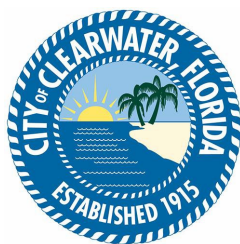


# City of Clearwater

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



## Meeting Minutes

**Tuesday, September 17, 2024**

**6:00 PM**

**Note - eComments for this meeting will remain open during the meeting.**

**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**

**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 September Service Awards**

*Two service awards were presented to city employees.*

*The September/October Bi-monthly Team Award was presented to the Days Inn Rescue: Lt. Fred Morris, Patrick Curry, Mason St. Martin, and Christopher Collins.*

**4.2 Constitution Week 2024 Proclamation, September 17- 23, 2024- Sharon Jank, Clearwater Chapter Regent of DAR**

*The Council recessed from 6:13 p.m. through 6:14 p.m.*

**4.3 National Suicide Prevention Month Proclamation, Sept 2024 - Barbara Daire (outgoing CEO, Suncoast Center) and Jean Pierre (incoming CEO, Suncoast Center) at Zero Suicide Partners of Pinellas.**

- 4.4 National Hispanic Heritage Month Proclamation, September 15, 2024 through October 15, 2024 - Amanda Markiewicz, CEO, HOC and Andrea Vendetti, Director of Community Engagement, HOC

## **5. Approval of Minutes**

- 5.1 Approve the minutes of the September 4, 2024 city council meeting as submitted in written summation by the City Clerk.

**Councilmember Cotton moved to approve the minutes of the September 4, 2024 city council meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.**

## **6. Consent Agenda**

- 6.1 Approve a purchase order to Southern Landscape Materials, of Tarpon Springs, Florida, for roadway materials in the annual amount of \$250,000.00 with two one-year renewal options, for a total not-to-exceed amount of \$750,000.00, pursuant to Invitation to Bid 29-24, Roadway Materials, and authorize the appropriate officials to execute same. (consent)

Invitation to Bid (ITB) #29-24, Roadway Materials, was issued out on May 8, 2024, with submissions received on June 11, 2024. The City received one response to the solicitation. The Public Works Department reviewed the response and determined Southern Landscape Materials met the specifications in the ITB. The unit prices are ~2% less than a current Pinellas County cooperative roadway materials contract. Although the City received only one bid, it is in line with current competitively bid unit prices in similar contracts. The Procurement Division notified 15 contractors when this bid was advertised and as all city bids, posted notification on the State of Florida's website.

Aggregate materials are needed to prevent soil erosion and maintain public infrastructure in mobility systems such as roadways, sidewalks, as well as the stormwater drainage system walking trails and athletic fields.

Streets and Sidewalks uses FDOT #89 Rock and FDOT #01 concrete sand aggregates in combination with Portland Cement to produce concrete for repairs to streets and sidewalks citywide.

Road base and sandbags are used to stabilize stormwater systems. In addition, sandbags are provided to Clearwater residents during storms.

The proposed funding includes \$220,000.00 from Public Works and \$30,000.00 from other various city department budgets.

**APPROPRIATION CODE AND AMOUNT:**

ENRD180004-CONS-MATRLS \$ 150,000.00

ENST180001-CONS-MATRLS \$ 70,000.00

Other City departments \$ 30,000.00

Funding for this contract is available in Capital Improvement Projects in amounts of \$150,000.00 from ENRD180004, Streets and Sidewalks, \$70,000.00 from ENST180001, Storm System Improvements, and \$30,000 from other city departments.

Capital project ENRD180004, Streets and Sidewalks, is funded with revenues from the General Fund and Road Millage; project ENST180001, Storm System Improvements is funded with Stormwater Utility Enterprise Fund revenues; funding for use of this contract by other departments will come from their respective operating source (General Fund, Utility and/or Enterprise Funds).

**STRATEGIC PRIORITY:**

1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systemic management efforts.4.4 Develop accessible and active transportation networks that enhance pedestrian safety and reduce citywide greenhouse gas emissions.

*Two individuals spoke in opposition.*

**Councilmember Teixeira moved to approve a purchase order to Southern Landscape Materials, of Tarpon Springs, Florida, for roadway materials in the annual amount of \$250,000.00 with two one-year renewal options, for a total not-to-exceed amount of \$750,000.00, pursuant to Invitation to Bid 29-24, Roadway Materials, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.2** Approve an increase to the purchase order to Inliner Solutions, LLC, of Sanford, FL, for Stormwater Pipe Lining (Section C) in the amount of \$1,600,000.00 increasing the contract from \$500,000.00 to \$2,100,000.00 on a unit price basis pursuant to Invitation to Bid (ITB) 23-0036-EN and authorize the appropriate officials to execute same. (consent)

Stormwater infrastructure requires annual maintenance to keep the system flowing as designed. Over time, a stormwater system degrades, and requires a full replacement of the pipe system, which is expensive and impactful to the public, requiring excavating roadways. This type of replacement is very disruptive to residents and is more expensive than some of the newer technologies that allow the system life to be extended. Performing maintenance repairs increases life span and prevents structural failure of the stormwater conveyance system components. Installing liners (essentially a pipe inside a pipe) can be done without excavating, making it far less disruptive and more cost effective. This type of repair is often preferred, as long as pipe sizes do

not require enlarging or the pipes have not degraded too much that the liners cannot be properly installed.

March 7, 2024, City Council approved the annual Stormwater Pipe Lining (Section C) in the annual amount of \$500,000.00 to Inliner Solutions. However, recent evaluation of the stormwater system associated with heavy rains and flooding events have revealed the necessity to perform additional maintenance. In an effort to reduce overall costs, Stormwater Maintenance requests approval to increase the planned amount to be lined. This approach will result in significant overall savings to the city instead of more costly emergency repairs that can also be disruptive to residents and businesses. Public Works Department identified a couple of planned projects that could be executed in a more cost-effective manner to free up additional funds for this added lining. Pipe lining is planned to be a recurring annual budget item until the backlog is eliminated.

Change order 1 increases this "unit-price" contract from \$500,000.00 per year to a not to exceed total of \$2,100,000.00 for year one. Inliner has completed high quality work for the city, is responsive and their unit prices are similar to other active contracts. City has a significant backlog of corrugated metal pipe that needs to be lined to prevent failures.

**APPROPRIATION CODE AND AMOUNT:**

ENST180001-CONS-CNSTRC \$1,600,000.00

A third quarter budget amendment will transfer \$1,000,000.00 of Stormwater Revenue from Capital Improvement Project ENST180002, Allens Creek, to ENST180001, Storm System Improvements, to fund the balance needed for this purchase order increase. These projects are funded by revenues from the Stormwater Utility Enterprise Fund.

**STRATEGIC PRIORITY:**

Repair public infrastructure using cost-effective methods. Ensures responsive levels of service by properly maintaining stormwater infrastructure prior to failure. Provide safe and healthy communities by reducing flooding hazards. Embracing culture of innovation by utilizing cost-savings technologies that are less disruptive to residents and businesses. Preserving community well-being by avoiding more evasive road excavations to replace deteriorated pipes.

*Two individuals spoke in opposition.*

**Vice Mayor Allbritton moved to approve an increase to the purchase order to Inliner Solutions, LLC, of Sanford, FL, for Stormwater Pipe Lining (Section C) in the amount of \$1,600,000.00 increasing the contract from \$500,000.00 to \$2,100,000.00 on a unit price basis pursuant to Invitation to Bid (ITB) 23-0036-EN and authorize the appropriate officials to execute same. The motion was duly**

**seconded and carried unanimously.**

- 6.3** Approve Supplemental One Work Order from Harvard Jolly Inc., of St. Petersburg, FL, for design services of South Osceola Parking Garage 22-0011-EN in the amount of \$452,552, increasing the total from \$1,540,598 to \$1,993,150 and authorize the appropriate officials to execute same. (consent)

To accommodate additional parking for the improved Coachman Park and support pending retail development of the Clearwater Bluffs, a public parking garage is needed.

November 17, 2022, City Council approved the initial work order with Harvard Jolly in the amount of \$1,540,598 for design, construction documents, and engineering services for this new parking garage. Initial concepts for the garage were for a three-bay garage, with dedicated ramps in the middle to provide flat floors for parking and smoother exit. This design was eight stories and included up to 550 parking spaces. This style of garage requires a larger footprint, is more costly to construct and, while the parking space sizes always remain constant, there is less parking per square foot than in a more utilitarian design. Initial cost estimates from the Construction Manager at Risk firm exceeded \$33 million on a project initially estimated to be \$26 million. The higher estimated construction costs were due to the more elaborate design, and concerns with the foundation as geotechnical studies indicated the need for deeper foundation shafts.

Additionally, the garage was being built on land previously owned by Peace Memorial Church with stipulations included in the sales agreement for their property. Among the stipulations was an enhanced façade, a guarantee of parking for church activities, and accommodations for their A/C Chiller unit if they were unable to connect their existing lines to the Pinellas County Central Energy Plant. If they were unable to hook to the County plant, the relocation of the chiller became the responsibility of the City. At that time, indications were that Peace Memorial could easily connect to the County's chilled water system. Later it was learned that the County plant was unable to accommodate Peace Memorial without significant added expense of approximately \$1,500,000 to increase capacity of the plant and no guarantee that the plant would remain in operation after the County relocated.

Due to the larger footprint of the building, any possible location for the chiller has significant challenges. Additionally, Duke Energy is reluctant to place a transformer for the project because of the confined spaces they'd be forced to place it in.

Over the next several months, solutions were sought, and several changes were made to the original design to address the excessive budget and the mechanical engineering challenges. Early value engineering reduced the estimated costs significantly, but it was still not possible to get below the \$26 million budget and address all the engineering challenges. Given the impasse,

it was determined to pursue a more space efficient two-bay garage design to more efficiently meet our contractual obligations and budgetary constraints. The new design will have a smaller footprint and foundation, leaving room for some of the mechanical components outside of the garage. Additionally, the new design will be seven stories and include 377 parking spaces. Initial estimates by the CMAR show that the new design will save \$3.2 million over the previous design. That amount includes the additional fees being sought under this supplemental work order. Due to changes to future bluff projects and realized experience at Coachman Park, staff believes 377 spaces provides the optimal cost to benefit ratio and sufficient inventory to support Coachman Park and downtown retail development.

Harvard Jolly has performed a significant amount of work on the previous concept. This new design requires a significant rework of the concept and design and early design phase, requiring \$452,552 to proceed with the new design. Once approved, the team will do their best to expedite the redesign and cost estimating and expect to bring a Guaranteed Maximum Price to Council before Spring 2025, with construction beginning midyear 2025.

The additional design fees in this supplemental work order are for a redesign of a public parking garage to be built behind the Peace Memorial Church, on S. Osceola Ave. The primary reason for the redesign is to take advantage of and eliminate \$3.2 million in construction expenses to keep the project within budget. With these savings on construction fees, the \$452,552 in additional design fees will be recouped during the construction phase of the project.

**APPROPRIATION CODE AND AMOUNT:**

ENPK230001-DSGN-PROSVC \$452,552

Funds are available in capital improvement project ENPK230001, Downtown Parking Garage, to fund this contract. This project is funded by revenues from the Parking Fund.

**STRATEGIC PRIORITY:**

1.2 - Maintain public mobility systems through systematic management efforts. 1.5 - Embrace a culture of innovation that drives continuous improvement and serves all our customers. 2.1- Strengthen public-private initiatives that attract, develop, and retain diversified business sectors. 2.3 - Promote Clearwater as a premiere destination for entertainment, cultural experiences, and tourism. 3.2 - Preserve community livability through responsible development standards and targeted revitalization. 4.4 - Develop accessible and active transportation networks that enhance pedestrian safety and reduce greenhouse gas emissions.

*Two individuals spoke in opposition.*

**Councilmember Cotton moved to approve Supplemental One Work Order from Harvard Jolly Inc., of St. Petersburg, FL, for design services of South Osceola Parking Garage 22-0011-EN in the**

**amount of \$452,552, increasing the total from \$1,540,598 to \$1,993,150 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.4** Approve a Work Order to Wannemacher Jensen Architects for design of the Municipal Services Building (MSB) Renovations project (23-0035-EN) in the amount of \$1,140,302.00 per Request for Qualifications (RFQ) 24-22 and authorize the appropriate officials to execute same. (consent)

September 15, 2022, City Council approved a design work order (WO) with Wannemacher Jensen Architects (WJA) for various design concepts for a New City Hall (22-0019-EN) facility, including connected to the MSB and on the parcel south of the MSB. A third concept, a large, combined government center was added to the concepts to be evaluated.

June 15, 2023, City Council selected the option to construct a new city hall south of the MSB as well as renovate the MSB to improve space efficiencies, to allow for rightsizing of city hall, and to enhance customer service and operations. Based on this decision, WJA's scope of work needed to be updated to reflect two designs instead of a single design.

WJA, Ajax, Broaddus, and city stakeholders, including the Building & Maintenance Division and leadership from MSB occupying departments, have worked through numerous MSB design reiterations to finalize a renovation scope and floor plan layouts that meet the project budget based on estimates provided by both Ajax and Broaddus. This effort was a critical step in defining design scope, allowing WJA to submit cost effective design fees for review and acceptance by the City. City's Owner Representative, Broaddus, has reviewed and negotiated the scope of work with WJA to ensure proper credits are being given to the City Hall design as well as what is reasonable costs for the separate MSB design. MSB design effort included some early layouts and evaluations to determine a viable scope of work that was within budget. This work order will cover complete design efforts through permitting and construction administration (CA) services through project closeout. MSB renovations and City Hall construction will overlap, resulting in cost savings both in design/CA services and construction costs due to larger scope bid packages, shared general conditions and mobilization costs.

WJA recently submitted the City Hall construction plans for building permit review. The team anticipates presenting to Council on 9/30/24, a Guaranteed Maximum Price (GMP) to construct City Hall and a MSB Renovation GMP by the end of the year.

Funds in the initial WJA design WO were reallocated to align with the chosen City Hall and MSB design concept. The original fee of \$2,948,340 has been reduced to \$2,618,612 for a \$329,728 savings in design fees.

**APPROPRIATION CODE AND AMOUNT:**



ENGF230001-DSGN-PROSVC \$1,140,302.00

Funding is available in Capital Improvement Project ENGF230001, MSB Renovations, to fund the work order. This is funded by General Fund Revenues.

**STRATEGIC PRIORITY:**

MSB Renovations will improve space efficiencies, address needed upgrades and avoid disruptive near future repairs, allowing departments to better serve the Clearwater community.

**Councilmember Teixeira moved to approve a Work Order to Wannemacher Jensen Architects for design of the Municipal Services Building (MSB) Renovations project (23-0035-EN) in the amount of \$1,140,302.00 per Request for Qualifications (RFQ) 24-22 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.5** Approve Owner Direct Purchase Order to Trane Technologies for an Air Handling Unit for the Municipal Services Building (MSB) Renovations project (23-0035-EN) in the amount of \$362,616.00 pursuant to Clearwater Code of Ordinances, Section 2.563 (1)(a), Single Source, and authorize the appropriate officials to execute same. (consent)

September 15, 2022, Council approved a design work order with Wannemacher Jensen Architects (WJA) for various design concepts for a new city hall facility, including connected to the MSB and on the parcel south of the MSB. A third concept, a large, combined government center was added to the concepts to be evaluated. On June 15, 2023, Council selected the option to construct a new city hall south of the MSB as well as renovate the MSB.

The proposed renovation of the MSB will transform approximately 66,063 SF of existing space into a functional and more efficient office, allowing the proposed City Hall square footage and MSB to efficiently accommodate staff in the two facilities. The scope of work includes floor plan modifications, separation of existing departments, and improved lobby interface.

A critical item contained in the MSB renovation is the purchase of a replacement Air Handling Unit (AHU) which is in the building's penthouse and serves the entire building. The building's penthouse also contains another existing air handling unit, AHU-1. This unit pretreats the outside air being fed to AHU-2. The City General Services Department has already ordered a replacement for this unit and will be installing it internally.

June 2024, the architect on the project (WJA) tasked their Mechanical Engineer, (Emerald Engineering) to design a replacement air handling unit for AHU-2. The initial intent was to provide information to the City's CMAR firm, Ajax Building, so that the unit could be competitively bid and ordered in an early release package.

Ajax obtained and negotiated a cost proposal for this unit from Trane Technologies per the design and specification. The proposed Trane unit is sole source because it is an in-kind replacement that must function with the existing Trane AHU-1 and align with the City's standardized control system. The new unit will be added to a Trane Maintenance Agreement that the Building & Maintenance Division already has in place, resulting in more efficient response on parts and service times.

The Owner Direct Purchase (ODP) Order for this item will benefit the City two-fold. Early procurement of this item will secure pricing and avoid material escalation anticipated in the coming fiscal year. More importantly, the ODP will offset a historically long lead time for AHUs in construction projects of this size. WJA has committed to fast track the MSB design plans and staff anticipates presenting a Guaranteed Maximum Price (GMP) for the MSB Renovations to Council by end of the year.

**APPROPRIATION CODE AND AMOUNT:**

ENGF230001-CONS-CNSTRC \$362,616.00

Funding is available in Capital Improvement Project ENGF230001, MSB Renovations, to fund this purchase order. This project is funded by General Fund revenues.

**STRATEGIC PRIORITY:**

The early procurement by Owner Direct Purchase (ODP) of this AHU, reduces costs and minimizes schedule impacts to the MSB project as well as improves functionality, operations and maintenance with replacement of an old, inefficient unit. Combining the replacement with the MSB renovation project, results in additional cost savings.

**Vice Mayor Allbritton moved to approve Owner Direct Purchase Order to Trane Technologies for an Air Handling Unit for the Municipal Services Building (MSB) Renovations project (23-0035-EN) in the amount of \$362,616.00 pursuant to Clearwater Code of Ordinances, Section 2.563 (1)(a), Single Source, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.6** Approve an Interlocal Agreement between Pinellas County and the City of Clearwater regarding the installation and maintenance of traffic signal cabinet art and authorize the appropriate officials to execute same. (consent)

The Clearwater Arts Alliance (CAA) in collaboration with the City have installed art wraps on over 40 traffic signal cabinets in the City of Clearwater. The CAA, as part of its continuing mission is to advocate for and promote public art in Clearwater. CAA began engaging local artists to provide images for installation

on traffic signal boxes in Clearwater beginning in 2016. The CAA coordinates this process by overseeing a call to artists to provide the artwork and acts in cooperation with neighborhoods to select themes or artists that neighborhoods can connect to. Additionally, the CAA helps secure funding to pay for the artist and installation.

This Interlocal Agreement between Pinellas County and the City of Clearwater will allow staff to install and maintain traffic signal cabinet art on traffic boxes that are controlled by Pinellas County and is required to be approved prior to staff being able to seek permission from the Florida Department of Transportation to install and maintain traffic signal art on traffic signal cabinets on state routes or roads.

There is no cost associated with this agreement. The Interlocal Agreement includes an indemnity clause, which is required to come to City Council for review and approval.

**STRATEGIC PRIORITY:**

Objective 3.1 - Support neighborhood identity through services and programs that empower community pride and belonging.

**Councilmember Mannino moved to approve an Interlocal Agreement between Pinellas County and the City of Clearwater regarding the installation and maintenance of traffic signal cabinet art and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.7** Approve an Interlocal Agreement between the City of Clearwater and the Community Redevelopment Agency (CRA) to provide staffing and administrative services for the CRA, in an amount not to exceed \$1,060,401.00 and authorize the appropriate officials to execute same. (consent)

The City Council recognized the need for a dedicated focus on downtown redevelopment through the establishment of the Community Redevelopment Agency as an independent department in 2016.

The Clearwater Downtown Redevelopment Plan established that funds received by the CRA through Tax Increment for certain redevelopment activities.

The North Greenwood Community Redevelopment Area Plan acknowledges that the staff who administer the Downtown CRA will also administer the

implementation of the North Greenwood Community Redevelopment Agency Area Plan.

As per Section 163.387, Florida Statutes allows that money in the redevelopment trust fund may be used to support the activities for the for the Community Redevelopment Agency, including providing for staff. The total salary for the CRA staff is \$1,016,359.00 for FY2024-2025:

- Internal Services \$44,042.00
- North Greenwood CRA \$91,558.00
- Downtown CRA \$924,801.00

**STRATEGIC PRIORITY:**

2.1 Strengthen public-private initiatives that attract, develop, and retain diversified business sector.

3.2 Preserve community livability through responsible development standards, proactive code compliance, and targeted revitalization.

*One individual spoke in opposition.*

**Councilmember Cotton 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, in an amount not to exceed \$1,060,401.00 and authorize the appreciate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.8** Approve a five-year payment deferral via a loan modification for 1101 Holt Avenue, also known as HEP West, and authorize the appropriate officials to execute documents required to affect closing of the loan modification. (consent)

Homeless Emergency Project (HEP) is a 501 (c) (3) organization that was founded in 1986 to meet the needs of a growing number of homeless individuals and families. HEP provides emergency shelter, transitional housing, and family rental units for the homeless population. In addition to housing, the agency provides food, intensive case management, clinical services, free dental care, childcare and other supportive services to the homeless.

On August 31, 2010, the City provided a loan in the amount of \$372,340 to HEP for the acquisition of 1101 Holt Avenue which was purchased for the development of a 32-unit apartment building for low-income veterans, now

known as HEP West. A mortgage modification agreement was executed on December 9, 2013, to add an additional \$725,000 to the project and to defer the loan repayment until January 1, 2015. On March 9, 2016, HEP requested and the City approved a deferment of payment until January 1, 2020. Toward the end of the deferral period, on October 7, 2019, HEP sent a written request asking for an additional deferment of payment. The request was approved for an additional five years with payments to commence on January 1, 2025. On August 13, 2024, HEP sent a written request asking for an additional five-year deferment of payment. As demonstrated by the attachment in the request letter, HEP's Homeless and Low-income program has resulted in a loss of \$293,857.64. According to HEP, this deferment will provide an opportunity to offset deficiencies incurred over the past several years. Staff recommends the approval of a payment deferral for the term of five years with payments to commence on January 1, 2030. Should HEP continue to operate the program at a similar loss, staff will likely recommend further deferment of the loan prior to the commencement of payments in 2030.

**STRATEGIC PRIORITY:**

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

**Councilmember Teixeira moved to approve a five-year payment deferral via a loan modification for 1101 Holt Avenue, also known as HEP West, and authorize the appropriate officials to execute documents required to affect closing of the loan modification. The motion was duly seconded and carried unanimously.**

- 6.9** Authorize four construction loans in an amount not to exceed \$290,000.00 each to Clearwater Neighborhood Housing Services, Inc. (CNHS) for the construction of four single-family homes in the Lake Bellevue area of Clearwater and authorize the appropriate officials to execute documents required to affect closing of the loan(s). (consent)

Clearwater Neighborhood Housing Services, Inc. (CNHS) acquired the .47-acre parcel in February 2007. In May 2024, CNHS submitted a request to Pinellas County to divide the parcel into four separate lots. The request was approved and the new addresses for these lots are as follows:

- 1107 Howard Street
- 1557 S. Martin Luther King Jr. Avenue
- 1561 S. Martin Luther King Jr. Avenue
- 1565 S. Martin Luther King Jr. Avenue

CNHS has submitted plans for the subject properties to the City's building

department for the construction of four 3-bedroom, 2-bathroom detached single-family homes.

CNHS submitted a funding request application for the four parcels to the City's housing department and the City has established the following terms for the construction loans:

- The homes are to be sold to individuals or families earning at or below 80% of the area median income.
- The construction loan will be repaid to the City at the time of sale of the completed property.
- The developer is permitted to retain a 12% developer fee.
- The final approval of the loan(s) will be contingent upon the approval of all funding sources and site plan and building permit approval.

The City intends to utilize a combination of the Federal HOME Investment Partnerships Program and State Housing Initiatives Partnership (SHIP) Program funds.

Staff recommends the approval of four separate loans not to exceed \$290,000.00 each, to support the creation of four new affordable housing units. This project will greatly contribute to the revitalization of the block located in the Lake Bellevue area.

**APPROPRIATION CODE AND AMOUNT:**

Funding is to be provided by State Housing Initiatives Partnership (SHIP) Program and Federal HOME Investment Partnerships Program. 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 questioned the number of loans.*

**Vice Mayor Allbritton moved to authorize four construction loans in an amount not to exceed \$290,000.00 each to Clearwater Neighborhood Housing Services, Inc. (CNHS) for the construction of four single-family homes in the Lake Bellevue area of Clearwater and authorize the appropriate officials to execute documents required to affect closing of the loan(s). The motion was duly seconded and carried unanimously.**

- 6.10** Approve the purchase of excess liability, workers compensation and various specialty insurance policies from October 1, 2024 through September 30, 2025 in the not to exceed amount of \$1,650,000 pursuant to Clearwater Code of Ordinance Section 2.563(1)(i), Insurance, and authorize the appropriate officials to execute same. (consent)

The Risk Management Division of the Finance Department purchases certain excess and specialty insurance policies through the efforts of Arthur J.

Gallagher Risk Management Services, Inc. These policies include the following:

1. **Ambridge Public Excess package** through Lloyd's Syndicate 2987, Lloyd's Syndicate 4711, Lloyd's Syndicate 1686, Endurance American Specialty Insurance Company, and United Specialty Insurance Company for the following coverages: General Liability (including EMT-Paramedics, Water Utility and Gas Utility), Automobile Liability, Errors and Omissions Liability, Employee Benefits Liability, Crime, Law Enforcement Liability, Sexual Abuse Liability, Auto& Mobile Equipment Physical Damage (over the road only), and Crime and Excess Employers' Liability (incidental USL&H and Jones Act Coverage).
2. **Excess Workers Compensation package** through Safety National Casualty Corporation for Workers Compensation and Employer's Liability.
3. **Marina Liability package** through Great American Insurance Company.
4. **Additional policies** through various insurers for Cyber Liability, Third Party Storage Tank Liability, Hull Protection and Indemnity, Fiduciary Liability and numerous flood policies.

Premium Renewals:

1. The renewal premium for the Ambridge Public Excess package is \$632,825.00, a 15.25% increase over the expiring premium.
2. The renewal premium for the Excess Workers Compensation package is \$546,399.00, a 10.20% increase over the expiring premium.
3. The renewal premium for the Marina Liability package is \$75,000, a 31.67% increase over the expiring premium.

Risk Management is also estimating 22-31% increases for the specialty policies. The premiums are not yet due but will come due at various times throughout the next fiscal year. The need to budget for these amounts now are two-fold:

1. The City pays the premium through one purchase order to its broker, Arthur J. Gallagher Risk Management Services, Inc., who then pays the various insurers on the City's behalf.
2. Typically, the City has 30 days to pay most invoices; however, insurance premiums are due immediately on demand and therefore there would be insufficient time to bring the individual premium requests to Council.

The total requested not to exceed amount of \$1,650,000 is a 16.84% increase over the current year amount of \$1,412,129.00.

**APPROPRIATION CODE AND AMOUNT:**

5907590-545100      \$1,650,000

Funds are available in Central Insurance cost code 5907590-545100, Insurance Premiums, to fund these policies. The Central Insurance Fund is an internal

service fund of the City which accounts for all insurance related costs.

**STRATEGIC PRIORITY:**

- 1.1 - Provide evidence-based measurement tools to continually guide municipal performance and promote accountable governance.
- 1.2 - Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.

*One individual spoke in opposition.*

**Councilmember Mannino moved to approve the purchase of excess liability, workers compensation and various specialty insurance policies from October 1, 2024 through September 30, 2025 in the not to exceed amount of \$1,650,000 pursuant to Clearwater Code of Ordinance Section 2.563(1)(i), Insurance, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.11** Approve an amendment with Cigna Healthcare (Cigna) for city medical insurance (under a self-insured funding arrangement) and a purchase order to Evernorth Behavioral Health (Evernorth) for the employee assistance program for period January 1, 2025 through December 31, 2025, pursuant to RFP 26-22, for a total not-to-exceed amount of \$29.3 million (\$29,240,000 for Cigna and \$60,000 for Evernorth), to be funded by city budgeted funds, payroll deductions of employees and retiree premiums, and authorize the appropriate officials to execute same. (consent)

Staff is recommending a renewal with Cigna based on the overall satisfaction with the service and current benefits, and a favorable renewal rate of a 2.9% increase. Market trend projections indicate medical costs may exceed 8% nationally, with Florida costs typically 2%-3% higher than national averages. The increase in the City's health program cost is attributable to higher pharmacy expenses, specifically in the specialty and diabetes pharmaceutical space, and inflationary factors. The original agreements with Cigna and Evernorth were approved by Council in September 2022 pursuant to RFP 26-22. This renewal will be the third of five.



The overall funding increase of 2.9% is expected to cover projected plan expenses for the 2025 Plan Year. Included in the medical premiums for the 2025 plan year is the continuation of the Motivate Me incentive program through Cigna. Under this program, employees can receive incentives (up to \$200 per year) when participating in targeted preventative healthcare activities. These rewards are intended to reduce cost drivers on the City's medical plan and are an essential part of controlling cost increases over the long term. There is a high utilization and participation in Motivate Me, and data indicates successful growth from last year's participation and incentives paid. The 2024 plan year to date total incentive payouts are approximately \$51,000.

Historically, the City's funding rates for medical insurance were 100% for employees without dependents, 75% for employees with one dependent, and 68% for employees with family coverage. This current 2024 Plan Year, upon recommendation of the employee benefits committee, the City is funding 100%, 75.5%, and 69% in an effort to stabilize employee cost increases to better align with last year's costs. For the 2025 renewal the employee benefits committee is again recommending the City's funding contributions at 100%, 75.5%, and 69% and that the 2025 increase of 2.9% be shared between the City and the employees with dependent coverage, where each will see an increase of 2.9% over current contribution costs.

The City's fiscal 2025 budget for the employer share of health insurance costs is \$24,242,529 which includes \$22,532,529 across all operations for health plan costs, and \$1,710,000 budgeted for the Employee Health Center.

**APPROPRIATION CODE AND AMOUNT:**

Funds are available in Central Insurance cost codes 5907590-530300 (contractual services), 5907590-545602 (major medical claims), and 5907590-545601 (insurance premiums-EAP).

The Central Insurance Fund is an internal service fund of the City which accounts for all insurance related costs.

**STRATEGIC PRIORITY:**

Superior Public Service: Promote a Diverse and Talented Workforce Through Competitive Opportunity, Employee Wellness and Rewarding Growth

5.4 Enhance Employee health and productivity through a holistic approach to workplace wellness and benefit resources. The medical plan and the Employee Health Center are an integral part of enhancing employee health and productivity and is a benefit resource to attract and retain employees.

*One individual spoke in opposition.*

**Councilmember Cotton moved to approve an amendment with Cigna Healthcare (Cigna) for city medical insurance (under a self-insured funding arrangement) and a purchase order to Evernorth Behavioral Health (Evernorth) for the employee assistance program for period January 1, 2025 through December 31, 2025, pursuant to RFP 26-22, for a total not-to-exceed amount of \$29.3 million (\$29,240,000 for Cigna and \$60,000 for Evernorth), to be funded by city budgeted funds, payroll deductions of employees and retiree premiums, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**6.12 Approve the Pinellas County Combined Mutual Aid Agreement for law enforcement services for the period of execution through January 31, 2029, and authorize the appropriate officials to execute same. (consent)**

Mutual aid agreements among law enforcement agencies are authorized by Chapter 23, Florida Statutes, for rendering voluntary assistance of a routine law enforcement nature to one another across jurisdictional lines by and between such agencies to such lawful activities and to enter into an operational assistance agreement whereby each agency may request and render law enforcement assistance to the other law enforcement agencies during emergencies under Section 252.34, Florida Statutes.

The current Pinellas County Mutual Aid Agreement expires January 31, 2025.

This agreement allows for mutual aid in routine law enforcement matters and during emergencies, as well as provisions for interjurisdictional traffic investigation and enforcement, traffic infraction or offenses involving school buses or school bus stops, school resource officers and marine violations.

There is no budgetary impact associated with the Pinellas County Combined Mutual Aid Agreement.

**STRATEGIC PRIORITY:**

This project is relevant towards accomplishing the strategic goal of a High Performing Government, specifically strategic objective 1.4 to foster safe and healthy communities in Clearwater through first-class public safety and emergency response services.

*Two individuals spoke in opposition.*

**Councilmember Teixeira moved to approve the Pinellas County Combined Mutual Aid Agreement for law enforcement services for the period of execution through January 31, 2029, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**6.13 Reappoint Patrick E. Adamson to the Board of Trustees, Clearwater Police Supplementary Pension Plan with a term to expire October 31, 2028. (consent)**

The Clearwater Police Officers' Supplementary Trust Fund is the recipient of monies obtained by the state of Florida from insurance companies doing business in the community. These monies are required to be administered by a Board of Trustees whose composition, in keeping with the provision of Florida Statute 185.05, must consist of two legal residents of the city appointed by the City Council. The Board of Trustees is solely responsible for the administration of the trust fund.

At a meeting of the Board of Trustees held on August 21, 2024, Patrick Adamson agreed to serve another four-year term as a trustee. Mr. Adamson is a legal resident of Clearwater, Florida. The Board of Trustees of the Clearwater Police Supplementary Pension Fund recommends that Mr. Adamson be appointed as Trustee.

*One individual spoke in opposition.*

**Vice Mayor Allbritton moved to reappoint Patrick E. Adamson to the Board of Trustees, Clearwater Police Supplementary Pension Plan with a term to expire October 31, 2028. The motion was duly seconded and carried unanimously.**

**6.14 Approve an Interlocal Agreement between the Clearwater Community Redevelopment Agency (CRA) and the City of Clearwater to provide CRA funding in fiscal year 2024-2025 in the amount of \$282,433.02 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the Downtown CRA to address quality of life issues, drug dealing, and homelessness and authorize the appropriate officials to execute same. (consent)**

Quality of life issues, drug dealing, and homelessness, all negatively impact the redevelopment plan. 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 Incremental Financings (TIF) funds. Florida Statutes allows for the use of 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 delineated in the Interlocal Agreement. Included in the proposed 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 Downtown CRA area.

**APPROPRIATION CODE AND AMOUNT:**

Funding for this Interlocal Agreement is available in CRA Project Code R2001, Community Policing, which is funded by City TIF revenues.

**STRATEGIC PRIORITY:**

This project is relevant towards accomplishing the strategic goal of a High Performing Government, specifically strategic objective 1.4 to foster safe and healthy communities in Clearwater through first-class public safety and emergency response services.

*One individual spoke in opposition.*

**Councilmember Mannino 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 2024-2025 in the amount of \$282,433.02 to underwrite the cost of additional Community Policing services by the Clearwater Police Department in the Downtown CRA to address quality of life issues, drug dealing, and homelessness and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.15** Approve a purchase order to Motorola Solutions, Inc. of Chicago IL in the amount of \$138,316.00 for a Mach Alert Fire Station Alerting System for Fire Station 47 pursuant to Clearwater Code of Ordinances Section 2.563 (1)(c), Piggyback purchase, and authorize the appropriate officials to execute same. (consent)

Fire Station 47, located at 1460 Lakeview Rd., was built in the early 70's. Due to the structure's age, the station does not meet current best practices and standards and is being replaced.

November 19, 2020, Council approved a design work order with Wannemacher Jensen and Associates, Inc. for \$445,869.00.

March 7, 2024, Council approved a construction engineering inspection supplemental work order with Wannemacher Jensen Architects, Inc. for \$47,415.00, and a guaranteed maximum price contract of \$8,500,702.00 with construction manager at risk Biltmore Construction, Inc.

The new fire station is required to be notified by the County's 911 alarm system to provide a coordinated response. The new Mach Alert Fire Station Alerting system is the means of communication between the County 911 alarm system and Fire Station #47. Motorola Solutions, Inc. is the sole provider of the Mach alert system in Pinellas County.

Pricing is in accordance with the State of Florida Contract ACS 43190000-22-NASPO-ACS for Public Safety Communications Services and Solutions, valid through December 31, 2026, and facilitated by the State of Washington Department of Enterprise Services.

Construction of the new fire station has started and is scheduled to be completed in the spring of 2025. The alert system will be installed concurrent to and coordinated with Biltmore's work. Upon completion and commissioning of the new fire station, the old station will be repurposed by the City.

**APPROPRIATION CODE AND AMOUNT:**

FD00190002-CONS-CNSTRC

Funds are available in capital improvement project FD00190002, Fire Station #47, to fund this purchase order. The project is funded by General Fund and Penny for Pinellas revenues.

**STRATEGIC PRIORITY:**

The new fire station alerting system will be installed in the newly completed Fire Station 47 providing the station with an advanced alerting system. The new system will provide a higher performing government service with resulting superior public service and enhanced community well-being.

**Councilmember Cotton moved to approve a purchase order to Motorola Solutions, Inc. of Chicago IL in the amount of \$138,316.00 for a Mach Alert Fire Station Alerting System for Fire Station 47 pursuant to Clearwater Code of Ordinances Section 2.563 (1)(c), Piggyback purchase, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.16** Approve the Fire Protection Services Agreement between Pinellas County Fire Protection Authority and City of Clearwater for a five-year term, October 1, 2024 through September 30, 2029, and authorize the appropriate officials to execute same. (consent)

The Pinellas County Fire Protection Authority is a special district created for the purpose of providing fire protection services throughout the unincorporated areas of Pinellas County, pursuant to Chapter 73-600, Laws of Florida. Pinellas County has contracted with various municipalities and independent special fire districts in the County to provide fire protection services. Through this contract, Clearwater Fire & Rescue will provide fire suppression services, investigations of fires, inspection of commercial, industrial and multi-family dwellings, plan reviews and final fire inspections, and fire prevention/life safety public education to the residents of the City of Clearwater and to individuals within the unincorporated area of Pinellas County that is located within the Clearwater Fire Control District.

Pinellas County Fire Protection Authority will continue to compensate Clearwater Fire and Rescue for the fiscal year commencing October 1, 2024 under the same terms as the previous contract. Under this new contract, 11.48% of the Clearwater Fire District was determined to be unincorporated Pinellas County. Therefore, the County will reimburse the City 11.48% of the net department budget or approximately \$2,915,182.00 million for each fiscal year 2024-2029 to fulfill the agreement. The reimbursement percentage can fluctuate year to year as property values within the fire district change.

The initial term of this Agreement shall be for five years, commencing October 1, 2024 and ending at midnight September 30, 2029, unless this Agreement is earlier terminated as provided for herein in this Agreement. This Agreement may be extended for an additional five-year period following the initial term, provided that the Parties mutually agree in writing to such extension which is subject to Authority and Contractor approval prior to July 1, 2029.

**STRATEGIC PRIORITY:**

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

**Councilmember Teixeira moved to approve the Fire Protection Services Agreement between Pinellas County Fire Protection Authority and City of Clearwater for a five-year term, October 1, 2024 through September 30, 2029, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.17** Approve an agreement between Pinellas County and City of Clearwater to provide Emergency Medical Services ALS First Responder services to the Clearwater Fire District, and authorize the appropriate officials to execute same. (consent)

The Pinellas County Emergency Medical Services Authority (EMS Authority) is a special district created for the purpose of providing Emergency Medical Services (EMS) throughout Pinellas County, pursuant to Chapter 80-585, Laws of Florida, and Chapter 54, Article III, Pinellas County Code, as amended. Pinellas County has contracted with various municipalities and independent special fire districts in the County to provide first responder services and has also contracted with an ambulance contractor to provide emergency and non-emergency transport services.

Through this contract, Clearwater Fire & Rescue will provide advanced life support services to the residents of the City of Clearwater and to individuals within the unincorporated area of Pinellas County that is located within the Clearwater Fire Control District.

This contract provides for reimbursement of engine and rescue units, EMS Coordination positions, and projected capital as outlined in Appendix A. FY24-25 Annual Compensation is \$9,186,432.00.

The initial term of this Agreement shall be for five years, commencing October 1, 2024 and ending at midnight September 30, 2029, unless this Agreement is earlier terminated as provided for herein in this Agreement. This Agreement may be extended for an additional five-year period following the initial term, provided that the Parties mutually agree in writing to such extension, which is subject to Authority and Contractor approval prior to July 1, 2029.

**STRATEGIC PRIORITY:**

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

*In response to questions, Fire Chief Scott Ehlers said staff saw a change in the contract with Sunstar that provided an additional BLS unit and addressed how a BLS unit would replace an ALS unit during a response. Staff reviews the agreement every year in order to submit a budget, which if 3% or higher, the agreement must come back to Council. He said the projected budget includes any salary raises or additional equipment.*

**Vice Mayor Allbritton moved to approve an agreement between Pinellas County and City of Clearwater to provide Emergency Medical Services ALS First Responder services to the Clearwater Fire District, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**6.18** Authorize the continuing use of construction contracts to the following contractors:

Engineered Spray Solutions, of Lakeland, FL; Inliner Solutions, of Sanford, FL; Rowland, Inc. of Pinellas Park, FL; and USSI, LLC of Venice, FL, for the 2023 Sewer Point Repairs and Improvements in the amount of \$21,500,000 for an additional one-year term on a unit price basis pursuant to Invitation to Bid (ITB) 22-0006-UT and authorize the appropriate officials to execute same. (consent)

The City has initiated a comprehensive maintenance program to clean, inspect, rehabilitate, and repair existing sanitary sewer pipelines and manholes throughout its wastewater collection system (WWCS). The goal is to maintain the integrity of the sanitary sewer system and minimize inflow & infiltration of groundwater and stormwater. There are six groups of different types of work included in this program: Group A through Group F.

Per Invitation to Bid 22-0006-UT, bids were reviewed by city staff based on unit prices and are awarded to the lowest responsible bids received in accordance with plans and specifications. The initial term of this contract was approved by Council on September 15, 2022. The second term of this contract was approved by Council on September 21, 2023. This authorization is for the third renewal option available under this ITB. After this renewal, the City will have one additional renewal option remaining.

Inliner Solutions, LLC will be continuing the contract to perform Group A - Sanitary Sewer Trenchless Reconstruction. This work includes cured in place pipelining of selected sanitary sewer pipelines to rebuild the pipe's structural integrity, not to exceed \$3,000,000.00 per one-year term.

Inliner Solutions, LLC will also be continuing the contract to perform Group B - Cleaning and Video inspection services. This work includes gravity main cleaning and inspection services, not to exceed \$2,000,000.00 per one-year term.

Rowland, Inc. will be continuing the contract to perform Group C - Emergency/Non-Emergency Repairs and Improvements of Gravity Sewers, Force Mains and Manholes, not to exceed \$11,000,000.00 per one-year term. Rowland, Inc. will also be continuing the contract to perform Group D - Sanitary Cleanouts and Lateral installations, not to exceed \$2,000,000.00 per one-year term.

Engineered Spray Solutions will be continuing the contract to perform Group E - Manhole Surfacing Services, not to exceed \$3,000,000.00 per one-year term. USSI, LLC will be continuing the contract to perform Group F - Smoke and Dye Testing, not to exceed \$500,000.00 per one-year term.

The City and its WWCS Program Consultant will direct the above contractors to



high priority areas as identified in the Public Utilities Department Capital Improvement Plan, the WWCS Master Plan, and ongoing Inflow & Infiltration investigations.

The City of Clearwater's Public Utilities Department is responsible for owning, operating, and maintaining the wastewater collection system including all gravity sewer, force main pipelines and manholes that convey raw sewage to the lift stations and/or city Water Reclamation Facilities.

**APPROPRIATION CODE AND AMOUNT:**

3217321-546900-96665 \$3,000,000  
3217321-546900-96665 \$ 2,000,000  
3277327-546900-96665 \$7,000,000  
3217321-546900-96664 \$2,000,000  
3217321-546900-96212 \$ 2,000,000  
3217321-546900-96665 \$ 2,000,000  
3217321-546900-96665 \$ 3,000,000  
3217321-546900-96665 \$ 500,000

Sufficient funding is available for these purchase orders in the following capital projects: 96665, Sanitary Sewer R&R; 96664, Water Pollution Control (WPC) R&R; and 96212, Sanitary Sewer Upgrades/Improvements. These projects are funded by Water and Sewer Utility Enterprise Fund revenues.

**STRATEGIC PRIORITY:**

In furtherance of the Council's Strategic Plan to achieve High Performing Government by maintaining public infrastructure through systematic management efforts, award of a Construction Contract is requested. The project also aligns with the City's Strategic goals of Environmental Stewardship.

*One individual spoke in opposition.*

**Councilmember Mannino moved to authorize the continuing use of construction contracts to the following contractors: Engineered Spray Solutions, of Lakeland, FL; Inliner Solutions, of Sanford, FL; Rowland, Inc. of Pinellas Park, FL; and USSI, LLC of Venice, FL, for the 2023 Sewer Point Repairs and Improvements in the amount of \$21,500,000 for an additional one-year term on a unit price basis pursuant to Invitation to Bid (ITB) 22-0006-UT and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**6.19** Approve Submerged Land Lease (SLL) between the State of Florida and the City of Clearwater for the shared docking facility adjacent to the Beach Recreation Center and

authorize the appropriate officials to execute same. (consent)

This shared docking facility has been operating under a Submerged Land Lease (SSL) since April 30, 2019. This SLL authorizes a forty-two slip commercial docking facility for the mooring of recreational vessels. Fifteen or 36% of these slips are open to the public free of charge on a first come basis. The remaining twenty-seven or 64% of the slips will be used by the Sandpearl Resort under a separate Docking Agreement between the City and Sandpearl Resort, LLC. The Docking Agreement between the City and Sandpearl Resorts, LLC., affords the City the unilateral decision to extend the agreement every five years through April 30, 2049. Currently, our agreement with the Sandpearl runs through April 30, 2029.

**APPROPRIATION CODE AND AMOUNT:**

Funds are available in non-departmental cost code 0107010-544300 (rentals-land; 64%) and Parks & Recreation cost code 0101374-544300 (rentals-land; 36%), to fund this agreement. Offsetting revenues will be coded to General Fund reimbursement revenue code 010-369903. These cost codes are funded by General Fund revenues.

**STRATEGIC PRIORITY:**

**High Performing Government**

1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.

**Economic & Housing Opportunity**

2.2 Cultivate a business climate that welcomes entrepreneurship, inspires local investment, supports eco-friendly enterprises, and encourages high-quality job growth.

2.3 Promote Clearwater as a premier destination for entertainment, cultural experiences, tourism, and national sporting events.

*One individual submitted an eComment expressing concerns with the application of the ad valorem taxes (see page 45).*

*The Council recessed from 8:14 p.m. to 8:21 p.m.*

**Councilmember Cotton moved to approve Submerged Land Lease (SLL) between the State of Florida and the City of Clearwater for the shared docking facility adjacent to the Beach Recreation Center and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

**Public Hearings - Not before 6:00 PM**

## **7. Administrative Public Hearings**

- 7.1** Adopt Ordinance 9792-24 on second reading, declaring the millage rate to be levied for the fiscal year beginning October 1, 2024 and ending September 30, 2025, for operating purposes including the funding of pensions, debt service, and road maintenance for capital improvement expenditures at 5.8850 mills, which is a 6.81% increase from the rolled back rate of 5.5099 mills.

In accordance with Chapter 200 of the Florida Statutes, which defines requirements for the Determination of Millage and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearings to adopt a final millage rate for the new fiscal year. The adoption of this ordinance to establish the millage rate and the two related budget ordinances are an integral part of fulfilling these requirements.

The City Council set a tentative millage rate of 5.8850 mills on July 15, 2024, which is the rate that appeared on the TRIM notices mailed to taxpayers in August. The millage rate of 5.8850 mills represents a 6.81% increase from the rolled back rate of 5.5099 mills.

Ordinance 9792-24 is presented in order to adopt the millage rate of 5.8850 mills to support the operating and capital improvement budgets for the 2024/25 fiscal year.

**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.

*One individual expressed concerns with the rise in property taxes and stated that capital projects will not be sustainable via property tax.*

**Ordinance 9792-24 was presented and read by title only.**

**Councilmember Teixeira moved to adopt Ordinance 9792-24 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 9793-24 on second reading, adopting an operating budget for the fiscal

year beginning October 1, 2024 and ending September 30, 2025; authorizing the City Manager to issue such instructions that are necessary to achieve and accomplish the service programs so authorized; authorizing the City Manager to transfer monies and programs among the departments and activities within any fund as provided by Chapter 2 of the Clearwater Code of Ordinances.

In accordance with Chapter 200 of the Florida Statutes and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearings to adopt the budget. The adoption of this ordinance and the related ordinances adopting the 2024/25 millage rate and the Capital Improvement Budget are an integral part of fulfilling these requirements.

On June 28, 2024, the City Manager provided the City Council with a Preliminary Annual Operating and Capital Improvement Budget that outlined estimates of revenues and expenditures for the 2024/25 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 15, 2024, for Council discussion and citizen input. In addition, a Special Budget Work Session was held on August 14, 2024, for Council discussion of the proposed budget.

The following changes have been made to the preliminary operating budget and are included in the ordinance for adoption of the fiscal year 2024/25 operating budget.

In the General Fund:

- Revenues are adjusted, netting to zero, to account for revenues in the correct categories.
- Expenditures are adjusted, netting to zero, decreasing the City Manager's Office budget by \$361,047 to transfer the Neighborhoods Division to Public Communications.

In the Water & Sewer Fund:

- Revenues are adjusted to recognize the use of fund reserves/equity of \$3,053,470 necessary to balance the budget.
- Expenditures are adjusted, increasing the Wastewater Collection program by \$7,811,880 to account for transfers to the capital improvement fund for the Ft. Harrison Improvements and Public Works Complex 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.

**Ordinance 9793-24 was presented and read by title only.**

**Vice Mayor Allbritton moved to adopt Ordinance 9793-24 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

- 7.3** Adopt Ordinance 9794-24 on second reading, adopting the capital improvement program budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025; approving the six-year capital improvement program which shall be reevaluated at the beginning of each fiscal year; authorizing the City Manager to issue such instructions that are necessary to achieve and accomplish the capital improvements so authorized; authorizing the City Manager to transfer money between projects in the capital improvement program; appropriating available and anticipated resources for the projects identified.

In accordance with Chapter 200 of the Florida Statutes and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearing to adopt the final budget. The adoption of this ordinance and the related ordinances adopting the 2024/25 millage rate and operating budget are an integral part of fulfilling these requirements.

On June 28, 2024, the City Manager provided the City Council with a Preliminary Annual Operating and Capital Improvement Budget that outlined estimates of revenues and expenditures for the 2024/25 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 15, 2024, for Council discussion and citizen input. In addition, a Special Budget Work Session was held on August 14, 2024, for Council discussion of the proposed budget.

No changes have been made to the Preliminary Capital Improvement Budget.

**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.

**Ordinance 9794-24 was presented and read by title only.**

**Councilmember Mannino moved to adopt Ordinance 9794-24 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

- 7.4** Amend the City's fiscal year 2023/24 operating and capital improvement budgets at third quarter and pass Ordinances 9795-24 and 9796-24 on first reading.

The fiscal year 2023/24 operating and capital improvement budgets were adopted in October 2023 by ordinances 9714-23 and 9715-23. 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 9795-24 and 9796-24 were presented and read by title only.**

**Councilmember Cotton moved to amend the City's fiscal year 2023/24 operating and capital improvement budgets at third quarter and pass Ordinances 9795-24 and 9796-24 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

- 7.5** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL), and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1721 El Trinidad Drive East and pass Ordinances 9776-24, 9777-24, and 9778-24 on first reading. (ANX2024-07003)

This voluntary annexation petition involves a 0.160-acre property consisting of one parcel of land occupied by a detached dwelling. The property is located on the east side of El Trinidad Drive East approximately 400 feet north of State Road 590. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the city. The property is contiguous to existing city boundaries on all sides; therefore, the annexation will eliminate an enclave. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) 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 property currently receives water service from Pinellas County. The closest sanitary sewer line is located in the adjacent El Trinidad Drive East 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 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, 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 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 Low (RL) 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 5 units per acre. The proposed zoning district to be assigned to the property is the Low Medium Density Residential (LMDR) 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 contiguous to existing city boundaries on all sides; 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 9776-24, 9777-24, and 9778-24 were presented and read by title only.**

**Councilmember Teixeira moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL), and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1721 El Trinidad Drive East and pass Ordinances 9776-24, 9777-24, and 9778-24 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

- 7.6** Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU), and initial Zoning Atlas designation of Medium Density Residential (MDR) District for 1827 Douglas Avenue, together with certain right-of-way of Douglas Avenue and pass Ordinances 9779-24, 9780-24, and 9781-24 on first reading. (ANX2024-07004)

This voluntary annexation petition involves a 0.458-acre property consisting of one parcel of land occupied by a detached dwelling. The property is located on the east side of Douglas Avenue approximately 180 feet south of Vista Way. The applicant is requesting annexation in order to receive solid waste service from the city. The Development Review Committee is proposing that the 0.80-acres of the adjacent Douglas Avenue right-of-way not currently within the city limits also be annexed. The property is contiguous to existing city boundaries to the west. It is proposed that the property be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Medium Density Residential (MDR).

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 city of Clearwater. Sanitary sewer service is currently not available for 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 emergency medical services will be provided to this property by Station #51 located at 1712 Overbrook Avenue. The city has adequate capacity to serve this property with solid waste, police, fire and EMS service. 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 category 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 district to be assigned to the property is the Medium Density Residential (MDR) 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 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.

*Seven individuals spoke in opposition.*

*Applicant representative Jennifer Whitaker said the applicant is following the plat lines to build six single-family affordable homes that are walkable to downtown. The proposed development will improve the tax base and not increase traffic. The city sewer lines are not available for the lots at this time and the applicant intends to build septic until the lots may connect to the city sewer. She said the applicant does not intend to build a condominium.*

*In response to a question, Planning and Development Director Gina Clayton said the property falls under the County's jurisdiction. The underlying county future land use designation for the site is residential urban and will continue to be the same. She said the City regulates the number of units that can be built, which is 7.5 units per acre and is not changing. The applicant is annexing into the city to receive water service. She said the applicant will need permission from the Department of Health to install septic tanks.*

**Ordinances 9779-24, 9780-24, and 9781-24 were presented and ready 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 Medium Density Residential (MDR) District for 1827 Douglas Avenue, together with certain right-of-way of Douglas Avenue and pass Ordinances 9779-24, 9780-24, and 9781-24 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

- 7.7** Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU), and initial Zoning Atlas designation of Medium Density Residential (MDR) District for an unaddressed parcel on Sylvan Drive and pass Ordinances 9782-24, 9783-24, and 9784-24 on first reading. (ANX2024-07005)

This voluntary annexation petition involves a 0.448-acre property consisting of one parcel of vacant land. The property is located on the west side of Sylvan Drive approximately 270 feet south of Vista Way. The applicant is requesting annexation in order to receive water and solid waste service from the city. The property will be contiguous to existing city boundaries to the north and west contingent upon the annexation of property located at 1827 Douglas Avenue

(ANX2024-07004). It is proposed that the property be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Medium Density Residential (MDR).

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 is currently vacant and does not receive water service from the city of Clearwater; however, this service is available. The applicant is aware of the costs to extend city water service to the property. Sanitary sewer service is currently not available for 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 emergency medical services will be provided to this property by Station #51 located at 1712 Overbrook Avenue. The city has adequate capacity to serve this property with water, solid waste, police, fire and EMS service. 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 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.

- The proposed Residential Urban (RU) 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 7.5 units per acre. The proposed zoning district to be assigned to the property is the Medium Density Residential (MDR) 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 will be contiguous to existing city boundaries to the north and west contingent upon the annexation of property located at 1827 Douglas Avenue (ANX2024-07004); 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.

*Three individuals spoke in opposition.*

*In response to questions, Planning and Development Director Gina Clayton said the underlying future land use designation, which is residential urban, sets the density, which is 7.5 units per acre. Based on the land area of .906 acres, the applicant is permitted to build 6 units. The zoning district is called Medium Density Residential and allows single-family homes. To receive water and solid waste service, the property must be annexed into the city.*

**Ordinances 9782-24, 9783-24, and 9784-24 were presented and read by title only.**

**Councilmember Mannino moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU), and initial Zoning Atlas designation of Medium Density Residential (MDR) District for an unaddressed parcel on Sylvan Drive and pass Ordinances 9782-24, 9783-24, and 9784-24 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

- 7.8** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL), and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 2135 Pleasant Parkway and pass Ordinances 9785-24, 9786-24, and 9787-24 on first reading. (ANX2024-07006)

This voluntary annexation petition involves a 0.637-acre property consisting of one parcel of land occupied by a detached dwelling. The property is located on the south side of Pleasant Parkway approximately 330 feet south of Bell Cheer Drive. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the city. The property is contiguous to existing city boundaries on all sides; therefore, the annexation would result in the elimination of an enclave. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) 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 property currently receives water service from Pinellas County. The closest sanitary sewer line is located within the adjacent Pleasant Parkway right-of-way. The applicant has not paid the required sewer impact fee and is aware that the impact fee must be paid in full prior to connection and of the additional costs to extend city sewer service to the property. Collection of solid waste will be provided by the city. The property is located within Police District III and service will be administered through the district headquarters located at 2851 North McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station #49 located at 565 Sky Harbor Drive. The city has adequate capacity to serve this property with sanitary sewer, solid waste, police, 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 services and their levels of service; and

- The proposed annexation is consistent with and promotes the following objective and policy of the Clearwater 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 Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of the property. The proposed RL designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is the Low Medium Density Residential (LMDR) 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 contiguous to existing city boundaries on all sides and results in the elimination of an enclave; 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 9785-24, 9786-24, and 9787-24 were presented and read by title only.**

**Councilmember Cotton moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL), and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 2135 Pleasant Parkway and pass Ordinances 9785-24, 9786-24, and 9787-24 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

**8. Second Readings - Public Hearing**

- 8.1** Adopt Ordinance 9788-24 on second reading, amending Appendix A, Clearwater Code of Ordinances, Schedule of Fees, Rates and Charges, Article XXIV, Public Works Fees, Rates and Charges, Section (3)(c) Solid Waste Collection Rates, Section (3)(d) Recycling Rates, and Section (5) Other Miscellaneous Charges; Increase specific collection fees for Solid Waste and Recycling annually by 3.75% effective October 1, 2024, October 1, 2025, October 1, 2026, October 1, 2027, and October 1, 2028.

Earlier this year Stantec Consulting Services Inc. of Tampa, FL performed a rate sufficiency analysis (RSA) on the City's Solid Waste and Recycling Utility Enterprise Fund. Stantec conducted similar studies during 2019 and 2021. The objectives for this study included evaluation of the utility's current rates and identifying a new multi-year plan of increases that provides sufficient revenues to fund operations and maintenance costs, capital improvement costs, adjustments to scenarios evaluated in prior studies related to timing and costs, and to ensure adequate operating reserves over the entire five year planning period (Fiscal Year 2025 - Fiscal Year 2029) and ten year projection period (Fiscal Year 2030 - Fiscal Year 2034). Staff provided historical and budgeted financial information for the utility, assumptions regarding growth, interest earning rates, and policies affecting the utility to Stantec for the study.

Based on Stantec's study and analysis of rate increase scenarios discussed with staff, it is recommended that fees for Solid Waste and Recycling be increased by 3.75% for the fiscal years 2025 through 2029.

Residential solid waste and recycling rates will increase as follows:

Monthly	Current	10/1/2024	10/1/2025	10/1/2026	10/1/2027	10/1/2028
Solid Waste	\$34.62	\$35.92	\$37.27	\$38.67	\$40.12	\$41.62
Recycling	\$ 3.51	\$ 3.64	\$ 3.78	\$ 3.92	\$ 4.07	\$ 4.22
Total	\$38.13	\$39.56	\$41.05	\$42.59	\$44.19	\$45.84

Appendix A of the Code of Ordinances currently contains a listing of various residential, commercial and roll-off collection fees for Solid Waste and Recycling. Therefore, staff is recommending that the Appendix A of the Code of Ordinances be amended to increase rates in accordance with the rate study prepared by Stantec.

**STRATEGIC PRIORITY:**

This item falls under the following objectives: 1.1 (evidence-based measurement tools) and 1.3 (adopt responsive levels of service for public facilities and amenities) within High Performing Government, and 4.2 (waste reduction practices) within Environmental Stewardship.

*One individual spoke in opposition.*

**Ordinance 9788-24 was presented and read by title only.**

**Councilmember Teixeira moved to adopt Ordinance 9788-24 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

- 8.2** Adopt Ordinance 9790-24 on second reading, amending Section 3-1508, relating to the regulation of noise.

*Two individuals spoke in opposition.*

**Ordinance 9790-24 was presented and read by title only.**

**Vice Mayor Allbritton moved to adopt Ordinance 9790-24 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

## **9. City Manager Reports**

### **9.1 North Beach Update**

*Public Works Director Marcus Williamson said the benthic survey was completed. The Army Corps of Engineers said as long as the City is not directing water to the Intracoastal areas, a full ERP permit is not required. Staff continues to look at ways to pull back some of the costs and make things more reliable. He said the modeling for some of the laterals are completed. Staff believes it may be possible to reduce the number of pump stations.*

## **10. City Attorney Reports – None.**

## **11. Other Council Action**

### **11.1 Extend pause for public comments on items not on the agenda - Vice Mayor Allbritton**

*Vice Mayor Allbritton requested consideration to extend the pause on public comments for items not on the agenda through the first meeting in January 2025. The pause will provide Council additional time to discuss how to proceed.*

*Five individuals spoke in opposition.*

*One individual submitted an eComment in opposition (see page 46).*

*Discussion ensued with comments made that many citizens have supported the pause and that many residents are afraid to attend council meetings because they are uncomfortable with the behavior of some.*

*The Council recessed from 8:55 p.m. to 8:58 p.m.*

**Vice Mayor Allbritton moved to Extend pause for public comments on items not on the agenda through the first meeting in January 2025. The motion was duly seconded and carried with the following vote:**

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



Councilmember Teixeira

**Nays:** 1 - Councilmember Cotton

**11.2 Approve City Attorney 2025 Goals.**

Per City Council Rule 16, the City Attorney is required to suggest no more than three goals to accomplish for the upcoming year. The City Council will adopt or modify the suggested goals in October.

*One individual spoke in support and requested defining the number of litigations to be concluded.*

*The City Attorney said he is focusing on seven particular cases, but it would be unwise to name them individually as it will alert opposing counsel.*

**Councilmember Cotton moved to approve City Attorney 2025 Goals. The motion was duly seconded and carried unanimously.**

**11.3 Approve City Manager 2025 Goals.**

Per City Council Rule 16, the City Manager is required to suggest no more than three goals to accomplish for the upcoming year. The City Council will adopt or modify the suggested goals in October.

*One individual spoke in support and suggested defining the dollar amount associated with filling the vacancies.*

*One individual spoke in opposition.*

*One individual spoke in support.*

**Councilmember Teixeira moved to approve City Manager 2025 Goals. The motion was duly seconded and carried unanimously.**

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

*Councilmember Mannino thanked all who attended and participated during today's meeting and thanked the Clearwater Police Department*

*for their service to the community.*

*Councilmember Cotton said he will not be attending the next work session or council meeting due to a business conflict.*

*Councilmember Teixeira reviewed recent and upcoming events and wished all a good evening.*

*Vice Mayor Allbritton said Council believes in the First Amendment and opposes the antics of some at the end of the meeting. He said, as JB Johnson used to say, "We can disagree without being disagreeable."*

### **13. Closing Comments by Mayor**

*Mayor Rector reviewed recent and upcoming events.*

### **14. Adjourn**

*The meeting adjourned at 9:40 p.m.*

Attest

\_\_\_\_\_  
Mayor  
City of Clearwater

\_\_\_\_\_  
City Clerk

City Council on 2024-09-17 6:00 PM - Note - eComments for this meeting will remain open during the meeting.

Meeting Time: 09-17-24 18:00

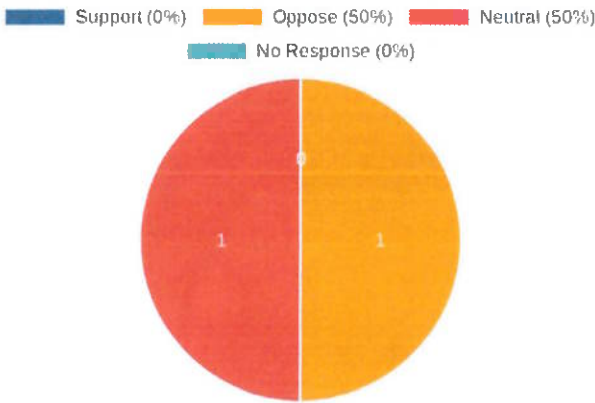
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council on 2024-09-17 6:00 PM - Note - eComments for this meeting will remain open during the meeting.	09-17-24 18:00	54	2	0	1	1

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



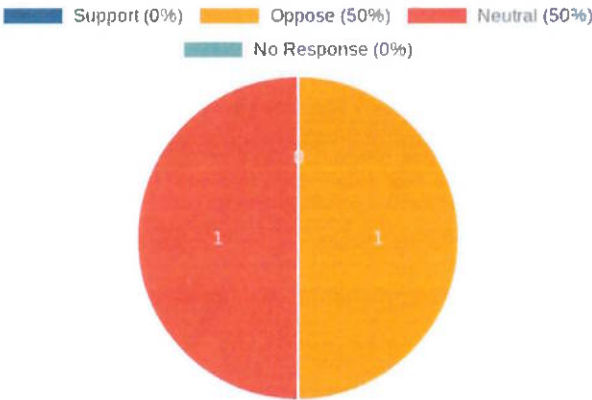
City Council on 2024-09-17 6:00 PM - Note - eComments for this meeting will remain open during the meeting.  
09-17-24 18:00

Agenda Name	Comments	Support	Oppose	Neutral
6.19 ID#24-1071 Approve Submerged Land Lease (SLL) between the State of Florida and the City of Clearwater for the shared docking facility adjacent to the Beach Recreation Center and authorize the appropriate officials to execute same. (consent)	1	0	0	1
11.1 ID#24-1181 Extend pause for public comments on items not on the agenda - Vice Mayor Allbritton	1	0	1	0

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.

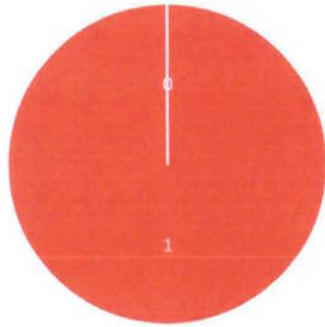
Overall Sentiment



Agenda Item: eComments for 6.19 ID#24-1071 Approve Submerged Land Lease (SLL) between the State of Florida and the City of Clearwater for the shared docking facility adjacent to the Beach Recreation Center and authorize the appropriate officials to execute same. (consent)

### Overall Sentiment

Support (0%) Oppose (0%) Neutral (100%)  
No Response (0%)



### Dennis McDermott

Location:

Submitted At: 11:58pm 09-16-24

In Florida, public property owned by a municipality, agency, or other public body that is leased to a nongovernmental lessee is subject to ad valorem taxation.

Florida Statutes Title XIV, 196.199 clearly explains,

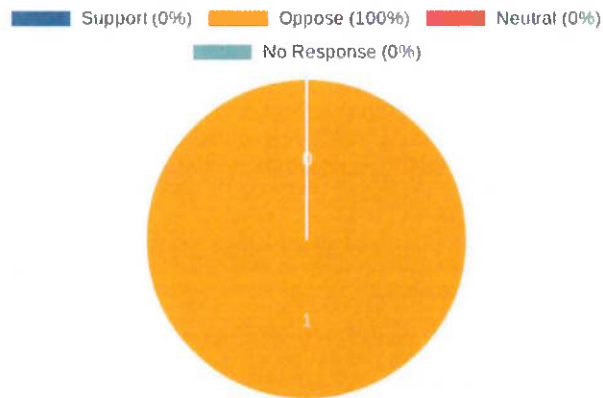
(4)\_Property owned by any municipality, agency, authority, or other public body corporate of the state which becomes subject to a leasehold interest or other possessory interest of a nongovernmental lessee other than that described in paragraph (2)(a), after April 14, 1976, shall be subject to ad valorem taxation unless the lessee is an organization which uses the property exclusively for literary, scientific, religious, or charitable purposes.

It appears that the City of Clearwater and the Pinellas County Property Appraiser have been remiss in their obligation to the Citizens of Florida to ensure that these marina/dock facilities which have been leased to the Sandpearl Resorts, LLC and used for private commercial purposes are properly assessed and taxed accordingly.

Should this Agenda Item be approved, it is incumbent on City Council to ensure that appropriate ad valorem taxation is applied to the leased premises, both in arrears back to the initial date of the lease (2019) and going forward for as long as the lease continues.

Agenda Item: eComments for 11.1 ID#24-1181 Extend pause for public comments on items not on the agenda - Vice Mayor Allbritton

Overall Sentiment



**Kelly Myer**

Location:

Submitted At: 2:23pm 09-17-24

On this Constitution Day, I respectfully ask City Council and Staff to refrain from extending the "pause for public comments on items not on the agenda" further than the October date. I am well aware of the threatening, vulgar, and unprofessional behavior that caused this pause to be enacted. I witnessed it firsthand when I attended and spoke at a City Council meeting during the springtime. There are other avenues to address the behavior such as restraining orders, issuing trespass citations, and the like. Please do not allow a few to shut down the rest of the citizens' gift, duty, and right to speak publicly, in person at our City Council meetings on "items not on the agenda."