

City of Clearwater

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



Meeting Minutes

Monday, August 15, 2022

8:00 AM

Main Library - Council Chambers

Community Redevelopment Agency

Roll Call

Present 5 - Chair Frank Hibbard, Trustee Kathleen Beckman, Trustee Mark Bunker, Trustee David Allbritton, and Trustee Lina Teixeira

Also Present – Jon Jennings – Interim CRA Executive Director, Micah Maxwell – Assistant City Manager, Michael Delk – Assistant City Manager, David Margolis – City Attorney, Rosemarie Call – City Clerk, Nicole Sprague – Deputy City Clerk, and Matt Jackson – Assistant CRA Director

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

Unapproved

1. Call to Order – Chair Hibbard

The meeting was called to order at 8:00 a.m.

2. Approval of Minutes

2.1 Approve the minutes of the July 18, 2022 CRA Meeting as submitted in written summation by the City Clerk.

Trustee Allbritton moved to approve the minutes of the July 18, 2022 CRA Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

3. Citizens to be Heard Regarding Items Not on the Agenda

Kathy Flaherty submitted an eComment expressing concern with the lack of attention CRA has given to the East Gateway district (see page 11).

4. New Business Items

4.1 Approve an Interlocal Agreement between the City of Clearwater and the Community Redevelopment Agency (CRA) to provide staffing and administrative services for the CRA, provided for the reimbursement of certain expense by the CRA to the City, and authorize the appropriate officials to execute same.

The Clearwater Downtown Redevelopment Plan establishes that Tax Increment Funding (TIF) funds received by the CRA may be used for certain redevelopment activities.

As per Section 163.387, Florida Statutes allow that money in the redevelopment trust fund may be expended to support the activities of the Community Redevelopment Agency, including providing for staff. The CRA partners with the City to provide staffing and other administrative services (IT, Legal etc.) to implement the Downtown Redevelopment Plan.

The CRA agrees to provide TIF funding in a total amount not to exceed \$691,422 for this contract year. This amount includes \$661,392 for existing staffing and \$30,030 for other administrative services.

These amounts are subject to adjustment and approval in the CRA budget each year. The CRA will only pay the City for actual funds spent. Any unspent funds carry over to the next fiscal year and are reallocated as part of an amended budget request.

Trustee Beckman moved to approve an Interlocal Agreement between the City of Clearwater and the Community Redevelopment Agency (CRA) to provide staffing and administrative services for the CRA, provided for the reimbursement of certain expense by the CRA to the City, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

4.2 Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2022-2023 in the amount of \$266,703 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the Downtown Gateway District, Prospect Lake District, and the Downtown Core District, encompassed by the CRA to address quality of life issues, drug dealing, prostitution, and homelessness and authorize the appropriate officials execute same.

Quality of life issues, drug dealing, prostitution, and homelessness, all negatively impact the re-development plans. Additional community policing resources are needed to effectively address these issues above and beyond the level provided by routine road patrol functions.

An allowable funding source of this active item is the use of CRA Tax Increment Financing (TIF) funds. Florida Statutes allows for the use of TIF funds for "community policing innovations" in the Community Redevelopment Areas.

The CRA and Clearwater Police Department have reached an agreement on a proposed scope of services and terms as delineated in the Interlocal Agreement. Included in the scope is the delineation of specific, measurable crime reduction targets by which to monitor the success of the initiative as well

as providing clear language required by statute assuring that the resources are applied to the CRA/Downtown Gateway area.

APPROPRIATION CODE AND AMOUNT:

Funding for this Interlocal Agreement will be from CRA Project Code R2001 Community Policing.

In response to questions, Clearwater Police Deputy Chief Michael Walek said the proposed cost is the same as last year. Operations include following-up on tips received through Tip411 or citizens making contact with the business owners and gathering information. The Department provides an annual report regarding operations. All calls regarding homeless are addressed in some fashion; the homeless outreach team connects the individuals to services and officers will issue violations per city ordinances to homeless not seeking services and who have violated city ordinance.

CRA Assistant Director Matt Jackson said the correct amount is \$226,703.

One comment supporting Item 4.2 was submitted that was read into the record (see page 13).

Trustee Bunker moved to approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2022-2023 in the amount of \$226,703 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the Downtown Gateway District, Prospect Lake District, and the Downtown Core District, encompassed by the CRA to address quality of life issues, drug dealing, prostitution, and homelessness and authorize the appropriate officials execute same. The motion was duly seconded and carried unanimously.

4.3 Approve the Interlocal Agreement with the Downtown Development Board (DDB) to provide personnel, administrative and management services during Fiscal Year 2022-2023 in the amount of \$81,504.18 and refund the CRA tax increment fee of \$335,643.37 and authorize the appropriate officials to execute same.

Florida Statutes 163.387 requires all taxing authorities, which includes the DDB, to make an annual appropriation in an amount equal to the incremental increase in the ad valorem revenue within the CRA area. The DDB's increment payment is \$335,643.37 according to the Pinellas County Property Appraiser's office.

In a spirit of cooperation to further the downtown redevelopment plan, the CRA Trustees executed the first Interlocal Agreement in Fiscal Year 1999-2000 to provide personnel, administrative and management services to the DDB and to refund the difference between the increment payment and the management fee. This is the twenty third fiscal year that the CRA would enter into the agreement.

Pursuant to Florida Statute 163.01, the CRA and DDB can enter into this agreement in which the DDB agrees to perform certain responsibilities and functions including funding projects and programs consistent with the downtown redevelopment plan. The intent of this agreement is for the DDB and the CRA to work collaboratively on projects and programs that further downtown goals and objectives. The management of the DDB by CRA staff enables the CRA and the DDB to utilize the public dollars more efficiently.

The DDB shall pay the CRA \$81,504.18 for the services agreed to in the Interlocal Agreement.

The DDB approved the Interlocal Agreement at their meeting on August 3, 2022.

In response to a concern, CRA Interim Director Jon Jennings said staff is recommending continuing the item. In the current fiscal year, the agreement is divided into three areas: \$250, 000 for marketing, of which 35% has been spent; \$238,465 for business assistance program, of which 11% has been spent; and \$42,000 for policy and projects, of which 10.6% has been spent. He said there is approximately \$406,000 available. There is a perception that it is difficult to get anything through the DDB, unless one is an established organization. Staff is trying to get organizations that are not established to have access to the funds, enabling them to grow while activating the Downtown business district. He said there is a concern that the money is sitting in an account and not in the community. Another concern is the onerous restrictions placed on the funds; for example the DCMA were appropriated \$50,000 and later expected to conduct an audit, which was not part of the agenda item. If the Trustees decide not to move forward with the agreement, the City will not continue to provide the services. Assistant City Attorney Mike Fuino said the transfer of funds is outlined in the interlocal agreement and there is no statutory obligation to enter into the contract.

Discussion ensued with comments made that it may be time for the Trustees to meet with the DDB and that the DDB should be spending the funds.

The City Attorney recommended the Trustees postpone the item to September 12. There is no legal obligation for the CRA to enter into the agreement. The current agreement ties the refund to the services the

CRA staff provide. He said the the CRA is limited in the procurement sense; there are statutory restrictions where CRA funds may be spent. The DDB has more flexibility on grant programming funds. He said, generally speaking, the CRA cannot spend on marketing or programming. The DDB assesses its own millage and the CRA does not. He said if the Trustees choose to no longer provide DDB with staff support, the DDB will need to decide if it continues to assess the millage or petition for dissolution.

One comment supporting Item 4.3 was read into the record (see page 13).

Trustee Teixeira moved to continue Item 4.3 to September 12, 2022. The motion was duly seconded and carried unanimously.

4.4 Approve a purchase contract for the City of Clearwater Community Redevelopment Agency (CRA) to purchase real property located at 107 S. Osceola Avenue, Parcel No. 16-29-15-20358-002-0110, with a purchase price of \$1,850,000.00 and total expenditures not to exceed \$20,000.00 including closing-related costs and preparation of the site and authorize the appropriate officials to execute same, together with all other instruments required to affect closing

The subject property, Parcel Identification Number 16-29-15-20358-002-0110, is owned by Peace Memorial Presbyterian Church of Clearwater, Florida, Inc. (Seller). Seller's property has a total land area of approximately 36,000 square feet. The property has approximately 225 ft of linear frontage Osceola Ave and approximately 160 ft of linear frontage on Pierce Street. The subject property is adjacent to the former City Hall site.

The CRA intends to redevelop the property as a public parking garage with a potential for ground floor commercial use following closing. Certain parking spaces will be reserved for the Seller's use as follows: 1) no less than 125 spots reserved on each Sunday between 6 a.m. and 2 p.m.; 2) no less than 20 spaces reserved on Monday through Friday between 6 a.m. and 10 p.m.; 3) no less than 75 spaces reserved on Ash Wednesday, Maundy Thursday, and Good Friday between 11:30 a.m. and 9 p.m.; 4) no less than 125 spaces reserved on Christmas Eve between noon and 12:00 a.m.; and 5) no less than 125 spaces reserved on the second Sundays of October through March between 2 p.m. and 5 p.m.

In addition, the contract provides that the CRA will: 1) grant the Seller a right of first refusal; 2) provide the Seller with temporary parking after closing and during

construction of the parking garage; 3) agree to certain use restrictions on the potential ground floor commercial use; 4) not convey or transfer any interest in the property until after the proposed parking garage is constructed and operational, except for a lease or transfer for any commercial uses; 5) construct and maintain a pedestrian walkway; 6) move the Seller's existing chiller to a temporary location at the CRA's expense during construction of the garage and place the chiller on the roof of the garage or another location after construction if the Seller is not able to connect to the County's chilling system; and 7) permit the Seller to present its construction preferences to the CRA for the CRA's consideration. The contract provides that these restrictions, which are generally provided for in Exhibit "C" to the agreement, will be memorialized into Covenants, Restrictions, and Grant of Easements agreement that must be executed and entered as a condition to closing. The City is also asked to join on the contract for purposes of Sections 37 and 38, and any obligations the City has under Exhibit "C."

Two independent appraisals were performed on the property. The first, performed by Tobias Realty Advisors, LLC and dated May 4, 2022, valued the property at \$4,855,000.00. The second, performed by Entreken Associates, Inc. and dated May 13, 2022, valued the property at \$1,620,000.00.

The Seller has agreed to the terms of the Contract prior to presentation to the CRA and the City. Should the CRA and the City approve the contract, each via its applicable process, each will execute the contract accordingly. If approved by the CRA and the City, the Seller will present for formal approval by its governing body. If approved by Seller's governing body, the Seller will execute and deliver a fully executed copy of the Contract to the City and the CRA.

Summary of costs for the purchase of the subject property are as follows:
Purchase price \$1,850,000.00
Closing related costs (not to exceed) \$20,000.00
TOTAL \$1,870,000.00

APPROPRIATION CODE AND AMOUNT:

A fourth quarter budget amendment will provide a transfer of \$1,870,000 from capital improvement project R2010, Housing - County, to capital improvement project R2006, Infrastructure - County, to fund this purchase.

Trustee Allbritton moved to approve a purchase contract for the City of Clearwater Community Redevelopment Agency (CRA) to purchase real property located at 107 S. Osceola Avenue, Parcel No. 16-29-15-20358-002-0110, with a purchase price of \$1,850,000.00 and total expenditures not to exceed \$20,000.00 including closing-related costs and preparation of the site and

authorize the appropriate officials to execute same, together with all other instruments required to affect closing. The motion was duly seconded and carried unanimously.

4.5 Approve the Business Renovation grant program for property owners and tenants to improve the visual appearance of commercial properties through exterior and interior improvements and authorize the appropriate officials to execute same.

The Community Redevelopment Agency (CRA) is recommending approval of the Business Renovation Grant program to reduce blight and encourage private investment into downtown.

The purpose of the Community Redevelopment Agency (CRA) Business Renovation grant program is to improve the visual appearance of commercial properties through small scale exterior and interior building and site improvements. The Business Renovation Program's objectives are to:

- Improve the condition and appearance of commercial buildings in Downtown Clearwater.
- Increase the number of commercial properties that can attract and accommodate tenants in the CRA District.
- Increase commercial occupancy rates and property values.

Grants may be awarded to property owners or tenants for exterior and interior improvements to commercial property within the CRA district. This program is intended for renovations and repairs that do not exceed a total project cost of \$200,000. The CRA will fund projects based on the cost of eligible improvements based on a tiered system as shown in the attached program summary.

Only one grant per property address/tenant is allowed every five years. Eligible improvements include painting, signage, lighting, doors, windows, roof, site improvements, and other minor exterior repairs. Eligible interior improvements include windows, doors, standard lighting and electrical, basic HVAC, concrete floor, ADA restrooms, fountain, and fire code improvements. The amount of grant funds for the program will be established by the CRA Trustees on an annual basis. All grant awards are subject to budget availability. Applications will be accepted on a rolling basis. In this program, the CRA Director has the final approval authority to approve grant applications, execute grant agreements and authorize reimbursement up to \$99,997.30 per project. Staff recommends allocating \$300,000 for the first year of the program which would cover three properties at the full grant amount. With the fiscal year ending September 30, 2022, the \$300,000 would be for fiscal year 2022-2023.

The proposed grant program balances the legal requirements for the use of CRA funds, meets the goals of the downtown redevelopment plan and provides a partnership opportunity for property owners and tenants who wish to invest in downtown.

APPROPRIATION CODE AND AMOUNT:

Funds are available in CRA project code 3887552-R2003 ED-City.

In response to questions, CRA Assistant Director Matt Jackson said the grant program will become effective immediately. Grants over \$50,000 will come to the Trustees for approval. Staff received feedback that there were issues with the property owner submitting a grant application and receiving the funds. This program is structured to allow the business owner to apply for the grant funds. He said the property owner will be made aware of the application.

Trustee Beckman moved to approve the Business Renovation grant program for property owners and tenants to improve the visual appearance of commercial properties through exterior and interior improvements and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

5. Director's Report – None.**6. Adjourn**

The meeting adjourned at 8:54 a.m.

Attest

Chair
Community Redevelopment Agency

City Clerk

Community Redevelopment Agency on 2022-08-15 8:00 AM

Meeting Time: 08-15-22 08:00

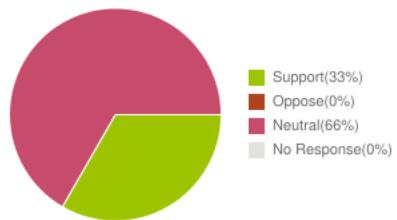
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Community Redevelopment Agency on 2022-08-15 8:00 AM	08-15-22 08:00	13	3	1	0	2

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Community Redevelopment Agency on 2022-08-15 8:00 AM

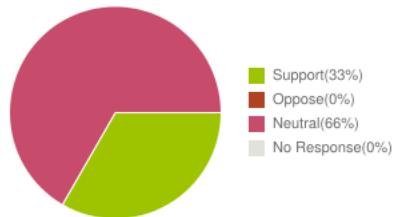
08-15-22 08:00

Agenda Name	Comments	Support	Oppose	Neutral
3. Citizens to be Heard Regarding Items Not on the Agenda	1	0	0	1
4.2 ID#22-0787 Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2022-2023 in the amount of \$266,703 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the Downtown Gateway District, Prospect Lake District, and the Downtown Core District, encompassed by the CRA to address quality of life issues, drug dealing, prostitution, and homelessness and authorize the appropriate officials execute same.	1	1	0	0
4.3 ID#22-0789 Approve the Interlocal Agreement with the Downtown Development Board (DDB) to provide personnel, administrative and management services during Fiscal Year 2022-2023 in the amount of \$81,504.18 and refund the CRA tax increment fee of \$335,643.37 and authorize the appropriate officials to execute same.	1	0	0	1

Sentiments for All Agenda Items

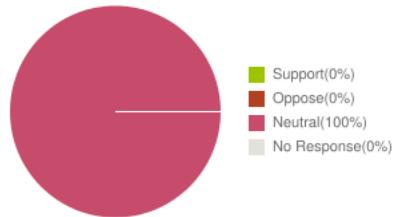
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 3. Citizens to be Heard Regarding Items Not on the Agenda

Overall Sentiment



Kathy Flaherty

Location:

Submitted At: 12:07pm 08-11-22

This comment is in regard to the CRAs lack of attention to the Eastgate area of the CRA. The Eastgate area, renamed without input to the Downtown Gateway, makes up 33% of the CRA yet sees little no benefits from being

part of the CRA. Funds generated here get spent on projects outside of the Eastgate. Examples are funding developers for downtown improvements, art projects. festivals to promote downtown, etc. There are two Eastgate projects that need attention - one for not having community input and one for being ignored.

The two projects are the Mercado/ Festival area located at the intersection of Cleveland and Gulf to Bay and the Stevenson Creek Improvement project.

Per the Downtown Development Plan the Eastgate Area, also now known as the Downtown Gateway, has two capitol improvements listed - the installation of a Festival Market/Mercado area and the Stevenson Creek improvements . Both projects have been planned for over a decade, have been found important by numerous Boards and Councils and yet neither have been properly planned, let alone completed. Other projects get planned and completed, even newly conceived ones get completed, but not these.

The first project is part of the Cleveland Street project, a project which was delayed for years and years. The CRAs part in the project is to develop a community space. The City is doing the rest of the project. The current CRA Trustees ignored a Trustee / Community approved design and incurred additional cost to hire a contractor to do a new design. This new design was not developed or liked by the community and finally after 2 years of revisions to make it affordable, was determined by the Trustees to be non feasible. The Trustees voted to cancel this new design and install grass until a brand new community driven design could be formulated.

At the most recent Cleveland street Scape update meeting, the community was informed that the design had been canceled and a new festival area design would be placed on hold until after the area was completed, as it did not exist yet, and until a new CRA Director hired. There were assurances the community would be included in the initial stages of the design. This is not the case.

The Interim CRA Director, Mr. Jennings, is allowing the City to once again design the area with no initial input from the community and with no input from a new Director. From my understanding they are trying to revise the plan that, you, the Trustees voted to cancel because the Cuty and CRA staff said it was not possible to revise to fit the approved budget. The project was over budget by \$250,000 even after the 2 year revision process. What changed now?

The community wants to be involved in the developing of a community space. Mr. Jennings does not know this community like those that live and work here do. Let the community have a bigger say in the project - a new plan is needed, not a revision of a concrete pad and poles. New designers new ideas.

The second project is the Stevenson Creek Greenway Trail. This is a major Capitol Improvement that has been in the City's plans since 2011. The Eastgate Community asked the CRA to do improvement recommendations for the blighted residential area. Engineers were hired and produced a preliminary plan to install a small park, install a footbridge over Court Street connecting Glen Oaks Park, install plants and trees and install a trail leading down the creek. This plan and recommendation of \$8.8 million budget can be found in the Downtown Development plan approved in 2018 and used by the City today. When I asked about this project earlier this year, I was told by the City Manager that this project was forgotten by the City. No this project is being ignored by the City and the CRA. This project is part of the current approved Development Plan and should not be ignored.

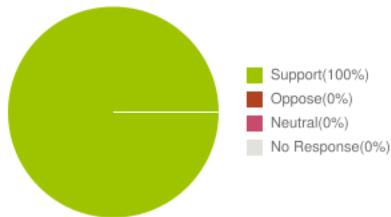
The CRA and the City are starting new projects - Imagine Clearwater, giving incentives for developers for new projects but not paying attention to small community projects that are needed to improve the Eastgate community and actually mitigate blight. Let the community design its community space and stop spending funds for new projects until you complete the old ones.

You are also about to vote to consider paying the Downtown Development Board CRA funds so that they may help promote their area of the CRA because you think they can promote the area better than the CRA can. .You are even going to vote to staff the Board because their community input is so vital. Please give the community in the Eastgate area the same respect and let us plan and promote our community.

Please treat Stevenson Creek as an asset to the community and show how it can be something other than a weed filled drainage ditch surrounded by unenclosed dumpsters . Please mitigate blight instead of ignoring it.

Agenda Item: eComments for 4.2 ID#22-0787 Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in Fiscal Year 2022-2023 in the amount of \$266,703 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the Downtown Gateway District, Prospect Lake District, and the Downtown Core District, encompassed by the CRA to address quality of life issues, drug dealing, prostitution, and homelessness and authorize the appropriate officials execute same.

Overall Sentiment



Kathy Flaherty

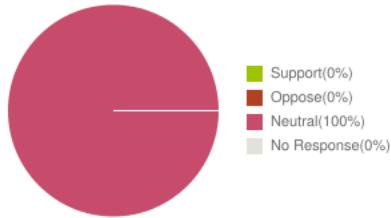
Location:

Submitted At: 12:27pm 08-11-22

This has been a very beneficial program and fully support it. I would like to see more attention to the stopping the pimps and "johns" that facilitate prostitution.

Agenda Item: eComments for 4.3 ID#22-0789 Approve the Interlocal Agreement with the Downtown Development Board (DDB) to provide personnel, administrative and management services during Fiscal Year 2022-2023 in the amount of \$81,504.18 and refund the CRA tax increment fee of \$335,643.37 and authorize the appropriate officials to execute same.

Overall Sentiment



Kathy Flaherty

Location:

Submitted At: 1:29pm 08-11-22

This is not a refund as presented. The DDB does not pay any funds to the CRA. The CRA collects TIF funds to mitigate blight. The DDB taxes its members to promote them. The DDB taxing district is inside the CRA area but does not pay or tax the CRA.

This is a contract for services not a refund or a passthrough and should be explained as such. The previous City Attorney, Ms. Akin, explained it several times to the majority of the current Trustees.

The services provided for \$335,643.37 by the DDB to the CRA are:

advise the City of Clearwater (City) and the CRA on policies and procedures which will succeed in bringing more businesses and residents into the downtown district and thus improve its tax base and overall economic conditions;

survey downtown property owners, residents and businesses to determine needs and attitudes, to monitor progress, to evaluate success or failure of initiatives; sponsor community events and encourage public attendance at events in support of downtown merchants and other goals in the Downtown Redevelopment Plan; and cooperate with local, state and regional organizations in promoting the downtown district as a destination.

In order to perform these services for the CRA the DDB needs a staff. The DDB wants to contract with the CRA for \$81,504.18 to provide the staffing. On top of duties to mitigate blight, the full time CRA staff has to staff the DDB, if approved. This is in order for the DDB to promote only the Downtown community. The DDB does not offer grants or services to the entire CRA.

The staffing services that the CRA staff will provide if this is approved are:

Prepare correspondence for DDB members;
Maintain all DDB funds in the City's bank account and with funds segregated for accounting purposes in the City's records as a separated, interest-earning fund;
Assist with preparation and monitoring of the annual budget and prepare amendments as necessary;
Prepare monthly financial reports;
Prepare agendas and distribute packets to DDB members prior to each meeting;
Prepare meeting notices for monthly and special DDB meetings;
Attend meetings and supervise work of Board Reporter who records and transcribes minutes;
Coordinate committee meetings, if applicable;
Handle all phone inquiries and follow up on the calls;
Handle any special mailing notices;
Serve as coordinator for the DDB special activities;
Assist in research and implementation of projects initiated by the Board; Assist with promoting design related programs to the downtown community; Manage loans, contracts and all applicable documents;
Coordinate field trips and travel arrangements in accordance with the City of Clearwater Travel and Meals Policy;
Other administrative duties as mutually agreed;
Coordinate the annual election process in cooperation with the Pinellas County Supervisor of Elections;
Act as a Liaison to the Pinellas County Property Appraiser, Pinellas County Tax Collector, and DDB legal counsel;
Assure that the annual audit is conducted in compliance with requirements of the State of Florida Auditor General;
Comply with State of Florida Tax Increment Millage Compliance with Chapter 200, Florida Statutes, Sections 218.23, 218.63, Florida Statutes (TRIM);
Comply with the Florida Department of State Information Services Records Disposition Act;
Comply with the State of Florida Department of Community Affairs Special District Information Program;
Comply with the State of Florida Department of Insurance Treasurer's Public Depositor Annual Report; and
Coordinate financial disclosure requirements of the State of Florida Commission on Ethics.

This is a lot of staffing responsibilities for the CRA staff that is supposed to mitigate blight full time.

This a contract for services- the CRA pays and than staffs the DDB so the DDB can promote their members properties inside the CRA Downtown District.

The CRA pays the DDB for promotional services that it can't provide unless the CRA staffs them. The CRA staff does not track the time worked for the DDB so there is no account of time spent on CRA blight mitigation vs DDB administration either. There needs to be accountability for the time and measured results for the funds spent if this is approved.