements between the City and the Pinellas County School System, and similar to agreements made with other municipalities that utilize school bus transportation.

The contract terms include an indemnification provision against any claims that are found to result from the sole negligence of the City, its governing body, or its employees. Nothing in the agreement, however, shall be deemed a waiver of the limitations on liability contained in Section 768.28, Florida Statutes, or the doctrine of sovereign immunity.

APPROPRIATION CODE AND AMOUNT:

Funding will come from a variety of general fund cost centers, primarily recreation programming (1813/1816/1834-5303) as well as the JWB grant code (G2107-5303). The Recreation Programming Division's Operating Budget contains sufficient funds to cover the costs associated with this Agreement.

STRATEGIC PRIORITY:

Approval of the purchase order supports several Strategic Plan Objectives, including:

- 1.3: Adopt responsive levels of service for public facilities and amenities, and identify resources required to sustain that level of service.
- 3.1: Support neighborhood identity through services and programs that empower community pride and belonging.

Councilmember Cotton moved to approve Vehicle Use Agreement between the School Board of Pinellas County, Florida and the City of Clearwater through August 8, 2025 for the City to utilize Pinellas County School buses at a cost of \$1.60 per mile plus \$44.00 per hour, for a total estimated cost of \$20,000 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.9** Approve a purchase order to Motorola Solutions, Inc., of Chicago, IL, for 12 CommandCentral AXS Dispatch Consoles and NICE Logging Interface with two-years of associated warranty service for \$1,303,879.00 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c) Piggyback or cooperative purchasing, Section 2.563(1)(d) Noncompetitive (Impractical), and authorize the appropriate officials to execute same.

The City of Clearwater has operated an independent Land Mobile Radio (LMR) system for several decades to use by the police department and other city departments. At the direction of Council to find efficiencies to control costs, staff is proposing migrating to the Pinellas County LMR. This will allow for seamless radio communications between the police department and other law enforcement agencies in Pinellas County, and the police department supports the migration to the Pinellas County LMR. The Clearwater fire department already currently operates on the Pinellas County LMR.

The Clearwater LMR is due for an upgrade, that occurs approximately every 10-years. In July 2024, the City received a proposal for the upgrade with a cost of \$957,000.00 for needed upgrades and \$436,943.00 in optional upgrades. Another related concern is the need to improve signal strength on Clearwater Beach. In 2020, staff received a proposal to add an additional repeater on Clearwater Beach for \$917,802.00. Staff did not decide to proceed with this proposal at that time. Additionally, the current (FY25) reoccurring annual maintenance for the Clearwater LMR is \$350,599.00, and subject to annual escalation.

The purchase of 12 Motorola CommandCentral AXS Dispatch Console and NICE Logging interface for \$1,303,879.00 is necessary for the police department communications center to migrate and operate on the Pinellas County LMR. 2-years of service maintenance is included in this cost (\$118,879.00 in year 2). The annual maintenance cost will be reoccurring starting in year three and escalate annually. Migration to the Pinellas LMR will reduce the need for future capital to fund the Clearwater LMR. This migration also represents a reduction in maintenance costs of \$231,720.00 a year. Pinellas County is not requesting funding from the City of Clearwater to support

the Pinellas County LMR system at this time, other than we would have to pay for individual access for non-public safety personnel.

Authorization to piggyback Sourcewell Contract 042021-MOT valid through June 23, 2025 with the option for one additional one-year period is requested. The Essential Service Plan in the amount of \$118,879.00 is considered impractical to bid because using another provider to service this equipment could void the warranty.

The current portable and mobile radios can be reprogrammed to operate on the Pinellas LMR and are not required to be replaced until they reach end of life. The cost to reprogram and set up current portable and mobile radios to seamlessly work on the Pinellas LMR is \$52,792.00 and would be complete by Communications International (Ci) through our vendor service contract.

APPROPRIATION CODE AND AMOUNT:

A mid-year budget amendment will provide an allocation of \$1,303,880 from Garage Fund reserves to capital improvement project 315-C2508, Motorola Conversion, to fund this purchase.

The Garage Fund is an internal service fund of the City which supports city-wide fleet and radio system operations and maintenance.

USE OF RESERVE FUNDS:

Funding for this purchase will be provided by mid-year budget amendment allocating Garage Fund reserves in the amount of \$1,303,880 to capital improvement project 315-C2508, Motorola Conversion. The remaining balance of Garage Fund reserves after 25% working capital reserves is approximately \$3.9M or 21% of the current Garage Fund operating budget.

STRATEGIC PRIORITY:

Mission - Clearwater is committed to quality, sustainable, cost-effective municipal services that foster and sustain a healthy residential and economic environment.

1.2 Maintain public infrastructure through systematic management efforts.

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

One individual spoke in opposition.

Councilmember Teixeira moved to approve a purchase order to Motorola Solutions, Inc., of Chicago, IL, for 12 CommandCentral AXS

Dispatch Consoles and NICE Logging Interface with two-years of associated warranty service for \$1,303,879.00 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c) Piggyback or cooperative purchasing, Section 2.563(1)(d) Noncompetitive (Impractical), and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 6.10** Approve a loan in the amount of \$1,000,000.00 to SAH Indigo Holdings LP for the acquisition of real property located at 801 Chestnut St. contingent upon the satisfactory outcome of, as determined by the Economic Development and Housing Director, a subsidy analysis, the receipt of a structural evaluation, approval of all funding sources, and a tenant relocation plan; and authorize the appropriate officials to execute documents required to effect closing of the loan.

Indigo Apartments is comprised of 208 units and was originally developed for low-income senior housing. In 2015, the property was purchased and converted to market rate, excluding 20 units that are legally restricted by HOME funding that was previously provided to the property by the City of Clearwater.

Sunrise Affordable Housing Group, through their special purpose entity SAH Indigo Holdings LP (Sunrise), is currently under contract to acquire Indigo Apartments and is planning to convert it to legally restricted affordable housing under a 50-year affordability commitment through the Low-Income Housing Tax Credit (LIHTC) program, implementing income and rent restrictions on 100% of units with thresholds set at 30%, 60%, and 80% of area median income. The restrictions will result in significant rent reductions, resulting in an average +/- 51% discount when compared to today's market-rate rents. The property will be placed in the Pinellas County Land Trust, which will provide a 99-year lease to Sunrise, placing 208 housing under the county's land use restrictions.

To support the project, staff recommends approval of a deferred, 0% interest 40-year loan in the amount of \$1,000,000.00, utilizing a combination of CDBG and SHIP funding. The loan will support the acquisition of the property. The CRA has agreed to provide a \$2,000,000.00 loan to Sunrise to support the acquisition of the property. The city funding will assist a total of 6 units which will be restricted by a land use restriction agreement and monitored by City staff for the duration of the LURA. The final approval of the loan will be contingent upon the outcome of a subsidy analysis, the receipt of a structural evaluation of the subject property that justifies the rehabilitation component of the project, the approval of all funding sources, and a satisfactory tenant relocation plan as determined by City.

APPROPRIATION CODE AND AMOUNT:

Funding is to be provided by State Housing Initiatives Partnership (SHIP) Program, Community Development Block Grant (CDBG) and CDBG Revolving Loan Funds. No General Fund monies will be appropriated.

STRATEGIC PRIORITY:

Objective 2.4 - Supports equitable housing programs that promote household stability and reduces the incidence of homelessness within Clearwater.

One individual spoke in opposition.

In response to a question, Economic Development and Housing Real Estate Coordinator Dylan Mayeux said the \$10 million from Pinellas County is a blend from the Land Trust and Penny for Pinellas.

Vice Mayor Allbritton moved to approve a loan in the amount of \$1,000,000.00 to SAH Indigo Holdings LP for the acquisition of real property located at 801 Chestnut St. contingent upon the satisfactory outcome of, as determined by the Economic Development and Housing Director, a subsidy analysis, the receipt of a structural evaluation, approval of all funding sources, and a tenant relocation plan; and authorize the appropriate officials to execute documents required to effect closing of the loan. The motion was duly seconded and carried unanimously.

7. Second Readings - Public Hearing

- 7.1** Adopt Ordinance 9813-25 on second reading , amending Clearwater Code of Ordinances Sections 2.413 and 2.418 to change the disability process for members of the pension plan.

Ordinance 9813-25 was presented and read by title only.

Councilmember Cotton moved to adopt Ordinance 9813-25 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 7.2** Adopt ordinance 9817-25 on second reading, amending Clearwater Code of Ordinances Chapter 22, Article II, Section 22.61, to add a new section addressing motorized bicycles, hoverboards, unicycles, scooters and similar devices.

Ordinance 9817-25 was presented and read by title only.

Councilmember Mannino moved to adopt Ordinance 9817-25 on second and final reading. The motion was duly seconded and upon roll call, the motion carried with the following vote:

Ayes: 4 - Mayor Rector, Vice Mayor Allbritton, Councilmember Mannino and Councilmember Teixeira

Nays: 1 - Councilmember Cotton

- 7.3** Continue to April 3, 2025: Adopt Ordinance 9805-25 on second reading, amending the Community Development Code to establish standards for artificial turf, require landscaped areas in front yards for residentially zoned properties, and make other associated updates.

No action taken.

8. City Manager Reports – None.

9. City Attorney Reports – None.

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

Councilmember Cotton said it was great to see Spring Breaks are all amped up and good to see many enjoying the area.

Councilmember Teixeira said she was looking forward to Neighborhoods Day.

Councilmember Mannino said he was looking forward to visiting new areas on Neighborhoods Day. He said he was proud of the team during Council's recent visit to Tallahassee to meet with our legislative delegation.

Vice Mayor Allbritton said it was a good decision this year to meet with our legislators separately from Amplify. He said it was a good trip and he is looking forward to next year's trip.

11. Closing Comments by Mayor

The Mayor reviewed recent and upcoming events. He said the trip to Tallahassee was great; it was an opportunity to thank our legislative delegation for all they do for us and but also discuss legislation that could negatively impact cities.

12. Adjourn

The meeting adjourned at 8:49 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Call, Rosemarie

From: The-Witchee-Woman <nancylpyke@gmail.com>
Sent: Monday, March 17, 2025 12:24 PM
To: ClearwaterCouncil
Subject: 6.3 9812-25

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.

The fact that Scientology has already shut down the entire city of Clearwater is not enough for this non tax paying, child trafficking cult, they want to privatise the streets too? WILL VACATION ON SOUTH GARDEN AVE BETWEEN COURT AND FRANKLIN STREET be the area that this year's recruitment efforts will take place? Reverting the land to private ownership to terminate the public's right to the streets?

The state of Florida should be ashamed of themselves. The cat is out of the bag. Stop wasting the officials, the courts, the tax paying citizens time and money. If you are accepting "gifts" from Scientology rather than taxes you all, the entire state should prosecuted.

I think I have for 50+ years allowed the non tax paying status of this cult to be the main focus. I realise now that too is a sham to keep the public from understanding the real horror that is ignored daily. The children auditing adults, being used as slaves and being groomed before puberty how to get the most out of the adults they are made to audit. Scientology uses self pleasuring as a crime, think of all the adults who ask for and pay extra to have a child as an auditor hear ALL of the adult perversions. I have overlooked the obvious, the sexual abuse of minors is the real "CREED" of this cult. The more perverse confessions from disturbed Scientologists through auditing is what is keeping this cult financially solvent. Using children to gather that information, children locked alone in rooms often with pedophiles talking about their actions, dreams or wants is pure heaven for this cult. Remember, Scientologists are NOT ALLOWED TO GO TO THE POLICE. If they do, that is a punishable action by Scientology. Punishments such as a child and convicted pedophile sharing their jail time with each other. Buddy up with the person who violates you, as punishment for not doing your job properly as a 12 or 13 year old child. Hubbard was a science fiction author, who was sexually depraved, drug addicted criminal who conned the lost from the 1970's into thinking Scientology offered them a way to save the world. The good intentioned jumped at sticking it to society and leaped into Scientology with the dream that their sacrifice, as they are lead to believe has more power, could save a world, while being a hypnotised "free thinker" who holds the power to wipe away all conscious sin, any sin, murder, theft, elder and child abuse. It was so easy. Sign here, give us all your income, commit credit card fraud or some thing like that if you are temporarily short of funds. Book a session with whomever you feel most comfortable with. Everyone is an adult so no legal problem there. Allow Scientology to brain wash you, break you down mentally and physically. We will destroy your free cognition. For this commitment Scientology will give access to our auditing ethics that we say will clear your conscience and green light you to commit any crime or atrocity against anything or anyone. This submission grants you permission to do what you want when you want with whom you want guilt free. No atonement as we have already paid for our sins in the past lives etc. etc. Clear is just an appointment away. Scientology assures you

that your choice of auditor (child) will be available regardless of the time of day or condition of the auditor (child with sleep deprivation, not enough nutrition and absolutely no down time. This cult harvests children from their families as the younger the person the more easily they are to mould into the non emotional robot needed to service the paying Scientologist with the need to clear themselves of any sins or wrong doings. Parents willingly go along as doing so puts themselves in a higher position. In other words parents who think only of themselves are encouraged to give away a child for the greater good. Their way of keeping socially higher ranking.

I could go on and on. Suffice it to these simple facts. Children are not adults. Children cannot consent to agree to contracts of any kind. Scientology is a money and real estate scheme that has been sanctified by the United States of America for decades. This cult hurts and takes from within their walls, destroys families and commits crimes against the citizens of this country, daily. This cult encourages child abuse in every way imaginable. At every age imaginable.

Side note, most of the other countries that Scientology sets up in make these institutions pay taxes. We the People can't see the light regarding this group's treason, they don't have to pay taxes here. Nor do the millionaires in Scientology who donate to them. Well done Hubbard, well done.

No, Scientology does not need a tax funded vacation. Clearwater's only outside income is from their concerts. Non Scientology brave the ghost town known as Clearwater to attend concerts and then flee back to the safety of their non cult residential areas.

There is nothing, nothing that Scientology needs that any tax payer should be willing to give. Scientology should be giving back all that it has taken from innocents for years without having to be accountable for any of it's wrongs.

I am all for having a huge nationwide street party the day that the cult is finally judged for the criminal institution that it is, and held responsible by the court system for all the wrongs this cult has committed over 70 plus years.

Cut the gift, there is always some institution or group of power seeking humans that will fill the gap when Scientology has ended.

No vacation for S Garden Ave. or any place or time that Scientology wishes to take away our freedom.

Thank you,
The Witchee-Woman
#NMKIS
#KIDS CANNOT CONSENT

Call, Rosemarie

From: Holly Lewis <hollylewismusic@gmail.com>
Sent: Monday, March 17, 2025 6:13 AM
To: ClearwaterCouncil
Subject: Item 6.3 9812-25 PLEASE DO NOT LET THIS HAPPEN! SCIENTOLOGY IS A CULT!

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.

PLEASE DO NOT LET THIS STREET VACATION HAPPEN AS SCIENTOLOGY IS ALREADY TAKING OVER CLEARWATER, FLA!!!! SCIENTOLOGY IS A CULT THAT SEPARATES FAMILIES, ABUSES CHILDREN, ABUSES ELDERS, IS A MLM SCAM AND NEEDS TO HAVE IT'S IRS TAX EXEMPT STATUS REOVKED! PLEASE DO NOT ALLOW THEM FURTHER CONTROL OF CLEARWATER, FLA! THANK YOU!!!

Clearwater city council agenda. "Approve the Right of Way (ROW) Vacation request from the Church of Scientology Flag Service Organization to vacate the southern portion of South Garden Avenue between Court Street and Franklin Street, as owned in fee-simple by the City of Clearwater and recorded in Plat Book 5, Page 53 of the Public Records of Pinellas County, and pass Ordinance 9812-25 on first reading."

6.3 9812-25 Approve the Right of Way (ROW) Vacation request from the Church of Scientology Flag Service Organization to vacate the southern portion of South Garden Avenue between Court Street and Franklin Street, as owned in fee-simple by the City of Clearwater and recorded in Plat Book 5, Page 53 of the Public Records of Pinellas County, and pass Ordinance 9812-25 on first reading.

File #:	9812-25	Version: 1	Name:	Vacation of S Garden Ave.
Type:	Ordinance		Status:	Agenda Ready
File created:	3/7/2025		In control:	<u>Public Works</u>
On agenda:	3/17/2025		Final action:	
Title:	Approve the Right of Way (ROW) Vacation request from the Church of Scientology Flag Service Organization to vacate the southern portion of South Garden Avenue between Court Street and Franklin Street, as owned in fee-simple by the City of Clearwater and recorded in Plat Book 5, Page 53 of the Public Records of Pinellas County, and pass Ordinance 9812-25 on first reading.			
Indexes:	1. High Performing Government , 3. Community Well-Being			
Attachments:	1. <u>Aerial - VAC2025-03 - S Garden Ave ROW.pdf</u> , 2. <u>Exhibits 1-3 - Sketch & Legal - VAC2025-03 - S Garden Ave.pdf</u> , 3. <u>Frontier Objection Letter - VAC2025- 03 - S Garden Ave ROW.pdf</u> , 4. <u>Site Plan - VAC2025-03 - S Garden Ave ROW.pdf</u> , 5. <u>Ordinance 9812-25.pdf</u>			

