

City of Clearwater

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



Meeting Minutes

Thursday, July 21, 2022

6:00 PM

Main Library - Council Chambers

City Council

Roll Call

Present: 5 - Mayor Frank Hibbard, Vice Mayor Kathleen Beckman, Councilmember David Allbritton, Councilmember Mark Bunker and Councilmember Lina Teixeira

Also Present: Jon Jennings – City Manager, Micah Maxwell – Assistant City Manager, Michael Delk – 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 Hibbard**

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

2. Invocation – Rev. Jefferson from Grace Lutheran Church**3. Pledge of Allegiance****4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.****4.1 July Service Awards**

One service award was presented to a city employee.

4.2 Drowning Prevention Presentation - Shaun Beasley - Recreation Manager, Parks and Recreation Department

Parks and Recreation Manager Sean Beasley provided a PowerPoint presentation.

5. Approval of Minutes**5.1 Approve the minutes of the June 16, 2022 City Council Meeting as submitted in written summation by the City Clerk.**

Councilmember Allbritton moved to approve the minutes of the June

16, 2022 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

- 5.2** Approve the minutes of the May 24, 2022 Special City Council Meeting as submitted in written summation by the City Clerk.

Vice Mayor Beckman moved to approve the minutes of the May 24, 2022 Special City Council Meeting as submitted in written summation by the City Clerk. The motion was fully seconded and carried unanimously.

6. Citizens to be heard re items not on the agenda

Peter Scalia provided an update regarding the services delivered through members of the Going Home Clearwater coalition, which is comprised of Saint Vincent dePaul Community Kitchen and Resources Center, The Refuge Outreach Church, Joy of the Gospel Ministries, Fresh Start Mentoring, Homeless Empowerment Project, Community Service Foundation and the Church of Scientology, to address homelessness in the community.

Cal Tiger expressed his interest in sustainability and homelessness. He described a solution that would incentivize homeless to collect plastic bottles in return for payment.

Kevin Hunsicker requested consideration to approve a text amendment that would disallow institutional uses around residential properties that involve religious uses.

Mr. Holuba wondered why some police recruits travel so far to join the Clearwater Police Department and expressed concerns with hiring legacy officers and those with military training.

7. Consent Agenda – Approved as submitted.

- 7.1** Accept the Office of Resilience and Coastal Protection's Resilient Florida Fiscal Year 21-22 Planning Grant award in the amount of \$197,848 with the required local match of \$24,000, for the development of a city-wide vulnerability assessment using the City Simulator tool of Atkins North America, Inc. and authorize the appropriate officials to execute same. (consent)

- 7.2** Approve an Engineer of Record (EOR) Work Order to Atkins North America, Inc. of Tampa, FL for the development of a city-wide vulnerability assessment using Atkins' City Simulator tool in the amount of \$221,848 and authorize the appropriate officials to execute same. (consent)
- 7.3** Accept a Gas Utility Easement from Brooker Creek V LLC. (consent)
- 7.4** Accept a Gas Utility Easement from MHC Country Place LLC. (consent)
- 7.5** Approve the conveyance of a Distribution Easement to Duke Energy Florida, LLC, d/b/a Duke Energy, for the installation, operation, and maintenance of electric facilities to support Duke's relocation and installation of power poles, lighting, and new service connections at 401 N McMullen Booth Road and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve a purchase order to Workscapes, LLC for the purchase and installation of office furniture at the Clearwater Police Department District Three Operations and Training Center (18-0004-PD) in the amount of \$211,663.05, pursuant to Clearwater Code of Ordinances Section 2.563 (1)(c), Piggyback, and Section 2.563 (1)(d), Non-competitive purchases, and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve an Interlocal Agreement (ILA) between Pinellas County, the Town of Belleair, and Cities of Belleair Beach, Belleair Bluffs, Clearwater, Dunedin, Indian Rocks Beach, Largo, Seminole, and Tarpon Springs for a funding match for a Southwest Florida Water Management District Cooperative Funding Initiative Grant in the amount of \$34,629.00 for the Clearwater Harbor/St. Joseph Sound Comprehensive Conservation Management Plan Surface Water Resource Assessment Update and authorize the appropriate officials to execute same. (consent)
- 7.8** Authorize a purchase order to Alan Jay of Sebring, FL for the purchase of ten Police Pursuit Vehicles in a not to exceed amount of \$359,150.00 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c), Piggyback, and Section 2.563(1)(d), impractical to bid; authorize an extension through October 31, 2022 and an increase of \$40,000.00 to Contract 900729, Enforcement One of Oldsmar, FL for Police Upfitting to allow the upfitting of the additional ten vehicles pursuant to ITB 47-19, Police Vehicle Upfitting Services and authorize the appropriate officials to execute same. (consent)
- 7.9** Appoint Stephanie Chill to the Sister Cities Advisory Board as the Sister Cities, Inc. representative for an unexpired term through July 31, 2023. (consent)
- 7.10** Request for authority to settle case of City of Clearwater v. 1510 Barry Holding, LLC, et al., Case No. 21-4847-CI. (consent)

Councilmember Bunker moved to approve the Consent Agenda as

submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1** Approve the City of Clearwater's Fiscal Year 2022/2023 Annual Action Plan, which is the third Action Plan of the Fiscal Year 2020/2021 - Fiscal Year 2024/2025 Consolidated Plan, to implement the goals and objectives set forth in the Consolidated Plan and authorize the appropriate officials to enter into agreements with HUD and organizations approved for funding, together with authorization to execute administrative adjustments to same as needed.

On July 16, 2020, City Council approved the 2020/2021 - 2024/2025 Consolidated Plan (Consolidated Plan) identifying the city's goals and objectives with respect to the city's administration of HOME Investment Partnership (HOME) and Community Development Block Grant (CDBG) Program funds. Under the Consolidated Plan, the City is required by the US Department of Housing and Urban Development (HUD) to create and implement a plan each year to identify the sources and uses of these funds for housing, community programs, and economic development. This plan, referred to as the Annual Action Plan, provides HUD with the City's Housing Division budget and proposed expenditures based on the entitlement funds and estimated program income that the City will receive in the upcoming fiscal year to meet the goals and objectives established in the Consolidated Plan.

Funds will be used to develop viable communities and sustain existing ones. In addition, the funds will be used to provide safe, decent and affordable housing to assist extremely low- to moderate-income households. This year's Annual Action Plan allocates federal funds to provide housing opportunities to extremely low- to moderate-income households for new and existing homes, construction and/or renovation of public facilities, and to fund public services programs. In Fiscal Year (FY) 2022/2023, the City will receive \$897,475 in entitlement funds for the CDBG Program and \$509,528 in entitlement funds for the HOME Program. The City is also reprogramming: \$3,790,961 in prior year HOME entitlement and program income funding; \$180,000 in anticipated FY2022/2023 HOME program income; \$767,422 in prior year CDBG entitlement and program income funding; \$27,800 in anticipated FY2022/2023 CDBG program income; and \$1,179,080 in CDBG Revolving Loan Program funds. Funds provided through the CDBG Program may be used for housing, community and economic development, public services and facilities, acquisition, relocation and administration. Funds provided through the HOME Program are limited to

housing-related activities and administration.

The City partners with several non-profit agencies to implement the goals and objectives established in the Consolidated Plan. To obtain these partners, the City annually publishes in February a Notice of Funding Availability in the local newspaper and on its website. This notice informs the public of the resources the City will make available and the eligible uses of those resources. It also informs them of the 30-day application period for requesting funds. The applications were due on March 16, 2022. With the City receiving 23 applications, staff is recommending funding for 22 organizations. One public service agency changed operational activities after submitting its application, causing its application to be ineligible.

A Technical Review Committee (TRC) comprised of a professional in the social service and grants community, a member of the City's Neighborhood and Affordable Housing Advisory Board (NAHAB), a representative of the Homeless Leadership Alliance, and the City Clerk reviewed and ranked the applications. Applicants were provided an opportunity to present their proposed projects at the April 12, 2022, NAHAB meeting. City Housing staff also reviewed each application to ensure it met HUD's baseline requirements. With guidance from the TRC and NAHAB and based on available funding, City staff prepared recommended funding allocations. The NAHAB met on May 10, 2022 and approved the recommended allocations. NAHAB approval is subject to City Council approval of the Annual Action Plan.

Each year the City may allocate up to 15% of its CDBG entitlement funds for Public Services activities. This year the city received ten requests for funding of public services from eight public service providers and two Homebuyer Education Counselors in the amount \$229,786. With one application withdrawn, \$134,621 was available to fund the remaining nine activities. Staff recommends allocating a total of \$30,000 to the two Homebuyer Education Counseling organizations as this is consistent with prior years' activity levels to meet housing-related service needs. Staff recommends allocation of funding for the remaining seven organizations is based on the tiered ranking of TRC scoring for which the three highest-ranked applicants are granted fifty percent of the remaining public service funding (\$17,436 each); the next two highest-ranked applicants are granted thirty percent (\$15,693 each); and the two lowest-ranked applicants are granted twenty percent (\$10,462 each). The City received nine requests for funding of Public Facilities improvements. The TRC reviewed each application and recommended funding of each request as appropriate. Staff is recommending funding of all eligible components of each request; however, staff is recommending that three of the projects totaling \$193,802 are funded with CDBG-CV, which is not budgeted in the Annual Action Plan. The total staff-recommended allocation for the six projects within the

Annual Action Plan is \$523,107. These investments will help daily operations of each public service provider with improved facility functionality, efficiency, and safety features.

The Annual Action Plan serves as a budget for planned projects and identifies unallocated funds available for additional project(s) throughout the budget year. Staff requests authorization to make administrative adjustments during the budget year to fund additional project(s), including shifting funds between projects within budgetary segments. Staff will request Council approval for any administrative adjustments that exceed City Manager authority of \$100,000. On July 12, 2022, the NAHAB passed a motion recommending City Council approval of the FY2022/2023 Annual Action Plan.

The FY2022/2023 Annual Action Plan is due to HUD on August 15, 2022. All organizations that will be receiving an allocation will have agreements prepared and executed by October 1, 2022. Staff performs compliance monitoring with funded organizations on an annual basis.

Councilmember Teixeira moved to approve the City of Clearwater's Fiscal Year 2022/2023 Annual Action Plan, which is the third Action Plan of the Fiscal Year 2020/2021 - Fiscal Year 2024/2025 Consolidated Plan, to implement the goals and objectives set forth in the Consolidated Plan and authorize the appropriate officials to enter into agreements with HUD and organizations approved for funding, together with authorization to execute administrative adjustments to same as needed. The motion was duly seconded and carried unanimously.

- 8.2** Declare surplus, for the purpose of sale for development of affordable housing, real property located at 1408 Monroe Avenue; approve the Real Property Transfer Agreement between the City and Clearwater Neighborhood Housing Services, Inc.; and authorize the appropriate officials to execute same, together with all other instruments required to affect closing. (APH)

The City Manager recently approved the Economic Development & Housing Department Lot Disposition Procedure. This procedure provides for a transparent and competitive process for when the City transfers a lot for the purpose of constructing a single-family home to be sold to a household qualifying under the City's definition of Workforce or Affordable Housing. The procedure calls for pre-approved developers to submit applications when a property is available. Applications are vetted by a four-member Lot Disposition Committee and a recommendation from the Neighborhood & Affordable

Housing Advisory Board is submitted to City Council.

This property is currently vacant, and it is identified by Resolution #23-13 as a city-owned property appropriate for use as affordable housing (Pinellas County Property I.D. #10-29-15-51948-004-0040). The property is suitable for construction of a single-family home. The City acquired the property at no cost in 2015 through the Pinellas County escheatment process due to non-payment of taxes.

This property is located within the North Greenwood Neighborhood Revitalization Strategy Area and within the boundary of the North Greenwood Community Redevelopment Area. Clearwater Neighborhood Housing Services, Inc. d/b/a Tampa Bay Neighborhood Housing Services (TBNHS) has a long history of constructing affordable homes within the city of Clearwater. A staff appraisal valued the property at \$29,900 on June 29, 2022. According to Section 2.01(d)(5)(i) of the Clearwater City Charter, the City Council may approve the donation or sale for less than fair market value of city-owned property of not more than five acres in size for Workforce Housing. Workforce Housing means housing affordable to persons or families whose total annual income does not exceed 120 percent of the Area Median Income (AMI), adjusted for household size, as published by the U.S. Department of Housing and Urban Development for Pinellas County or metropolitan area. According to information provided by the Pinellas County Property Appraiser, the property is 0.77 acres (3,348 square feet). TBNHS has site control of the adjacent parcel and intends to combine the two parcels to provide for a more desirable development site.

In response to a question, Economic Development and Housing Assistant Director Chuck Lane said a cluster of tiny homes built on a parcel would be considered multi-family.

Councilmember Allbritton moved to declare surplus, for the purpose of sale for development of affordable housing, real property located at 1408 Monroe Avenue; approve the Real Property Transfer Agreement between the City and Clearwater Neighborhood Housing Services, Inc.; and authorize the appropriate officials to execute same, together with all other instruments required to affect closing. The motion was duly seconded and carried unanimously.

- 8.3** 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 2843 St. John Drive, and pass Ordinances 9580-22, 9581-22, and 9582-22 on first reading. (ANX2022-05006)

This voluntary annexation petition involves a 0.195-acre property consisting of one parcel of land occupied by a detached dwelling. The property is located on the south side of St. John Drive at the southern terminus of St. Anthony Drive. The applicants are requesting annexation in order to receive sanitary sewer and solid waste service from the City. The property is located within an enclave and is contiguous to city boundaries on all sides, and 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 an easement along the southern property boundary. The applicants have paid the required sewer impact and assessment fees in full and are 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 N. Belcher Road. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire, and EMS service. Water service will continue to be provided by Pinellas County. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

- The proposed Residential 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 a detached dwelling on 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.

Ordinances 9580-22, 9581-22, and 9582-22 were presented and ready by title only.

Vice Mayor Beckman 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 2843 St. John Drive, and pass Ordinances 9580-22, 9581-22, and 9582-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 8.4** Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1221 Sunset Point Road and pass Ordinances 9583-22, 9584-22, and 9585-22 on first reading. (ANX2022-05007)

This voluntary annexation petition involves a 0.137-acre property consisting of one parcel of land occupied by a new single-family dwelling (currently under construction). The property is located on the south side of Sunset Point Road approximately 385 feet east of Douglas Avenue. The applicant is requesting annexation in order to receive sanitary sewer, water, and solid waste service from the City. The property is in an enclave and is contiguous to existing city boundaries to the north. It is proposed that the property be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The need for sanitary sewer and water service was prompted by the applicant's proposal to construct a single-family dwelling on a previously vacant lot. Due to timing issues, the applicant has started construction of the single-family dwelling while located in the County. The site plan approved by the County meets the flexible standard development provisions of the Low Medium Density

Residential (LMDR) District. Due to the nature of the construction, Pinellas County will require the applicant to connect to the City's sanitary sewer system prior to the issuance of a Certificate of Occupancy (CO). To ensure consistency in the application of Building Code inspections and to prevent any construction liability issues, the project will be built in its entirety under Pinellas County jurisdiction. For that reason, second reading of the annexation cannot occur until after the County issues a CO. The Planning and Development Department will schedule second and final reading after the applicant obtains the CO.

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:

- Water, sanitary sewer, and solid waste service will be provided by the City of Clearwater. The closest sanitary sewer and water lines are located in the adjacent Sunset Point Road right-of-way. The applicant is aware that the City's water impact and assessment fees must be paid in full prior to connection and of the additional costs to extend City water service to this property. The applicant has paid the required sewer impact and assessment fees in full and is aware of the additional costs to extend to the City's sewer system. 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, sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

- The proposed Residential 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 Low Medium Density Residential (LMDR) District. The proposed 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 north; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Ordinances 9583-22, 9584-22, and 9585-22 were presented and read by title only.

Councilmember Bunker moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 1221 Sunset Point Road and pass Ordinances 9583-22, 9584-22, and 9585-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 8.5** Approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District 1219 Sunset Point Road, and pass Ordinances 9586-22, 9587-22, and 9588-22 on first reading. (ANX2022-05008)

This voluntary annexation petition involves a 0.137-acre property consisting of one parcel of vacant land. The property is located on the southeast corner of Sylvan Drive and Sunset Point Road. The applicant has indicated a desire to construct a detached dwelling on the property, although no plans have been submitted at this time. They are requesting annexation in order to receive water, sanitary sewer, and solid waste service from the City upon site development. The property is located within an enclave and is contiguous to city boundaries to the north. It is proposed that the property be assigned a Future Land Use Map designation of Residential Urban (RU) and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Community Development Code

Section 4-604.E as follows:

- Water, sanitary sewer, and solid waste service will be provided by the City of Clearwater. The closest sanitary sewer line is located in the adjacent Sunset Point Road right-of-way. The closest water line is located in both the Sunset Point Road and Sylvan Drive rights-of-way. The applicant is aware that the City's water impact and assessment fees must be paid in full prior to connection and of the additional costs to extend City water service to this property. The applicant has paid the required sewer impact and assessment fees in full and is aware of the additional costs to extend to the City's sewer system. 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 sanitary sewer, solid waste, water, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

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

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

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

- The proposed Residential 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 Low Medium Density Residential (LMDR) District. The proposed use of a detached dwelling on 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 north; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Ordinances 9586-22, 9587-22, and 9588-22 were presented and read by title only.

Councilmember Teixeira moved to approve the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District 1219 Sunset Point Road, and pass Ordinances 9586-22, 9587-22, and 9588-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 8.6** Approve a Future Land Use Map Amendment from Residential/Office General (R/OG) to Institutional (I) for the property located at 905 South Highland Avenue and pass Ordinance 9575-22 on first reading. (LUP2022-03003)

This Future Land Use Map Amendment involves a 1.86-acre vacant property located on the east side of South Highland Avenue approximately 450 feet south of Druid Road. The parcel, owned by YMCA of the Suncoast Inc., is currently vacant; however, the property was previously occupied by a nursing home that was demolished in 2006. YMCA of the Suncoast would like the option to construct a new smaller facility to replace their current one on the parcel directly to the south, which has been sold to the Learning Independence for Tomorrow (LIFT) School. This amendment would allow the applicant to develop the property with a facility built for delivery of social/public services and/or educational services, although no plans have been submitted at this time.

The request is to change the Future Land Use Map designation of the property from Residential/Office General (R/OG) to Institutional (I). The proposed future land use designation of Institutional (I) is compatible with the surrounding uses which includes institutional and single-family residential uses that exist in the vicinity of the subject property. A request to rezone the property from the Office (O) District to the Institutional (I) District is being processed concurrently with this case (REZ2022-03003).

An amendment to the Countywide Plan Map will also be required to bring consistency between the city's Future Land Use Map and the Countywide Plan Map. The applicant understands all necessary approvals and permits must be obtained before development of the subject site occurs.

The Planning and Development Department determined that the proposed Future Land Use Map Amendment is consistent with the Clearwater Comprehensive Plan and Community Development Code as specified below:

- The amendment will further implementation of the Comprehensive Plan consistent with the goals, policies and objectives contained in the Plan.
- The amendment is not inconsistent with other provisions of the Comprehensive Plan.
- The available uses, if applicable, to which the property may be put are appropriate to the property in question and compatible with existing and planned uses in the area.
- Sufficient public facilities are available to serve the subject property.
- The amendment will not adversely affect the natural environment.
- The amendment will not adversely impact the use of property in the immediate area.

The Community Development Board reviewed this application at its June 21, 2022 public hearing and made a unanimous recommendation of approval to City Council.

Ordinance 9575-22 was presented and read by title only.

Councilmember Allbritton moved to approve a Future Land Use Map Amendment from Residential/Office General (R/OG) to Institutional (I) for the property located at 905 South Highland Avenue and pass Ordinance 9575-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 8.7** Approve a Development Agreement between the City of Clearwater and Gotham Property Acquisitions, LLC and The DeNunzio Group providing for the redevelopment of two sites on the west side of Osceola Avenue abutting Coachman Park in the Downtown Core for overnight accommodations, attached dwellings, commercial uses such as retail, food and beverage, cultural uses and event space pursuant to Community Development Code Section 4-606; adopt Resolution 22-15, and authorize appropriate officials to execute same. (DVA2022-06001)

The properties subject to this Development Agreement include a portion of the former City Hall site located at the northwest corner South Osceola Avenue and

Pierce Street (112 South Osceola Avenue) and a portion of the former Harborview site located north of Cleveland Street (50 North Osceola Avenue). The properties are located within the Central Business District (CBD) future land use category, the Downtown (D) District and the Downtown Core Character District of the Clearwater Downtown Redevelopment Plan.

The proposed Development Agreement between the City and the Developer (i.e., Gotham Property Acquisitions, LLC and The DeNunzio Group, LLC) is anticipated to be in effect for 30 years and includes the following main provisions:

- Permits certain uses: Attached dwellings (apartments), hotel, commercial uses such as retail, food and beverage, and cultural uses, and event space
- Prohibits certain uses: Self-storage facilities, nightclubs and light assembly uses
- Limits building height: former Harborview site limited to 157 feet for the hotel (north building) and 53 feet for the south building; City Hall site limited to 289 feet
- Establishes maximum density and intensity (FAR) for both sites, consistent with the Clearwater Downtown Redevelopment Plan and Community Development Code
- Anticipates Public Amenities Incentive Pool allocation by the Community Development Board: 36 hotel units and 422 residential units
- Requires minimum number of surface and underground off-street parking spaces: 169 parking spaces at the former Harborview site, 119 of which will be reserved and allocated for hotel use, and 600 underground parking spaces at the City Hall site
- Anticipates the need for the City to process a plat for the city-owned property along the waterfront and bluff.
- Recognizes the need for a license agreement to govern cross access between the Library parking lot and the former Harborview site
- Requires all buildings to be constructed to standards equivalent to LEED Silver certification

The proposal is in compliance with the standards for Development Agreements contained in Section 4-606, is consistent with the City's Comprehensive Plan and Community Development Code, and furthers the vision of Downtown redevelopment as set forth in Clearwater Downtown Redevelopment Plan, as determined by the Planning and Development Department.

The Community Development Board will review this Development Agreement

application at its public hearing on July 19, 2022 and make a recommendation to City Council. The Planning and Development Department staff will report the recommendation at the city council meeting.

APPROPRIATION CODE AND AMOUNT:

Funding for this agreement is available in the unrestricted reserve balance of the Parking Fund.

USE OF RESERVE FUNDS:

The remaining balance of Parking Fund reserves after 25% working capital reserves is approximately \$13.0 million or 156% of the current Parking Fund operating budget.

Planning and Development Director Gina Clayton said the Community Development Board held the first required public hearing on Tuesday, July 19 and unanimously recommended approval of the agreement.

In response to questions, Ms. Clayton said the City Attorney said he recommends continuing the item to August 4, 2022; a few scrivener errors were identified in the agreement and it was best to approve the agreement when the ordinance for the referendum is adopted on August 4, 2022. The developer team has agreed. He said the continuance will provide three public hearings on the development agreement. Ms. Clayton said the Clearwater Development Code requires .7 parking spaces per hotel unit; the proposed project meets the requirement. She said there are no parking requirements for retail in the downtown. The Downtown Plan views parking as infrastructure, with the goal to have parking throughout downtown and not take up space at each development site. Ms. Clayton said the private sector would determine if more parking was needed beyond the one space per rental unit requirement. The City will be responsible for the maintenance of the bluff walk bridge.

Developer representative Katie Cole, Architect Jordan Behar, and Stantec representative Frank Domingo provided a PowerPoint presentation.

In response to questions, Ms. Cole said the project proposes 769 parking spaces in total, with one space per unit at the city hall site. Substantially complete is a defined term; 93% of the units are available for occupancy. She said the provision regarding the transfer of property prior to the certificate of occupancy is important to the developers and owners from a financing standpoint related to estate planning. She said the development group expects a 4-year construction time period.

One individual spoke in support and suggested that an active waterfront edge be implemented into the plan. He suggested including amenities similar to those found in the Bradenton Riverwalk and having the information available to the public.

Discussion ensued with comments made supporting the project. A suggestion was made that a set-aside for workforce housing (i.e., 120% AMI) should be required as the project is located on publicly-owned land. Comments were made that the funds could be used to build workforce housing on another publicly-owned land, that the construction at this location will be more expensive than other mixed-income projects, and that a luxury waterfront residential is not an effective location for workforce housing.

Councilmember Bunker moved to continue Item 8.7 to August 4, 2022. The motion was duly seconded and carried unanimously.

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

The Council recessed from 8:02 p.m. to 8:14 p.m.

- 8.8** Withdrawn: Deny a Future Land Use Map Amendment from the Residential Low (RL) category to the Institutional (I) category for the property located at 1885 County Road (CR) 193 and do not pass Ordinance 9577-22 on first reading. (LUP2022-04004)

This Future Land Use Map Amendment involves a 2.618-acre property located on the east side of CR 193 approximately 500 feet south of Sunset Point Road. The applicant, St. Mary and St. Mina Coptic Orthodox Church, is requesting to amend the future land use category from Residential Low (RL) to Institutional (I). The applicant has submitted a Zoning Atlas Amendment which is being processed concurrently with this case (REZ2022-04004).

The subject property is currently developed with a detached dwelling which was constructed in 1973. In 2006, the property was annexed into the city by ordinance No. 7683-06, with subsequent ordinances establishing the future land use of Residential Low (RL) and zoning designation of Low Medium Density Residential (LMDR). St. Mary and St. Mina Coptic Orthodox Church (hereinafter the Church) purchased the property in 2015. The Church also owns the property adjacent to the south, 2930 CR 193, and operates their main Church campus from this site which consists of three buildings totaling just under 30,000 square feet of development of 4.469± acres.

Site plans are not required as part of Future Land Use Map amendment applications; however, the applicant has previously brought forward conceptual site plans that propose a two-story, 28,000 square foot multi-use building with associated parking on the subject property and rearranged parking on the main Church property, including during pre-application meetings late last year. Staff has not formally reviewed the site plan, but previous comments focused on the increase of development potential in the requested Institutional (I) future land use category and uses in the consistent zoning district, as well as concerns about additional traffic. Staff encouraged the applicant to explore site design options where future vertical development is limited to the main Church parcel to the south which is already designated as Institutional (I), and to explore ways to mitigate impacts to surrounding properties.

The proposed expansion of the Institutional (I) future land use category would negatively impact the low-density character of the area. The addition of Institutional property as proposed is incompatible with surrounding uses and inconsistent with the character of the surrounding properties and neighborhood. Additionally, the increase in development potential would likely lead to traffic capacity issues along CR 193, a dead-end roadway that lacks sidewalks and has no opportunities to connect to Sunset Point Road or another outlet. The main Church campus to the south, 2930 CR 193, has a maximum development potential of up to 126,534 square feet based on its current designation of Institutional (I) on the city's Future Land Use Map. The existing development is approximately 29,247 square feet, which leaves up to 97,287 square feet of unrealized development potential on the site. The main Church campus could support expansion of the Church without the need to extend the Institutional (I) future land use category north to the subject property.

The Planning and Development Department has determined that the proposed Future Land Use Map Amendment is not consistent with the provisions of the Clearwater Community Development Code as specified below:

- The amendment will not further implementation of the Comprehensive Plan consistent with the goals, policies and objectives contained in the Plan.
- The amendment is inconsistent with other provisions of the Comprehensive Plan.
- The available uses, if applicable, to which the property may be put are not appropriate to the property in question and not compatible with existing and planned uses in the area.
- Sufficient public facilities are available to serve the subject property; however, sufficient traffic levels of service are not available to serve the property.
- The amendment will adversely impact the use of properties in the immediate area.

If approved, the proposed City of Clearwater future land use category of Residential Low (RL) will necessitate an amendment of the *Countywide Plan*

Map from the Residential Low Medium (RLM) category to the Public/Semi-Public (P/SP) category. In accordance with the Countywide Plan Rules, the land use plan amendment is subject to the approval of Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority. The application is a small-scale amendment so review and approval by the Florida Department of Economic Opportunity would not be required.

The Community Development Board reviewed this application at its June 21, 2022 public hearing and made a unanimous recommendation of denial to City Council.

8.9 Withdrawn: Deny a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR) District to the Institutional (I) District for the property located at 1885 County Road (CR) 193 and do not pass Ordinance 9578-22 on first reading. (REZ2022-04004)

This Zoning Atlas Amendment involves a 2.618-acre property located on the east side of CR 193 approximately 500 feet south of Sunset Point Road. The applicant, St. Mary and St. Mina Coptic Orthodox Church, is requesting to rezone the property from the Low Medium Density Residential (LMDR) District to the Institutional (I) District. The applicant has submitted a Future Land Use Map Amendment, which is being processed concurrently with this case (LUP2022-04004).

The subject property is currently developed with a detached dwelling which was constructed in 1973. In 2006, the property was annexed into the city by ordinance No. 7683-06, with subsequent ordinances establishing the future land use of Residential Low (RL) and zoning designation of Low Medium Density Residential (LMDR). St. Mary and St. Mina Coptic Orthodox Church (hereinafter the Church) purchased the property in 2015. The Church also owns the property adjacent to the south, 2930 CR 193, and operates their main Church campus from this site which consists of three buildings totaling just under 30,000 square feet of development of 4.469± acres.

Site plans are not required as part of rezoning applications; however, the applicant has previously brought forward conceptual site plans that propose a two-story, 28,000 square foot multi-use building with associated parking on the subject property and rearranged parking on the main Church property, including during pre-application meetings earlier this year. Staff has not formally reviewed the site plan, but previous comments focused on the increase of permitted uses in the requested Institutional (I) zoning district and development potential in the consistent future land use category, as well as concerns about additional traffic. Staff encouraged the applicant to explore site design options where future vertical development is limited to the main Church parcel to the south which is already designated Institutional (I) District, and to explore ways to mitigate impacts to surrounding properties.

The proposed expansion of the Institutional (I) zoning district would negatively

impact the low-density character of the area. The addition of Institutional property as proposed is incompatible with surrounding uses and inconsistent with the character of the surrounding properties and neighborhood. Additionally, the increase in development would likely lead to traffic capacity issues along CR 193, a dead-end roadway that lacks sidewalks and has no opportunities to connect to Sunset Point Road or another outlet. The main Church campus to the south, 2930 CR 193, has a maximum development potential of up to 126,534 square feet based on its current designation of Institutional (I) on the city's Future Land Use Map. The existing development is approximately 29,247 square feet, which leaves up to 97,287 square feet of unrealized development potential on the site. The main Church campus could support expansion of the Church without the need to extend the Institutional (I) zoning district north to the subject property.

The Planning and Development Department has determined that the proposed Zoning Atlas Amendment is not consistent with the provisions of the Community Development Code as specified below:

- The proposed amendment is not consistent with the Comprehensive Plan and the Community Development Code.
- The available uses in the Institutional (I) District are not compatible with the surrounding area.
- The proposed amendment is not compatible with the surrounding property and character of the neighborhood.
- The proposed amendment will adversely or unreasonably affect the use of other property in the area.
- The proposed amendment will not adversely burden public facilities, excluding the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.

The Community Development Board reviewed this application at its June 21, 2022 public hearing and made a unanimous recommendation of denial to City Council.

9. Quasi-Judicial Public Hearings

- 9.1** Approve a Zoning Atlas Amendment from the Office (O) District to the Institutional (I) District for property located at 905 South Highland Avenue and pass Ordinance 9576-22 on first reading. (REZ2022-03003)

This Zoning Atlas Amendment involves a 1.86-acre vacant property located on the east side of South Highland Avenue approximately 450 feet south of Druid Road. The parcel, owned by YMCA of the Suncoast Inc., is currently vacant;

however, the property was previously occupied by a nursing home that was demolished in 2006. YMCA of the Suncoast would like the option to construct a new smaller facility to replace their current one on the parcel directly to the south, which has been sold to the Learning Independence for Tomorrow (LIFT) School. This amendment would allow the applicant to develop the property with a facility built for delivery of social/public services and/or educational services, although no plans have been submitted at this time.

The request is to change the property's Zoning Atlas designation from the Office (O) District to the Institutional (I) District. A request to amend the future land use designation of the property from Residential/Office General (R/OG) to Institutional (I) is being processed concurrently with this case (LUP2022-03003). Social and community centers are not a listed permitted use in the Office (O) District and would require submission of a Comprehensive Infill Redevelopment application. The proposed amendment would allow for the property to be developed with the clarity of institutional standards.

The Planning and Development Department determined that the proposed Zoning Atlas Amendment is consistent with the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.
- The available uses in the Institutional (I) District are compatible with the surrounding area.
- The proposed amendment is compatible with the surrounding property and character of the neighborhood.
- The proposed amendment will not adversely or unreasonably affect the use of other property in the area.
- The proposed amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner.
- The proposed Institutional (I) District boundaries are appropriately drawn in regard to location and classification of streets, ownership lines, existing improvements, and the natural environment.

The Community Development Board reviewed this application at its June 21, 2022 public hearing and made a unanimous recommendation of approval to City Council.

Ordinance 9576-22 was presented and read by title only.

Vice Mayor Beckman moved to approve a Zoning Atlas Amendment from the Office (O) District to the Institutional (I) District for property located at 905 South Highland Avenue and pass Ordinance 9576-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

10. Second Readings - Public Hearing

10.1 Adopt Ordinance 9564-22 on third reading, annexing certain real property whose post office address is 1272 Sedeeva Circle N., Clearwater, FL 33755, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9564-22 was presented and read by title only. Councilmember Teixeira moved to adopt Ordinance 9564-22 on third and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

10.2 Adopt Ordinance 9565-22 on third reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1272 Sedeeva Circle N., Clearwater, FL 33755, upon annexation into the City of Clearwater, as Residential Urban (RU).

Ordinance 9565-22 was presented and read by title only. Councilmember Allbritton moved to adopt Ordinance 9565-22 on third and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

10.3 Adopt Ordinance 9566-22 on third reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1272 Sedeeva Circle N., Clearwater, FL 33755, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9566-22 was presented and read by title only. Vice Mayor Beckman moved to adopt Ordinance 9566-22 on second and final

reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 10.4** Adopt Ordinance 9589-22 on second reading, amending the Operating Budget for the fiscal year ending September 30, 2022 to reflect increases and decreases in revenues and expenditures for the General Fund, Special Development Fund, Special Program Fund, Gas Fund, Marine Fund, and Parking Fund.

Ordinance 9589-22 was presented and read by title only. Councilmember Bunker moved to adopt Ordinance 9589-22 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 10.5** Adopt Ordinance 9590-22 on second reading, amending the Capital Improvement Budget for the fiscal year ending September 30, 2022, to reflect an increase of \$12,724,924.

Ordinance 9590-22 was presented and read by title only. Councilmember Teixeira moved to adopt Ordinance 9590-22 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

Nays: 1 - Mayor Hibbard
Motion carried.

- 10.6** Continue to August 4, 2022: Adopt Ordinance 9597-22 on second reading, calling for an election to be held on November 8, 2022 on a proposed amendment to the City Charter to allow the City to negotiate the development and sale of certain unoccupied properties in the downtown core for the purpose of creating a vibrant, mixed-use development consisting of apartments, hotel and commercial space including restaurant dining, cafes, and event space, activating the area adjacent to Coachman Park.

Councilmember Allbritton moved to continue Item 10.6 to August 4, 2022. The motion was duly seconded and carried unanimously.

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

11. City Manager Reports

11.1 Adopt a tentative millage rate of 5.9550 mills for fiscal year 2022/23; set public hearing dates on the budget for September 15, 2022 and September 29, 2022, to be held no earlier than 6:00 p.m., and schedule a special work session on August 4, 2022, at 3:00 p.m. to fully discuss the proposed budget.

In accordance with the Truth in Millage (TRIM) process, the City Council must adopt a tentative millage rate and set public hearing dates prior to finalizing and adopting a budget. This information must be provided to the Pinellas County Property Appraiser and Tax Collector by August 2, 2022. The City's proposed millage rate and public hearing dates will be included on the TRIM notices mailed to taxpayers in August. This tentative rate cannot be increased without first-class mailing notification to each taxpayer at the expense of the City of Clearwater, not less than 10 days and not more than 15 days before the public hearing.

The City Manager's recommended millage rate is 5.9550 mills, the same as the current year. This rate is 11.80% more than the rolled back rate of 5.3264 mills. The rolled-back rate is the millage rate that will provide the City with the same property tax revenue as was levied in the prior year. If the proposed millage rate of 5.9550 mills is adopted, the City's ordinance adopting the millage rate will reflect an 11.80% increase from the rolled-back rate of 5.3264 mills.

The proposed millage rate as well as other TRIM millage rates will be noted on the 2022 compliance forms as follows:

5.9550 mills - Tentative millage rate

5.3264 mills - Rolled-back millage rate

6.1675 mills - Maximum majority vote rate

6.7843 mills - Maximum two-thirds vote rate

A special budget work session is being scheduled for Thursday, August 4, 2022, at 3:00 p.m. to fully discuss the proposed budget.

Budget Manager Kayleen Kastel provided a PowerPoint presentation.

Vice Mayor Beckman moved to adopt a tentative millage rate of 5.9550 mills for fiscal year 2022/23; set public hearing dates on the budget for September 15, 2022 and September 29, 2022, to be held no earlier than 6:00 p.m., and schedule a special work session on

**August 4, 2022, at 3:00 p.m. to fully discuss the proposed budget.
The motion was duly seconded and carried unanimously.**

- 11.2** Amend Clearwater Code of Ordinances, Chapter 2, Article VI, Division 3, Purchasing, revising Section 2.542, Section 2.554, Section 2.561, and Section 2.563; and Division 4, Disposal and Disposition of Surplus Tangible Personal Property, revising Section 2.623; and pass Ordinance 9596-22 on first reading.

Staff is proposing the following changes to update procurement code procedures and authorization thresholds, as well as updating the required dollar threshold for city council approval of the disposal of surplus property.

The procurement code provides an exception from competitive bidding for micro purchases, which are purchases of commodities and services with a value of \$2,500 or less. An increase in the micro purchase threshold from the current level of \$2,500 to \$10,000 is proposed. The \$2,500 level has been in place since 2001 and the increase is requested due to rising costs and other economic factors that support an expedited and efficient procurement process. Similarly, the City Manager's authorization level for disposition of surplus tangible personal property has been \$5,000 for more than 20 years. Staff is requesting that the City Manager authorization be increased to \$50,000. Dispositions in excess of \$50,000 will require city council approval.

Other minor changes and updates to the ordinance include clarification that contracts for commodities should not exceed five years, an updated description of requirements for performance and payment bonds, and other non-substantive updates to ordinance terminology.

Ordinance 9596-22 was presented and read by title only.

Councilmember Bunker moved to amend Clearwater Code of Ordinances, Chapter 2, Article VI, Division 3, Purchasing, revising Section 2.542, Section 2.554, Section 2.561, and Section 2.563; and Division 4, Disposal and Disposition of Surplus Tangible Personal Property, revising Section 2.623; and pass Ordinance 9596-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

- 11.3** Authorize the Marine and Aviation Director to apply for and administer the Florida Fish and Wildlife Conservation Commission (FWC) Sportfishing Restoration / Florida Boating Infrastructure Grant(s) on behalf of the City of Clearwater, for Capital Improvements

Project (C1905), Clearwater Beach Marina and adopt Resolution 22-16.

On October 7, 2021, Clearwater City Council Authorized the Marine and Aviation Department to proceed with the design and engineering phase of the Clearwater Beach Marina Replacement Project (Project # 21-0008-MA). The last comprehensive renovation to this marina took place in 1977. This extensive project involves the complete replacement of all utilities, docks, and fueling facilities at the Clearwater Beach Marina.

Part of the scope of work for the Design and Engineering Team, Moffatt & Nichol, involved identification of potential grant funding sources applicable to the project. Accordingly, there are potential Florida Fish and Wildlife Conservation Commission (FWC) grant opportunities available that could finance portions of the project related to transient boaters and the general boating public.

The FWC application process requires a City Council Resolution authorizing a representative of the City to apply for and administer these grants. If adopted by council resolution, the Marine and Aviation Director, Eric Gandy, would be authorized to act on behalf of the City to apply for and administer the applicable grants. The resolution would also reflect the Council's commitment to entering into a twenty-year agreement for the maintenance and operation of the project(s). This resolution allows for the application. If the City is chosen as a grant recipient, the grant would be presented to Council for approval.

Resolution 22-16 was presented and read by title only.

Councilmember Teixeira moved to authorize the Marine and Aviation Director to apply for and administer the Florida Fish and Wildlife Conservation Commission (FWC) Sportfishing Restoration / Florida Boating Infrastructure Grant(s) on behalf of the City of Clearwater, for Capital Improvements Project (C1905), Clearwater Beach Marina and adopt Resolution 22-16. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

12. City Attorney Reports

- 12.1** Call for an election on November 8, 2022 to present a referendum question to the city electors amending the Charter of the City to allow the redevelopment and sale of two certain unoccupied properties in the downtown core and pass Ordinance 9597-22 on first reading.

On May 5, 2022, City Council directed the City Manager and City Attorney to take all necessary actions to identify a redevelopment concept and team(s) for the former City Hall site and former Harborview Center site to present to Clearwater voters for consideration at a November 8, 2022, referendum. Staff

recommended disposition of the properties through an open call for development concepts and adoption of a development agreement to better define and manage the long-term redevelopment of the sites.

The City of Clearwater has adopted a community redevelopment plan entitled the 2018 Clearwater Downtown Redevelopment Plan, which contemplates the area generally referred to as Downtown Clearwater as a community redevelopment area.

Pursuant to Florida Statute § 163.380(3)(a), the City released a Call for Development Concepts #28-22 by publication in a newspaper having a general circulation in Clearwater, Florida. The solicitation closed on June 9, 2022. The solicitation was designed to identify opportunities to redevelop the former City Hall, which is unoccupied, and the former Harborview Center, which is vacant land. Both properties are located within the downtown core, and within the community redevelopment area.

After reviewing each of the three responses, on June 16, 2022 the City Council unanimously selected Gotham Property Acquisitions and The DeNunzio Group as the City's development partners for these properties.

When selling city property, the Clearwater City Charter normally requires the City to sell the property to the highest bidder at a public auction. Although the City can impose terms or restrictions relating to bidding, a public auction could result in the purchase of these properties by a person or entity who would leave the properties vacant, or use the properties in a way that is undesirable for Clearwater residents. In addition, a public auction leaves the City with no mechanism, subsequent to the sale, to compel the buyer to design their property in a certain way, or advance their plans in a timely manner.

Instead of conducting a public auction, the ordinance proposes an amendment to the City Charter whereby the City will be allowed to enter into a purchase and development agreement with Gotham and DeNunzio. This ordinance, if approved by Council and by voters, will allow the City and voters to have certainty as to the identity of the purchaser, and the purchaser's plan for the properties. The proposed Charter amendment confers this authority only as to the two properties described in the ordinance.

Ordinance 9597-22 was presented and read by title only.

Vice Mayor Beckman moved to call for an election on November 8, 2022 to present a referendum question to the city electors amending the Charter of the City to allow the redevelopment and sale of two

certain unoccupied properties in the downtown core and pass Ordinance 9597-22 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Vice Mayor Beckman, Councilmember Allbritton, Councilmember Bunker and Councilmember Teixeira

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

Councilmember Allbritton said the City is so close to making Imagine Clearwater happen which is one of the things he wanted to be on Council for.

Councilmember Teixeira said staff has made her comfortable with the Bluff Development Agreement process and she appreciates the work everyone has put in. She said she has been impressed with the Parks & Recreation summer camp staff; staff is working hard and it is reflected in the youth.

14. Closing Comments by Mayor

Mayor Hibbard reviewed recent and upcoming events, offered condolences for the passing of Nick Pappas, and congratulated Troop 484 members Steven Issari, Collin Carpenter, Jude Palma, Nicholas Silvestro, and Hunter Herr for achieving the Eagle Scout rank.

15. Adjourn

The meeting adjourned at 8:48 a.m.

Attest

Mayor
City of Clearwater

City Clerk